



## CARIBBEAN COURT OF JUSTICE

134 HENRY STREET  
PORT OF SPAIN  
REPUBLIC OF TRINIDAD AND TOBAGO  
Phone: (868) 623-2225 Fax: (868) 624-5071  
Website: [www.caribbeancourtjustice.org](http://www.caribbeancourtjustice.org)

### **MEDIA RELEASE**

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### **SIGNIFICANT PROGRESS IN GUYANA'S COMPLIANCE WITH CCJ JUDGMENT**

**The Caribbean Court of Justice (CCJ) this morning heard parties in the original jurisdiction matter *Rudisa Beverages and Juices N.V. and Caribbean International Distributors Inc.(CIDI) v The State of Guyana* OA 003 of 2013, to deal with the issue of compliance with the Court's judgment handed down on 8 May 2014.**

The Court had ruled in May 2014 that an environmental tax, which was levied on CIDI, was inconsistent with the Revised Treaty of Chaguaramas (RTC). In its original jurisdiction, the CCJ is the guardian of that CARICOM Treaty and the final arbiter of disputes arising out of it.

The CCJ had ordered the State of Guyana to repay the sum of US\$6,047,244.47 together with any further tax paid by CIDI from 25th October 2013 to the date of the judgment, and interest on these sums at the rate of 4% per year. The State was further ordered to "cease forthwith" the collection of this tax and to take necessary action to ensure that collection would not continue.

The CCJ embarked on a novel approach with regards to the enforcement of judgments. In its judgment it required CIDI to notify the Court whether and if so, to what extent Guyana had complied with the orders of the Court. In case of non- or partial compliance, Guyana was ordered to file a report.

Upon notification of Guyana's initial non-compliance by the attorney for CIDI, the Court ordered the parties to appear before it. At the hearing today the parties reported to the Court that they had reached a full and final settlement with regard to Guyana's compliance with the CCJ's judgment as was evidenced by a signed agreement of settlement a copy of which was submitted to the Court. It was agreed that Guyana will pay CIDI the amount of US\$ 6.2 million on or before 31 January 2016. It was further reported that Guyana will cease the collection of the environmental tax as of today, Guyana's parliament having passed an amendment to the Customs Act on 30 July 2015.

At today's hearing, the Court expressed its satisfaction with the progress made and adjourned the matter until 26 February 2016 to allow the parties, in accordance with Rule 30.3(4) of its Original Jurisdiction Rules, to provide proof of complete compliance with the judgment.

Mr. Hans Rudolph Lim A Po appeared as Attorney-at-law for The Claimants and the

Public Education and Communications Unit:

Tel: (868) 623 2225 ext. 2226

Fax: (868) 624 5071

Email: [pecu@caribbeancourtjustice.org](mailto:pecu@caribbeancourtjustice.org)

Hon. Attorney-General Mr. Basil Williams, MP and Ms. Prithima Kissoon appeared on behalf of the State of Guyana.

Further information on the judgment delivered in this matter can be accessed via this link - <http://www.caribbeancourtofjustice.org/judgments-proceedings/original-jurisdiction-judgments>

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Fax: (868) 624 5071

Email: [pecu@caribbeancourtofjustice.org](mailto:pecu@caribbeancourtofjustice.org)