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COUR DE JUSTICE

محكمة العدل

COMESA

COMESA COURT OF JUSTICE
REGISTRAR
P.O. Box 12222 KHARTOUM, SUDAN

COURT OF JUSTICE

IN THE COURT OF JUSTICE OF THE COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA (COMESA COURT OF JUSTICE) APPELLATE DIVISION

SITTING VIRTUALLY

APPEALS Nos. 1 AND 2 OF 2018

COMESA..... APPELLANT

VERSUS

MALAWI MOBILE LIMITED ..... RESPONDENT

CORAM:
Hon. Dr. Justice Michael Mtambo – Presiding Judge
Hon. Mr. Justice David Chan Kan Cheong - Judge
Hon. Dr. Justice Wael Rady – Judge

REGISTRY:
Hon. Nyambura L. Mbatia – Registrar
Hon. Ruboneza Philippe – Assistant Registrar
Mr. Asiimwe Anthony - Clerk of Court

COUNSEL FOR THE APPELLANT:
Mr. Gabriel M.S. Masuku – Lead Counsel
Mr. Raymond Bwanga Musumali – Co – Counsel

COUNSEL FOR THE RESPONDENT:
None

JUDGMENT

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INTRODUCTION

1. Appeals Nos. 1 and 2 of 2018, which have been lodged pursuant to Rules 89(1) and 90(1) of the Rules of Procedure of the COMESA Court of Justice ("the Rules"), have been consolidated. We shall, therefore, deliver a single judgment.

2. The first appeal (Appeal No.1 of 2018) in essence challenges the orders for costs made against the Appellant in favour of the Respondent in a judgment delivered on 12 August 2018 by the First Instance Division ("the FID") of the COMESA Court of Justice ("the CCJ") in Reference No.1 of 2017.

3. The second appeal (Appeal No.2 of 2018) challenges a ruling delivered on 4 August 2018 by the FID ordering the Appellant to file the curricula vitae ("CVs") of 2 Judges of the Appellate Division ("the AD") for the purpose of determining Reference No.1 of 2017.

4. The Appellant is the Common Market for Eastern and Southern Africa ("COMESA") established under Article 1 of the COMESA Treaty ("the Treaty").

5. The Respondent is a company duly incorporated in the Republic of Malawi under the Malawi Companies Act, 1984. At the hearing of the appeals, the Respondent left default since it failed to put in an appearance and to be represented by Counsel, although it was given ample opportunity to retain the services of another Counsel in our ruling dated 30 November 2021.

BACKGROUND

6. On 10 August 2017, the Respondent (then Applicant) lodged Reference No.1 of 2017, wherein it prayed, *inter alia*, for an order declaring that:

(a) the Honourable Judge President Lombe Chibesakunda and late Honourable Judge El Bashir (" the affected Judges") were ineligible for election and appointment to the CCJ;

(b) their appointment was void *ab initio*;

(c) all or any proceedings, including Appeal No.1 of 2016, in which the affected Judges participated are a nullity and setting them aside.

7. The Respondent also filed motions seeking the suspension of the operation of the election and appointment of the affected Judges and a stay of the revision proceedings in Appeal No.1 of 2016 pending before the AD.

8. The Appellant (then Respondent) opposed the above Reference and the motions and prayed for the dismissal of the Reference with costs.

9. In the course of the proceedings in Reference No.1 of 2017, the FID heard a number of collateral motions on preliminary matters.

10. The Appellant (then Respondent) had raised a preliminary objection to the jurisdiction of the FID to hear Reference No.1 of 2017. On 24 January 2018, the FID dismissed the objection to jurisdiction but sustained the Appellant's objection to the Council of Ministers of the COMESA being cited as a party and ordered the Respondent to amend its pleadings accordingly. The FID ordered that costs would be in the cause.

11. On 30 April 2018, the Respondent filed an interlocutory motion requiring the Appellant to produce and furnish the CVs of the affected Judges within a prescribed time and seeking costs of the application. The Appellant opposed the interlocutory motion on the ground that the CVs of the affected Judges were their personal and private property, and the Appellant had no *locus standi* to produce them. By way of a ruling dated 4 August 2018, the FID granted the interlocutory motion and ordered the Appellant to produce the CVs of the affected Judges. The FID also ordered that costs would be in the cause.

