



CARIBBEAN COURT OF JUSTICE

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JUDICIAL OFFICERS IN BARBADOS PARTICIPATE IN SENSITISATION SESSIONS ON THE CCJ'S ORIGINAL JURISDICTION

Port of Spain, Trinidad and Tobago. On 05 August 2023, the Caribbean Court of Justice (CCJ) hosted a sensitisation session for members of the Barbadian Judiciary at the Crane Resort, St Phillip, Barbados. This is the fourth installation of the regional sensitisation series which is being conducted by the Court to facilitate a deeper understanding of the CCJ's role in protecting the rights under the CARICOM Single Market and Economy (CSME) and the referral process.

The programme, funded by the European Union through the 11th European Development Fund, aims to raise awareness of the Court's exclusive and compulsory jurisdiction to interpret and apply the Revised Treaty of Chaguaramas (RTC), in its Original Jurisdiction (OJ). Under Article 211 of the RTC, any questions arising in a matter before a national court requiring the interpretation of the Treaty must be referred to the CCJ for determination. However, despite these provisions, in its 18-year history, there have been no referrals to the Court. This series is, therefore, critical to ensuring that courts are educated on these provisions.

In her opening remarks before the training, Her Excellency, Malgorzata Wasilewska, Ambassador and Head of the Delegation of the European Union to Barbados, affirmed the EU's commitment to strengthening the justice sector in partner countries: "Judicial cooperation is a key pillar of the EU's partnership with the Caribbean," she stated. "Such support is important as it is one of the main avenues for promoting democratic governance, the rule of law, respect of human rights, gender equality, citizen security, and thereby sustainable socio-economic development – all values which the EU upholds and which we believe it is important to promote."

CCJ Judge, the Honourable Mr Justice Winston Anderson; Dr Chantal Ononaiwu, Director of External Trade at the CARICOM Secretariat and Dr Jan Yves Remy, Director, Shridath Ramphal Centre, The University of the West Indies were the main facilitators of the programme which focused on an overview of the CSME, the CCJ's Original Jurisdiction and referrals. To allow for greater participation by attendees, an interactive session featured group simulation exercises on rights granted under the CSME as well as scenarios which may require a referral and the process of doing so.

It is intended that further sessions on referrals, the CSME and the OJ will be conducted with additional stakeholder groups in Barbados in October later this year, when the Caribbean Academy for Law, the

educational arm of the CCJ, hosts its 7th Biennial Law Conference Criminal Justice Reform in the Caribbean: Achieving a Modern Criminal Justice System, at the Hilton Barbados Resort Hotel.

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Dr Chantal Ononaiwu of the CARICOM Secretariat makes her presentation on referrals to the CCJ as Chief Justice of Barbados, the Honourable Mr Justice Patterson Cheltenham (L), the Honourable Mr Justice Winston Anderson, of the CCJ, Dr Jan Yves Remy of The UWI and the Honourable Mme Justice Michelle Weekes listen on during the training session on the CCJ's Original Jurisdiction and the process for referring matters to the CCJ in the OJ.

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, five states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica, Guyana and Saint Lucia. 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.

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