



Remarks by Justice Anderson at the First Hemispheric Meeting of Regional Courts

The Honourable Mr Justice Winston
Anderson, Judge of the Caribbean Court
of Justice

The First Hemispheric Meeting of Regional Courts

Hyatt
Trinidad and Tobago
22 September 2022

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 Winston Anderson, Judge of the Caribbean Court of Justice,

on the occasion of

First Hemispheric Meeting of Regional Courts and Tribunals of the Americas

‘The Rule of Law and International Justice’

22 September 2022

SALUTATIONS

1. The Honourable Mr Justice Ivor Archie, ORTT, Chief Justice of Trinidad and Tobago
2. Senator the Honourable Reginald Armour SC, Attorney General and Minister of Legal Affairs, Trinidad and Tobago
3. Meeting Host, the Honourable Mr Justice Adrian Saunders, President of the Caribbean Court of Justice,
4. The Honourable Dr Cesar Ernesto Salazar, President of the Central American Court of Justice
5. The Hon. Ricardo Manrique, President of the Inter-American Court of Human Rights
6. The Honourable Dame Janice Pereira, DBE, LLD, Chief Justice of the Eastern Caribbean Supreme Court (joining virtually)
7. The Honourable Hugo R. Gomez, President of the Court of Justice of the Andean Community (joining virtually)
8. Dr Juan Manuel Rivero, Secretary, Mercosur Permanent Review Tribunal (joining virtually, representing the President of the Tribunal)
9. Your Excellencies, heads of diplomatic missions
10. His Excellency, Justice Anthony Carmona, former President of the Republic of Trinidad and Tobago
11. Honourable Judges of the Caribbean Court of Justice
12. Other Honourable Judicial Officers

13. Management and staff of the Caribbean Court of Justice
14. Esteemed Speakers and Participants
15. Specially Invited Guests
16. Members of the Media
17. Distinguished Ladies and Gentlemen

INTRODUCTION

I am Winston Anderson, a Judge of the Caribbean Court of Justice (a court affectionately known as the ‘CCJ’).

WELCOME

On behalf of the President, Hon Mr Justice Adrian Saunders, my fellow Judges, and the Management and staff of the CCJ, I am very pleased to welcome you all to the opening of this historic event: The First Meeting of Hemispheric Regional Courts on the Rule of Law and International Justice.

You have come from the Caribbean, from all over the Americas, and from as far afield as Europe, and we are truly grateful that you have accepted our invitation to be here. We are also mindful of those who could not be physically with us (some because of the inclemency of the weather); we are happy that you are joining us virtually, and we welcome you equally warmly.

CHALLENGES

International courts in general – and regional courts in particular - do a good job of enforcing the rule of law and international justice, especially in the areas of regional economic integration and respect for human rights. But there have been challenges. In recent years regional courts have faced existential threats to their stability, their independence, and their very survival; some have been on the brink of collapse, and others have collapsed.

The Americas probably have more regional courts than any other area of the world – and we also face fundamental challenges. Some countries in the Americas have threatened to withdraw from regional courts; others have withdrawn; still, others have refused to enforce judgments rendered

against them; and yet others have imperilled the existence of regional courts by not implementing financial commitments.

And so, this meeting will provide a platform for discussing issues of institutional stability and strengthening; even as we exchange best practices in carrying out our substantive work of treaty interpretation and application; facilitating and responding to referrals for treaty interpretation from national courts and tribunals; and ensuring compliance with our judgments.

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But as members of the global community, we face even deeper threats to the Rule of Law. Recent developments in Eastern Europe threaten to unravel the legal and institutional arrangements fashioned at the end of World War II and which have guaranteed relative peace for over 75 years. The war in Ukraine is an unspeakable tragedy, not just for the countries directly involved but for all of humanity, and a potentially lethal challenge to the rule of international law. I hope we will join our voices with those calling for an immediate end to the conflict and a return to peace in accordance with the rule of International Law.

DECLARATION

Esteemed participants, and distinguished speakers, over the next two days, we will discuss problems, progress, and the potential of regional courts in the Americas. The Declaration to be adopted at the end of this meeting will, we hope, be one step towards a stable system of regional courts that guarantees peace, security, and prosperity in the Americas.

Thank you very much!