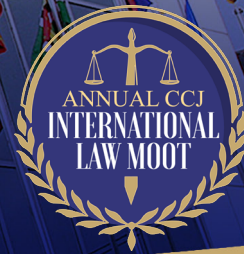




XIV ANNUAL CCJ INTERNATIONAL LAW MOOT COMPETITION

21 - 22 March 2024



The 14th Annual CCJ International Law Moot will take place at the Caribbean Court of Justice (CCJ) from the 21-22 March 2024. 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 2024 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.

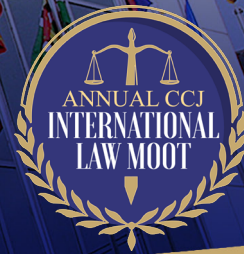
The 2024 Competition schedule is as follows:

THURSDAY 21 MARCH 2024	
Opening Ceremony	9.00 – 9.30 am
SESSION 1: Department of Law of the University of Guyana v Department of Law, Anton de Kom University, Suriname	10.00 -11.30 am
SESSION 2: Faculty of Law of The University of the West Indies, Mona Campus (Jamaica) v Faculty of Law of The University of the West Indies, St Augustine Campus (Trinidad & Tobago)	1.00 - 2.30 pm
FRIDAY 22 MARCH 2024	
SESSION 1: Hugh Wooding Law School, Trinidad and Tobago	10.00 -11.00 am
SESSION 2: Eugene Dupuch Law School (The Bahamas) v Norman Manley Law School (Jamaica)	1.00 - 2.30 pm
Closing Ceremony	



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Panel of Judges

The Honourable Mme Justice Maureen Rajnauth-Lee



The Honourable 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 Fellow of the Chartered Institute of Arbitrators, is a founding member and former Vice-President of the Caribbean Association of Women Judges (CAWJ) and the Trinidad and Tobago Association of Women Judges. She chaired the Sexual Offences Advisory Committee appointed under the JURIST Project to provide support for the development of the Sexual Offences Model Guidelines for the Caribbean Region (revised in 2022) and for the establishment of a Sexual Offences Model Court in Antigua and Barbuda. In 2018, Justice Rajnauth-Lee was honoured as an Outstanding Alumna of the University of the West Indies, Cave Hill Campus. She also chaired the committee which developed a Harassment Policy for the CCJ and the RJLSC, and is at present chairing the committee which is tasked with developing a policy which will seek to improve access to justice and provide accommodations for persons with disabilities at the CCJ and the RJLSC. In 2021, she was installed a Patron of the CAWJ.

The Honourable Mr. Justice Denys Barrow



The Honourable Mr. Justice Barrow was appointed directly from private practice as a Judge of the Caribbean Court of Justice in 2017, having previously served as a High Court Judge and Justice of Appeal in Belize and various Eastern Caribbean states. His contributions and achievements have been marked by elevation to Senior Counsel, the award by the Bar Association of its Custos Justitiae tribute and the conferral of the honour of Commander of the British Empire. He has served on bodies such as the International Labour Organisation's Committee of Experts on the Application of Conventions and Recommendations.

The Honourable Mr. Justice Peter Jamadar

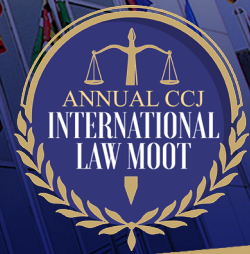


The Honourable Mr. Justice Peter Jamadar was appointed to the Caribbean Court of Justice in 2019, following a distinguished legal career as a Justice of Appeal and High Court judge in Trinidad and Tobago's judiciary. He has a rich background in private practice and academia, and has led pioneering initiatives in judicial education and research, shaping Caribbean jurisprudence. A prolific author on democratic reform and legal issues, he champions gender equality, therapeutic justice, and procedural fairness within the judiciary. Recognised for his transformative contributions, he received an honorary doctorate from the University of Toronto in 2023 for his outstanding service to law and divinity. Justice Jamadar's enduring commitment to advancing legal principles underscores his profound impact on Caribbean and global jurisprudence.



XIV ANNUAL CCJ INTERNATIONAL LAW MOOT COMPETITION

21 - 22 March 2024



CCJ Annual International Law Moot Court Competition Case Brief 2024

TT Distributors v. The Republic of Trinidad and Tobago

TT Distributors Ltd (TT Distributors) was incorporated under the laws of the Republic of Trinidad and Tobago in 2022. 55% of TT Distributors' shares are owned by Domineeka Soap Ltd (Domineeka Soap), a company incorporated and with its registered head office in Domineeka. The remaining 45% of shares in TT Distributors are held by a national of Venezuela, Mr Pico. Domineeka Soap is 100% owned by two citizens of Domineeka, Mr and Mrs Hassan.

Mr Pico was born and raised in Venezuela, a non-CARICOM state. Mr and Mrs Hassan were born and raised in Syria but left their home country in 2021 to move permanently to Domineeka after acquiring Domineekan citizenship. The Hassans acquired Domineekan nationality by purchasing a 5 bedroom condominium in the exclusive Nikki Beach Development, an Approved Real Estate Project under the Citizenship by Investment Programme of Domineeka. In addition to the purchase price of the condominium, Mr and Mrs Hassan were required to pay Government fees and supplementary charges to obtain their certificates of naturalization and passports. The Hassans spend 6 months of the year in Domineeka, and the remainder in Malta.

The primary business of TT Distributors is to import soap products from Domineeka into Trinidad and Tobago, including soap noodles, which can be shaped into products including laundry bar soap and bath bar soap. TT Distributors shapes the noodles and packages them as three products: TT Blue Laundry Soap, TT Bath Bars, and TT Facial Cleanser. All three products are labelled as having been packed in Trinidad and Tobago, that they are of Domineekan origin, and only use natural ingredients.