12. Finally, in a judgment dated 12 august 2018, the FID held that, on a true construction of Article 20(2) of the COMESA Treaty, the affected Judges were eligible for election as Judges of the CCJ on the ground that they were jurists of recognised competence and accordingly dismissed Reference No.1 of 2017. The FID also held that in view of its finding on the eligibility of the affected Judges, there was no need to determine the motion for suspension of their election.

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13. As regards costs, the FID made several orders. It held that, since matters of interpretation of the Treaty were raised for their consideration, in the public interest and so as not to discourage potential and actual litigants before the CCJ, it would make no order as to costs in respect of the dismissed Reference No.1 of 2017 and the motions for suspension of the election of the affected Judges and the stay of revision proceedings in Appeal No.1 of 2016.

14. The FID, however, held that since it had found in favour of the Respondent on the substantive issue of jurisdiction but for the Appellant in respect of the identity of the proper respondent to the Reference, it would award two thirds of its costs to the Respondent.

15. With regard to the interlocutory motion for the production of the CVs of the affected Judges, the FID awarded its full costs to the Respondent since it was the successful party.

Appeal No.1 of 2018

16. The orders for costs made by the FID against the Appellant in favour of the Respondent, as set out at paragraphs 14 and 15 above, are the subject matter of this appeal. The Appellant is also praying to be awarded costs for all motions which were discontinued or withdrawn by the Respondent. We must point out that this appeal is concerned with the principles governing a decision as to the award of costs, not with a dispute as to the amount of costs recoverable or as to the taxation of costs, which would fall to be governed by Rules 79 and 80 of the Rules. Under these rules, any such dispute is to be referred to the Registrar, whose decision is subject to an appeal to a single Judge whose decision is final and binding on the parties.

17. It is the Appellant's contention that the FID erred in law and procedure in awarding costs without making a finding that the Appellant's preliminary objection as to jurisdiction and its response to the interlocutory application for production of the CVs of the affected Judges were unreasonable and vexatious as provided for under Rule 74(5) of the Rules. It was submitted on behalf of the Appellant that the FID's procedural and legal impropriety stemmed from the Appellant being successful in Reference No.1 of 2017 and yet being condemned for costs for having raised necessary and reasonable points.

18. As already stated above, the Respondent has left default. We, however, note that the Respondent had raised an objection to the admissibility of the present appeals on the ground that they do not comply with Rule 86 of the Rules which provides that an appeal shall lie to the AD on points of law, grounds of lack of jurisdiction and procedural irregularity.

19. We find no merit in this objection since it is precisely the Appellant's contention that the FID erred in law and procedure, which is within the permissible grounds of appeal.

20. This appeal (Appeal No.1 of 2018) turns on the award of costs made by the FID in favour of the Respondent as set out at paragraphs 14 and 15 above.

21. As is common in most jurisdictions, matters relating to costs in the CCJ are rule-based. As a matter of fact, a whole part of the Rules, namely Part IV (Rules 74 to 81), is devoted to "Costs". The relevant rule for the purposes of this appeal is Rule 74 which reads as follows:

> *"**Rule 74***
>
> ***Decision as to costs***
>
> 1. *A decision as to costs shall be given in the final judgment or in the order which closes the proceedings.*
>
> 2. *The Court may order an unsuccessful party to pay the costs except as provided under sub rule (3) and (4) of this Rule.*
>
> 3. *Where there are several unsuccessful parties, the Court shall decide how the costs are to be shared among them.*
>
> 4. *Where each party succeeds on some and falls on other heads, or where the circumstances are exceptional, the Court may order that the costs be shared or that the parties bear their own costs.*
>
> 5. *The Court may order a party, even if successful, to pay costs which the Court considers that party to have unreasonably or vexatiously caused the opposite party to incur.*
> 6. *……"*

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22. It goes without saying that the CCJ has to apply its own rules when making a decision as to costs. Nonetheless, we are of the view that, with regard to the interpretation and application of the Rules of the CCJ governing costs, useful guidance may be obtained from other jurisdictions, the more so that the Rules seem to reflect well known and accepted principles on costs.

23. In England, the Court has a discretion as to whether costs are payable by one party to another. If the Court decides to make an order about costs, "the general rule" is that the unsuccessful party will be ordered to pay the costs of the successful party, but the Court may make "a different order". The overall concern of the Court must be to make the order which justice requires; an order in favour of the successful party is generally to be adopted as calculated to achieve this end **(Bank of Credit and Commerce International SA v Ali (1999) 149 N.L.J. 1734, para. N7 (Lightman J))**. The general rule accrues to the benefit of the successful party.

