



XIII ANNUAL CCJ INTERNATIONAL LAW MOOT



16 -17 March 2023

The Annual Caribbean Court of Justice (CCJ) International Law Moot Competition returns to the Seat of the Court on 16 March 2023, after a four-year absence. This year, law students from seven (7) institutions from across the region, will gather in Port of Spain, Trinidad and Tobago to compete for the 2023 CCJ International Law Moot Challenge Shield.

The Law Moot Competition is considered one of the Court’s flagship activities because the Court uses this as an opportunity to expose the workings of the Court to regional law students, facilitate a deeper understanding of the Revised Treaty of Chaguaramas and the Court’s Original Jurisdiction and develop students as advocates and future leaders of our region.

The 2023 Competition schedule is as follows:

Thursday 16 March 2023		Friday 17 March 2023	
SESSION 1: University of Guyana v Anton de Kom University, Suriname	10.00 -11.30 am	SESSION 1: The University of the West Indies, St Augustine	10.00 -11.30 am
SESSION 2: The University of the West Indies, Cave Hill v Eugene Dupuch Law School, Bahamas	1.00 - 2.30 pm	SESSION 2: Hugh Wooding Law School, Trinidad and Tobago v Norman Manley Law School, Jamaica	1.00 - 2.30 pm

**The University of the Bahamas withdrew after the schedule was finalised. As such, The University of the West Indies, Saint Augustine campus will present their case before the panel of Judges.*

Panel of Judges

The Honourable Mr Justice Jacob Wit



The Hon. Mr Justice Jacob Wit was appointed as Deputy Judge of the Rotterdam District Court in 1984, Judge of the Rotterdam District Court in 1985 and Judge of the Joint Court of Justice of the Netherlands Antilles and Aruba in 1986. From 1986-2005 he, presided over or sat in the Court of Appeal in Curaçao but mainly presided in the Courts of First Instance. He served as a Senior Judge and Acting President of the Court from 2001 until he was appointed a Judge of the CCJ in 2005. In 2010, he was appointed and sworn in as the President of the Constitutional Court of St. Maarten, a part-time function.

The Honourable Mr Justice Winston Anderson



Dr Anderson served as Deputy Dean and Head of the Teaching Department of the Faculty of Law at The UWI Cave Hill from 1994. From 2003 to 2006, Dr. Anderson served as General Counsel of the Caribbean Community Secretariat (on secondment from The UWI). In 2006, he was appointed Professor of Law at The UWI and in 2007, Executive Director of the Caribbean Law Institute Centre. In 2010, he was appointed Judge of the CCJ. He has also served as Chair of the CCJ Academy for Law since 2011. Some of his subsequent appointments include founding Member of the International Advisory Council of the United Nations Environment Programme (2012) and Judge on the Global Court of Arbitration for Sport (2021).



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Panel of Judges (continued)



The Honourable Mme Justice Maureen Rajnauth-Lee

Mme Justice Maureen Rajnauth-Lee was appointed a Judge, CCJ in 2015 and previously served as a Justice of Appeal in the Judiciary of Trinidad and Tobago. This certified Mediator and a Fellow of the Chartered Institute of Arbitrators, is a founding member and former Vice-President of the Caribbean Association of Women Judges and the Trinidad and Tobago Association of Women Judges.

Saint Lucia and Grenada v Trinidad and Tobago March 2023

1. Mrs. Deon Khaleed is a dual citizen of Saint Lucia and Grenada and has been residing in Trinidad and Tobago since 2012, pursuant to her status as the holder of a CARICOM Skilled Nationals Certificate.
2. In 2014, Mrs. Khaleed decided to pursue a career in the law and by August 2019, she had obtained a Bachelor of Laws (LLB) degree and a Legal Practice Certificate (LPC) from universities in the United Kingdom. She completed a six month attachment with a prominent law Chambers in Port of Spain in June 2020. These qualifications are sufficient for a national of Trinidad and Tobago to be called to practice law in that country under section 15 (1A) of its Legal Profession Act ("LPA").
3. In September 2020, Mrs. Khaled applied to be admitted to practice law in Trinidad and Tobago; submitting the qualifications outlined above. Her application was refused on the basis that section 15 (1A) of the LPA enabled only nationals of Trinidad and Tobago to be called to practice law, based on the qualifications presented in her application.
4. Mrs. Khaled complained to the Governments of Saint Lucia and Grenada and these two states engaged Trinidad and Tobago on the matter. On 1 June 2022, after several unsuccessful diplomatic engagements, both Saint Lucia and Grenada (together, the "Claimants") brought separate proceedings against Trinidad and Tobago (the "Defendant") before the Caribbean Court of Justice ("CCJ").
5. In its Originating Application, Saint Lucia argued that the Defendant discriminated against Mrs Khaled on the ground of nationality only, contrary to Article 7 of the Revised Treaty of Chaguaramas ("RTC").
6. Grenada argued in its Originating Application that the Defendant breached its obligations under the Council of Legal Education ("CLE") Agreement by enacting and operating section 15 (1A) of the LPA.
7. On 5 August 2022, at the first Case Management Conference, the CCJ consolidated the two claims and the Claimants indicated that they would be represented by the same Counsel. The CCJ set 5 November 2022, as the date for Trinidad and Tobago to submit its composite defence.
8. In that defence, Trinidad and Tobago submit that:
 - (a) A recent decision of its appellate court found that section 15 (1A) of the LPA did not contravene the constitutional guarantees against discrimination.
 - (b) Article 30 (2) and (3) of the RTC protects section 15 (1A) of the LPA as an exercise of governmental authority and thus is excluded from the obligation to permit CARICOM nationals the provision of legal services in Trinidad and Tobago.
 - (c) The CCJ has jurisdiction only to interpret and apply the RTC and the CCJ Agreement and has no jurisdiction to adjudicate on claims of breach of the CLE Agreement.
9. All relevant procedural matters have been observed and the matter is set down for hearing at the Seat of the Court on 16 and 17 March, 2023.