In 2023, following a request from a Trinidad and Tobago soap packaging company, Trinidad and Tobago Soaps Ltd (Trinidad and Tobago Soaps), the Government of Trinidad and Tobago applies to the CARICOM Secretary General under Article 84 of the Revised Treaty of Chaguaramas (RTC) for a safeguard certificate to allow for suspension of the 40% Common External Tariff (CET) on non-Community origin soap noodles. In its application the Government states that (1) the quantity of soap noodles being produced in the Community does not satisfy Community demand, and (2) the quality of regional soap noodles is below the Community standard. The Government also states that (3) a suspension is justified to support an industry in Trinidad and Tobago, namely, Trinidad and Tobago Soaps, which employs over 1000 Trinidad and Tobago nationals and makes a significant contribution to Trinidad and Tobago's regional exports. Trinidad and Tobago Soaps shapes imported soap noodles into Trinidad and Tobago Bluest Laundry Soap and sells its products in both Trinidad and Tobago and Jamaica.

The CARICOM Secretary General refuses to grant a safeguard certificate. In her view the quantity and quality of Community-origin soap noodles is satisfactory; in addition, she notes that Trinidad and Tobago Soaps contributes less than 0.01% of the Trinidad and Tobago GDP.

Following this decision Trinidad and Tobago Soaps imports a two shipping containers of soap noodles directly from Indonesia. The Comptroller of Customs of Trinidad and Tobago classifies the shipment as being industrial monocarboxylic fatty acid pellets, not soap noodles. The Comptroller applies a 5% CET charge on the pellets under CARICOM's tariff heading 38.23.

The Manager of TT Distributors, Mr Vikesh, who is clearing his own shipment in the port, is made aware of the 5% CET charge and strongly protests the Comptroller's decision. He indicates that the shipment is comprised of soap noodles and therefore must be subjected to a 40% CET under CARICOM's tariff heading 34.01. After some heated words, Mr Vikesh is escorted from Customs. The CET charge on the shipment remains at 5%.



XIV ANNUAL CCJ INTERNATIONAL LAW MOOT COMPETITION

21 - 22 March 2024



CCJ Annual International Law Moot Court Competition Case Brief 2024 (continued)

The Manager of TT Distributors writes letters to various Trinbago Ministers, including the Prime Minister, Attorney General and Minister of Finance, complaining about the incorrect classification of the soap noodles imported by Trinbago Soaps. He alleges that this error, if repeated, will bankrupt TT Distributors by depriving it of its main market and is contrary to Caribbean Community law. Mr Vikesh also leaks his letters to the two most prominent Trinbago newspapers, where they are published in full. These letters are subject to considerable debate on radio talk shows.

The Manager of Trinbago Soaps contacts the Trinbago Private Sector Organization (TPSO), a privately owned NGO that promotes competition and consumer safety issues, including by raising concerns about poor quality products entering the Trinbago market. One week after the letters were leaked to the newspapers, the TPSO launches a 'Safe and Clean Campaign' (Campaign). The Campaign promotes use of blue laundry soap with the following phrases: 'Blue as the Caribbean Sea, only Trinbago's own blue laundry soap is safe. Unlike other soaps, it only uses natural ingredients. Support Trinbagonian products!' Campaign posters are distributed to all major supermarkets where they are prominently displayed next to racks filled solely with Trinbago Bluest Laundry Soap. On the back label of each bar of Trinbago Bluest Laundry Soap are the words 'Made in Trinbago' in prominent, large lettering. Other laundry soaps are located two aisles away from the display.

TT Distributors applies to the Caribbean Court of Justice for special leave to bring a claim against Trinbago for breaches of Articles 32, 82-84 and 91 of the Revised Treaty of Chaguaramas (RTC). TT Distributors alleges that the actions and inactions of Trinbago substantially impair its right of establishment, frustrate the benefits its products receive as Community origin goods, and frustrate the free movement of goods.

Trinbago responds by indicating that the Court does not have jurisdiction and should refuse leave for two reasons. Firstly, TT Distributors is not a CARICOM national under Community law; secondly, the 'Safe and Clean Campaign' is lawful in Trinbago and was promoted by a private sector body, TPSO. TPSO is not funded or managed by the Trinbago Government, and the Government cannot be responsible for the actions of private actors. Regarding TT Distributors' nationality, Trinbago states that TT Distributors' parent company, Domineeca Soap, is not owned by CARICOM citizens. Domineeca Soap is owned by Syreans who never obtained valid Domineeca nationality. The Government alleges that both Mr and Mrs Hassad were convicted of fraud and sentenced to 5 years imprisonment in Syrea in 2021. Following their convictions, they immediately fled Syrea for Domineeca, without serving their sentences. Their names remain on an Interpol Red List and as convicted criminals, they have no genuine link with Domineeca, and were never eligible for Domineecan citizenship.

In response, TT Distributors states that the Hassads' convictions were politically motivated and illegal, that they obtained and still possess valid Domineecan citizenship. Further, TT Distributors notes that citizenship can only be removed by Order of the Minister under the Domineeca Citizenship Act and that no such Order has been made. As a result, TT Distributors submits that the Hassads remain full CARICOM citizens and are entitled to exercise all their rights under Community law. Senior Counsel of TT Distributors will argue that Trinbago has violated RTC Articles 32 and 82-84; Junior Counsel will argue that Trinbago has violated Article 91.

Senior Counsel of Trinbago will argue that Trinbago has not violated RTC Articles 32 and 82-84; Junior Counsel will argue that Trinbago has not violated Article 91.

Competitors may apply the laws of the Republic of Trinidad and Tobago and the Commonwealth of Dominica to the fact pattern, as if Trinbago was the former state, and Domineeca was the latter.