



CARIBBEAN COURT OF JUSTICE

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CCJ LAUNCHES REFERRAL MANUAL AND INSTRUCTIONAL VIDEO FOR REGIONAL JUDICIARIES

Port of Spain, Trinidad and Tobago. In its Original Jurisdiction, the Caribbean Court of Justice (CCJ) has compulsory and exclusive jurisdiction to hear and determine disputes concerning the interpretation and application of the Revised Treaty of Chaguaramas (RTC). It is against this backdrop that the CCJ has embarked on a public education campaign to sensitise courts and practising attorneys in the Caribbean about the referral process. The first step of the journey was the launch of the referral manual and instructional video, which took place at the 7th Biennial Conference of the Caribbean Association of Judicial Officers in Saint Lucia on 28 October 2022.

Article 211 of the RTC indicates that disputes may arise a) between Member States parties to the treaty, b) between those Member States and the Caribbean Community, c) from applications by persons under Article 222 of the treaty, or d) between litigants appearing before national courts or tribunals of Member States. Where a dispute arises before national courts or tribunals, the RTC allows the local court or tribunal to refer the issue to the CCJ once it concerns the interpretation or application of the Treaty. Evidently, national courts and tribunals are critical partners charged with ensuring that CARICOM Law takes full effect and that the rights of the treaty are adequately protected.

Notwithstanding these provisions, no referrals have been sent to the CCJ throughout its 17-year history. This sensitisation campaign is therefore vital to facilitate a deeper understanding about the referral process. In addition to the launch of these two public education pieces, the Court will also conduct regional training for judicial officers and attorneys and utilise other engagement methods incorporating traditional and digital platforms. By the end of each training session, participants will be able to identify when a question concerning the interpretation and application of the RTC arises in domestic proceedings, assess whether a referral should be made to the CCJ, formulate the question(s) to be referred together with the ancillary information to be supplied to the CCJ, oversee/supervise the process of making the referral utilising the office of the Registrar, and apply the ruling of the CCJ to resolve the dispute. The first training session is scheduled for November 2022, with subsequent sessions being conducted in 2023 throughout the region.

All Heads of Judiciaries and judicial officers present at the CAJO Conference received a copy of the referral manual. In the upcoming days, the English and Dutch versions of the video and the manual, will be available on the Court's website www.ccj.org.

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About the Caribbean Court of Justice:

The Caribbean Court of Justice (CCJ) was inaugurated in Port of Spain, Republic of Trinidad and Tobago on 16 April 2005 and presently has a Bench of seven judges presided over by CCJ President, the Honourable Mr Justice Adrian Saunders. The CCJ has an Original and an Appellate Jurisdiction and is effectively, therefore, two courts in one. In its Original Jurisdiction, it is an international court with exclusive jurisdiction to interpret and apply the rules set out in the Revised Treaty of Chaguaramas (RTC) and to decide disputes arising under it. The RTC established the Caribbean Community (CARICOM) and the CARICOM Single Market and Economy (CSME). In its Original Jurisdiction, the CCJ is critical to the CSME and all 12 Member States which belong to the CSME (including their citizens, businesses, and governments) can access the Court's Original Jurisdiction to protect their rights under the RTC. In its Appellate Jurisdiction, the CCJ is the final court of appeal for criminal and civil matters for those countries in the Caribbean that alter their national Constitutions to enable the CCJ to perform that role. At present, four states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica and Guyana. However, by signing and ratifying the Agreement Establishing the Caribbean Court of Justice, Member States of the Community have demonstrated a commitment to making the CCJ their final court of appeal. The Court is the realisation of a vision of our ancestors, an expression of independence and a signal of the region's coming of age.

For more information, please contact:

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