24. On numerous occasions, the Court of Appeal in England has emphasised that where a particular party is the successful party, it is important that proper weight be attached to that and that judicial reasoning towards a costs order which justice requires should start with the general rule that the unsuccessful party should pay his or her costs.

25. In this context, the successful party is the party successful in the proceedings, and not a party successful on a particular issue (**Kastor Navigation v AGF MAT [2004] EWCA Civ 277; [2005] 2 All E.R. (Comm) 720**).

26. The Rules of the CCJ reflect the above principles. The language of Rule 74(2), which provides that the CCJ may order an unsuccessful party to pay the costs except as provided for in Rule 74(3) & (4), makes it clear that the CCJ has a discretion as to whether to order a party to pay costs and, if it decides to do so, its discretion should as a general rule be exercised in favour of the successful party against the unsuccessful party.

27. One notable exception to the above general rule is provided for at Rule 74(5) which allows the CCJ to order a successful party to pay costs where it considers that the successful party has unreasonably or vexatiously caused the opposite party to incur those costs.

28. Applying the above Rules, there is no doubt that the Appellant was the successful party since it objected to Reference No.1 of 2017 which was eventually dismissed. The FID exercised its discretion not to award costs to the Appellant for the dismissal of the Reference but went further. The FID decided to award two thirds of its costs to the Respondent on the preliminary issue of jurisdiction and its full costs with regard to the interlocutory motion for the production of the CVs of the affected Judges (vide paragraphs 14 and 15 above), hence this appeal.

29. It is to be noted that Rule 74(2) is subject to sub rules (3) and (4) but they clearly do not apply to the present case since we are not in a situation where there are *"several unsuccessful parties"* or where "*each party succeeds on some and fails on other heads*" or where "*the circumstances are exceptional*". At the end of the day, in Reference No.1 of 2017, the Respondent was the only unsuccessful party, and all its prayers were dismissed. Moreover, the FID did not point out any exceptional circumstances. In any case, the FID never made any reference to sub rules (3) and (4) of Rule 74 when it awarded costs to the Respondent.

30. Rule 74(1) of the Rules provides that a decision as to costs shall be given in the final judgment. Presumably this is why the FID decided that costs will be in the cause in the 2 collateral motions mentioned above.

31. Since the Appellant was the successful party in the final judgment of the FID, as a general rule, it should have been awarded costs, but the FID decided otherwise and as stated above, instead awarded costs to the Respondent in the 2 collateral motions, thus causing the Appellant to feel aggrieved and to appeal against those costs' orders.

32. An appellate Court is usually loath to interfere with the discretion of a trial court. However, in our task of determining whether the FID was legally and procedurally wrong to award costs to the Respondent, our major difficulty is that the FID failed to give any reason as to why it was departing from the general rule and exercising its discretion to order the successful party, i.e., the Appellant, to pay costs to the unsuccessful party, i.e. the Respondent, be it in respect of 2 collateral motions.

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33. In England, the Court of Appeal has repeatedly stated that, when making an order for costs, Judges should clearly state their reasons, particularly where the costs incurred are disproportionate to the amount in issue: see **English v Emery Reimbold & Strick Ltd (Practice Note) [2002] EWCA Civ 605; [2002] 1 W.L.R. 2409, CA; Lavelle v Lavelle [2004] EWCA Civ 223.**

34. We hasten to add that we are not saying that there is always a need for the Court to give reasons when making an order for costs. There are cases where the matter is so clear that there is no need to give such reasons, e.g. where a party is clearly the successful party in the main case and in all collateral issues or proceedings. But where the Court, as the FID purported to do in this case, decides to award costs to the unsuccessful party, the least that the successful party can expect is an explanation as to why it is being required to pay the costs of the other party although it is the successful party at the end of the day.

35. However, as already stated above, Rule 74(5) allows the CCJ to order a successful party to pay costs where it considers that the successful party has unreasonably or vexatiously caused the opposite party to incur those costs. But the FID never made a finding to that effect when awarding costs to the Respondent against the Appellant. In fact, the FID did not give any indication about which rule it was applying and on what factors it was relying on to exercise its discretion. We can therefore understand the Appellant's sense of grievance.

