



Remarks by the President of the Caribbean Court of Justice at the First Hemispheric Meeting of Regional Courts

The Honourable Mr Justice Adrian
Saunders, President of the Caribbean Court

The First Hemispheric Meeting of Regional Courts

Hyatt Regency
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In September 2022, the Caribbean Court of Justice hosted the First Hemispheric Meeting of Regional Courts in Port of Spain, Trinidad and Tobago. The theme of the First Hemispheric Meeting was "**The Rule of Law and International Justice**". Participants explored the challenges facing regional courts in the course of their operations and shared best practices in substantive areas of international and community law. The following Regional Courts participated in this First Hemispheric Meeting - The Central American Court of Justice, The Court of Justice of the Andean Community, The Inter-American Court of Human Rights, The Eastern Caribbean Supreme Court and The Caribbean Court of Justice. Topics discussed included, the Rule of Law and International Justice, Compliance and Enforcement of International Judgments, Institutional Arrangements of International Courts, the Relationship with Domestic Courts and the Referral Obligation.

Remarks
by
The Honourable Mr Justice Adrian Saunders, President of the Caribbean Court of
Justice
on the occasion of the
First Hemispheric Meeting of Regional Courts and Tribunals of the Americas
‘The Rule of Law and International Justice’
22 September 2022

Protocols:

With all protocols having already been formally established at the start and during the proceedings, I wish to adopt the same and extend a pleasant good morning to you ALL.

It gives me great pleasure, as President of the court hosting this, the First Hemispheric Meeting of Regional Courts, to bring these remarks and add these words of welcome to all and in particular, to our foreign guests. It is most regrettable that the inclemency of the weather throughout the region has caused our colleague The Honourable Dame Pereira and the delegation from the Eastern Caribbean to cancel their flights, but one hopes that the virtual link will allow a convenient level of participation.

This meeting of hemispheric international courts is of particular significance for the Caribbean Court of Justice (CCJ) for several reasons, not least of which is the fact that it is the first in-person conference we have been able to host since March 2020. It is not by chance that the CCJ urged the convening of this gathering. It was a logical step for us. In the first place, here are international courts, international court judges, operating in this part of the world; defending and protecting the rule of law; ensuring that we faithfully carry out our respective mandates to interpret and apply the treaties that prescribe those mandates, and linked together by similar aims and challenges. It surely would be remiss of us if, over scores of years, we persisted with having little to no personal interaction with each other.

A second motivating factor that explains the CCJ's readiness to host this conference is that, of the courts represented here, ours is the youngest. We, therefore, have a considerable amount to learn from the experience of the other courts. It is particularly in the CCJ's interest to discover best practices which we can adopt in order to build upon the modest advances we have made to date in the pursuit of our own mandate. Over the next few days, we aim to make use of the opportunities presented to do just that.

Being the youngest established court, and especially given the very unique and dual role of the CCJ, we believe that we also have experiences and innovations that can profitably be shared with our hemispheric judicial colleagues, and some of these innovations will be explored during our sessions as we discuss pertinent matters of mutual interest relating to *The Rule of Law and International Justice*.

More than ever, this meeting allows us all to express and demonstrate our mutual solidarity and commitment to the people of the region whom we serve. As judges, we do not reside in ivory towers, aloof from reality. We are impartial, but not detached; unbiased, but deeply sensitive to prevailing mores and to social, economic and cultural developments. Guided by the law, we are ever conscious and keen to afford just outcomes, not only in disputes between and among states but in particular for individuals who are made weak and powerless; those who have been forced to the margins of society; those who hunger for the truth to be unravelled by an objective arbiter; and those who see the courts as their last, if not the only recourse.

Although, through this meeting, we are encountering some of our colleagues face to face for the first time, there has nevertheless been a relationship and collegiality between and among the institutions represented here based on our shared commitment to justice and our awareness of and respect for the jurisprudence and written opinions of each other. So it is that, for example,

we naturally and periodically cite judgments of the Eastern Caribbean Supreme Court (ECSC) even in cases that are irrelevant to appeals brought to us from the Commonwealth of Dominica. And, as I indicated to President Ricardo Pérez Manrique of the Inter-American Court of Human Rights (IACtHR) yesterday, the CCJ has, in its judgments, referred to decisions or advisory opinions of the IACtHR on multiple occasions, both in our Appellate Jurisdiction and in our Original Jurisdiction where we interpret and apply the Revised Treaty of Chaguaramas.

One of the pleasing developments that have occurred recently in the Americas has been the establishment of the Inter-American Network of Gender Liaisons from hemispheric Judiciaries. We salute the Supreme Court of Mexico for its leadership role in this worthy initiative. This Network simultaneously accomplishes a range of important goals. Transcending the language barrier, the Network has enabled and encouraged judiciaries in the hemisphere to work together on the noble, vital cause of promoting gender-responsive approaches in facilitating access to justice. The CCJ is extremely pleased to partner with the IACtHR and other judiciaries of South America, Central America and the Caribbean in promoting the work of this Network. We are heavily invested in endeavours that promote and protect, that guarantee and respect the rights of women and girls.

Ladies and gentlemen, colleagues, it is in the month of September that the United Nations observes the International Day of Peace, commemorated on 21 September, and the United Nations Day of South-South Cooperation marked on 12 September. Both days are relevant to this conference. Over the last few years, we have been confronted with a pandemic that produced untold deaths, suffering, dislocation and hardship, presenting challenging circumstances for the due administration of justice and the enjoyment and protection of human and economic rights. No sooner has humankind begun, slowly, to claw its way out of the pandemic than we are beset with global economic disruptions fuelled by egregious threats to peace and security.

The enjoyment of peace and security is premised upon the observance of the rule of law. Within our prescribed remits, we each play a unique role in safeguarding the rule of law and in promoting justice within the international, regional and domestic spheres. Peace is a holistic concept that comprises a state of affairs that is much broader than the absence of war. Justice is an important component of peace. And so, in providing an avenue for redress in instances of a breach of obligations, whether between or among States or as between a State and the citizenry, courts contribute to the peace, stability, development and prosperity of our regional communities and the international community as a whole.

Colleagues, over the course of these next two days, we shall discuss the rule of law and international justice and such issues as the compliance and enforcement of judgments, the institutional arrangements supporting international courts and the relationship between international and domestic courts. As we engage in these deliberations, we are optimistic that our exchanges will assist in crafting contextually relevant solutions to the challenges we face.

I am confident that our deliberations will provide a springboard for us to broaden and deepen our interactions, particularly as between the institutions within the English-speaking Caribbean and those sited in South and Central America. I look forward to the meaningful discussions we will have during the course of this Hemispheric Meeting and to our continued engagement, dialogue and collaboration going forward.

Muchas Gracias.