36. With regard to the meaning of *"unreasonable"* and *"vexatious"*, learned Counsel for the Appellant referred us to the following pronouncements in **Dransfield v Information Commissioner [2015] EWCA Civ 454 and Cabinet Office v Information Commissioner and Ashton [2018] UKUT 208(AAC):**

> *"In order to determine whether a request is vexatious, it is necessary to look at all the surrounding circumstances. A request is not vexatious simply because it is annoying and irritating; it has also to be without justification. The Court further stated that the term 'vexatious' is a protean word, i.e., one that takes its meaning and flavour from its context. The ordinary dictionary meaning of 'vexatious' i.e., 'causing, tending or disposed to cause annoyance, irritation, dissatisfaction or annoyance, or disappointment can only take us so far'. Depending on the circumstances, a case which is annoying or irritating to the recipient may well be vexatious, but it all*

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depends on the circumstances. The Court stated that the key question is whether the request is likely to cause distress, disruption or irritation without any proper justified cause. This provides a useful starting point so long as the emphasis is on the issue of justification or not. Furthermore, the Court stated that there is no material difference between the terms 'vexatious' and 'manifestly unreasonable'. Vexatious connotes manifestly unjustified, inappropriate or improper use of a formal procedure."

37. With regard to what would constitute "vexatious proceedings", we may also refer to **Attorney General v Barker 2000 EWHC 453 (Admin),** where it was held as follows:

"Vexatious" is a familiar term in legal parlance. The hallmark of a vexatious proceeding is in my judgment that it has little or no basis in law (or at least no discernible basis); that whatever the intention of the proceeding may be, its effect is to subject the defendant to inconvenience, harassment and expense out of all proportion to any gain likely to accrue to the claimant; and that it involves an abuse of the process of the court, meaning by that a use of the court process for a purpose or in a way which is significantly different from the ordinary and proper use of the court process. Those conditions are in my view met in this case. Many of the proceedings show no justiciable complaint and, as has been pointed out, several writs have been issued against individual officers in the same department when one writ would have served against them all."

38. In **The Atlantic Star [1973] 2 All ER 175**, Lord Kilbrandon stated as follows:

"Vexatious' today has overtones of irresponsible pursuit of litigation by someone who either knows he has no proper cause of action or is mentally incapable of forming a rational opinion on that topic."

39. In the Supreme Court Practice, 1995, p.344 (**Sweet & Maxwell**), it has been observed as follows:

"This term connotes that the process of the court must be used bona fide and properly and must not be abused. The court will prevent improper use of its

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machinery and will, in a proper case, summarily prevent its machinery from being used as a means of vexation and oppression in the process of litigation the categories of conduct rendering a claim frivolous, vexatious or an abuse of process are not closed but depend on all the relevant circumstances. And for this purpose, considerations of public policy and the interests of justice may be very material".

40. In the present case, the Appellant had raised a preliminary objection to the jurisdiction of the CCJ to hear Reference No.1 of 2017 on the ground that the COMESA Authority is the sole body empowered to appoint and remove Judges of the CCJ by virtue of Articles 20 and 22 of the Treaty, and hence the Respondent had no *locus standi* to challenge the appointment of the affected Judges and his application was frivolous and vexatious.

41. The FID dismissed the Appellant's preliminary objection to jurisdiction. We will not venture to make any pronouncement on the correctness of the FID's decision since it is not the subject matter of the appeals before us. Suffice it to say, for the purposes of this appeal, that the Appellant's preliminary objection cannot, on the face of it, be said to be unreasonable or vexatious. Bearing in mind the meaning of "*vexatious*" and "*unreasonable*" (supra), we are unable to say that the Appellant's preliminary objection was unjustified, improper, irresponsible and an abuse of the process of the Court. In any case, as already stated above, the FID never found that the Appellant's preliminary objection to jurisdiction was unreasonable or vexatious.

42. Moreover, the FID had granted the Respondent's interlocutory motion requiring the Appellant to produce and furnish the CVs of the affected Judges although the Appellant had objected to the motion on the ground that the CVs were the Judges' personal and private property, and the Appellant had no *locus standi* to produce same. We will deal fully with the FID's decision in Appeal No.2 of 2018. Again, suffice it to say, for the purposes of this appeal, that the Appellant's objection cannot, on the face of it, be said to be unreasonable or vexatious. Bearing in mind the meaning of "*vexatious*" and "*unreasonable*" (supra), we are unable to say that the Appellant's objection was unjustified, improper, irresponsible and an abuse of the process of the Court. In any case, as already stated above, the FID never found that the Appellant's objection to the Respondent's interlocutory motion was unreasonable or vexatious.

43. The Appellant is also praying to be awarded costs for all motions which were discontinued or withdrawn by the Respondent by virtue of Rule 74(8) of the Rules which provides as follows:

> *"A party who discontinues or withdraws from proceedings shall be ordered to pay the costs if they have been applied for in the other party's pleadings."*

44. We must point out that the present Appeal arises out of the judgment of the FID delivered on 12 August 2018 in Reference No.1 of 2017. A perusal of the judgment shows that no motions were discontinued or withdrawn by the Respondent. In fact, the FID held that in view of its finding on the eligibility of the affected Judges, there was no need to determine the Respondent's collateral motion for suspension of their election. In support of this ground of appeal, the Appellant referred to motions for contempt which were withdrawn by the Respondent, but these do not form part of the present proceedings so that we are unable to intervene.

45. For the above reasons, we shall allow the appeal against the decision of the FID to award costs against the Appellant in favour of the Respondent, namely (a) two thirds of the costs on the substantive issue of jurisdiction and (b) full costs with regard to the interlocutory motion for the production of the CVs of the affected Judges. These orders for costs are therefore quashed. We accordingly order the Respondent to refund to the Appellant the costs, if any, which have already been paid under those orders.

46. The Appellant's additional prayer to be awarded costs for all motions which were discontinued or withdrawn by the Respondent is, however, dismissed.

Appeal No.2 of 2018

47. As already stated above, this appeal (Appeal No.2 of 2018) challenges a ruling delivered on 4 August 2018 by the FID ordering the Appellant to file the CVs of the affected Judges for the purpose of determining Reference No.1 of 2017.

48. In a previous ruling dated 24 January 2018, the FID held that it had jurisdiction to entertain the question whether the affected Judges were eligible for election and subsequent

appointment to the office of Judge of the CCJ even though they had at the time of election, reached the retirement age in their respective countries.

49. With regard to the eligibility of Judges of the CCJ, Article 20(2) of the Treaty provides as follows:

> *"The Judges of the Court shall be chosen from among persons of impartiality and independence who fulfil the conditions required for the holding of high judicial office in their respective countries of domicile or who are jurists of recognised competence..."*

50. In order to determine the question of eligibility of the affected Judges, the FID ordered the Appellant to produce their CVs, following an interlocutory motion lodged by the Respondent.

51. In its final judgment dated 12 August 2018, the FID held that, on a true construction of Article 20(2) (supra), the affected Judges were eligible for election and subsequent appointment as Judges of the CCJ, particularly on the basis of the second limb of Article 20(2), i.e., that they were jurists of recognised competence. The FID accordingly dismissed Reference No.1 of 2017.

52. Although the Appellant succeeded in the main matter of eligibility, it is aggrieved by the order made against it to produce the CVs of the affected Judges, hence this appeal.

53. The issue for determination in this appeal is whether or not the order of the FID for the Appellant to produce the CVs of the affected Judges was a valid exercise of its powers.

54. The Appellant contends that the FID erred in law in ordering the Appellant to file the CVs of the affected Judges on the grounds that the CVs were their personal and private property, and the Appellant had no *locus standi* to produce same to the Court as the rights of the two Honourable Judges were compromised.

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55. The Appellant maintains that it did not have any ownership rights over the CVs of the affected Judges but had merely temporary possessory rights only for the purpose of facilitating the process of the election and appointment of the Judges to the CCJ, hence it had limited rights over the sharing and usage of the CVs which did not belong to it.

56. We have duly considered the written and oral submissions of learned Counsel for the Appellant. It should be noted that we have not had the benefit of hearing oral submissions on behalf of the Respondent as the latter has left default.

57. The FID ordered the Appellant to file the CVs under Rule 40 of the Rules which provides as follows:

> *"**Documents***
>
> *1. The Court may require any party to the proceedings to produce any document and to supply any information, which the Court considers necessary.*
>
> *2. The Court may require the Member States and institutions not being parties to the case and amicus curiae to supply any information, which the Court considers necessary."*

58. A logical and literal interpretation of Rule 40 leads us to assert that the FID enjoys a wide discretion to require any party to the proceedings to produce any document which it considers necessary. This wide discretion is confirmed by the fact that Rule 40 confers on the CCJ the right to order Member States and institutions to supply any ***"information"*** which it considers necessary, even where they are not parties to the case. It goes without saying that the CCJ's discretion, albeit wide, is not absolute as the documents to be produced must be considered necessary by the Court.

59. We agree that the production before, and perusal by, the FID of the CVs was necessary and relevant in determining the core issue as to whether the affected Judges were eligible for election and subsequent appointment as CCJ Judges. In this context, the FID pointed out that according to Rule 7(2) of the Rules of Procedure for Election of the Judges of the COMESA Court of Justice (2005), the election of Judges of the CCJ is made solely on

the basis of the CVs of the proposed Judges. The FID held that there was no lawful reason in these circumstances why it should not order the production of the CVs of the affected Judges. It turned out that the FID subsequently made extensive references to the CVs of the affected Judges as is evident from paragraphs 87 to 96 of its final judgment dated 12 August 2018 when it held that the affected Judges were eligible for election and appointment to the CCJ.

60. In this respect, we find no fault with the reliance by the FID on the following dictum in **Riddick v Thames Board Mills Ltd (1977) 3 All ER 677**:

> *"The reason for compelling discovery of documents in this case lies in the public interest in discovering the truth so that justice may be done between the parties. That public interest is to be put into the scales against the public interest in preserving privacy and protecting confidential information. The balance comes down in the ordinary way in favour of the public interest of discovering the truth, i.e., in making full disclosure."*

61. Despite arguing that the CVs were the personal property of the affected Judges, and the Appellant had no *locus standi* to produce them, the Appellant did not provide us with any authority for that proposition even after being asked to do so during oral submissions. The Appellant merely promised to endeavour to provide that authority later. The promise has not been made good.

62. However, before the FID, the Appellant had, in support of its submission that the CVs were personal property, relied on the **African Union Convention on Cyber Security and Personal Data Protection** adopted by the 23rd ordinary session of the assembly of the African Union held in Malabo, Equatorial Guinea on 27 June 2014. The FID observed that Article 13 of the Convention provides that the requirement for consent to release personal data may be waived in cases of public and general interest. This observation of the FID was not contested by the Appellant.

63. We are also of the view that there is nothing in Rule 40 which would allow us to uphold the Appellant's submission that the production of documents is restricted to those in which the party so ordered has a proprietary interest.

64. It was also the Appellant's contention that the rights of the affected Judges were compromised. However, no evidence was adduced before the FID to show the alleged prejudice suffered by the affected Judges by the production of their CVs.

65. Furthermore, the FID limited the use of the CVs of the affected Judges to the hearing and determination of Reference No.1 of 2017 and even ordered the Respondent's then Counsel to file a written professional undertaking not to use the CVs for any other purpose. The FID was thereby limiting the use of the CVs to what it considered necessary, in line with Rule 40 of the Rules.

66. For the above reasons, we find no merit in this appeal. The FID exercised its wide discretion under Rule 40 to order the production of the CVs and we find no reason to interfere with their findings and conclusion. Appeal No.2 of 2018 is accordingly dismissed.

Final conclusions

67. Appeal No.1 of 2018 is allowed in part to the extent that the orders of the FID awarding the Respondent:

(a) two thirds of the costs on the substantive issue of jurisdiction; and

(b) full costs with regard to the interlocutory motion for the production of the CVs of the affected Judges,

are hereby quashed.

68. Appeal No.2 of 2018 is hereby dismissed.

69. Since the Appellant has been partly successful in Appeal No.1 of 2018 and unsuccessful in Appeal No.2 of 2018, and the Respondent has left default, we shall make no order as to costs.

DATED at THIKA, KENYA this 09th day of MARCH 2022.

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HON. DR. JUSTICE MICHAEL MTAMBO – PRESIDING JUDGE

COMESA COURT OF JUSTICE
REGISTRAR
P.O. Box 12222 KHARTOUM, SUDAN

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HON. JUSTICE DAVID CHAN KAN CHEONG – JUDGE

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HON. DR. JUSTICE WAEL RADY – JUDGE