



## CARIBBEAN COURT OF JUSTICE

**134 HENRY STREET  
PORT OF SPAIN  
REPUBLIC OF TRINIDAD AND TOBAGO**  
Telephone: (868) 612-5CCJ Fax: (868) 624-4710  
Website: [www.ccj.org](http://www.ccj.org)

**MEDIA RELEASE**  
(For immediate release)

**No. 08:2026**  
**12 March 2026**

### **COURT DISMISSES APPEAL ALLEGING APPARENT BIAS BY ARBITRATOR**

**Port of Spain, Trinidad and Tobago.** On Wednesday, 11 March 2026, the Caribbean Court of Justice (CCJ) dismissed the appeal in the case of *The Attorney General of Guyana v Azad Meerza (trading under the name and style, Falcon Transportation and Construction Services of Lot 108 Meten-Meer-Zorg, West Coast Demerara)*.

In the proceedings, the appellant objected to the enforcement of an arbitral award made in favour of the respondent regarding a contractual dispute between the parties for road works. The appellant argued that one of the arbitrators was biased because he had sat on a previous tribunal constituted to resolve the same dispute.

The CCJ rejected the claim of apparent bias and held further that the appellant had lost the right to object because it failed to do so in a timely manner. The Court held that the mere fact of having sat on a previous panel adjudicating the same dispute was not enough to establish apparent bias, but that something more had to be proved. Moreover, since an exhaustive list of situations giving rise to the potential of bias could not be laid down in advance, each case falls to be determined on its own merits. On the issue of waiver, the CCJ noted that the rules of international arbitration, by which the parties agreed to be bound, dictate a 15-day window to raise any questions regarding an arbitrator's impartiality, which had long expired between the parties.

Lastly, while the Court accepted that each arbitrator has a duty to disclose any fact or circumstance that leads to a real possibility of bias, there was no such duty arising in these circumstances, given that both parties were fully aware of the arbitrator's involvement in the first tribunal.

The appeal was heard by the CCJ President, the Honourable Mr Justice Anderson, and the Honourable Justices Rajnauth-Lee, Jamadar, Ononaiwu, and Bulkan. Mr Nigel Hawke, Ms

Raeanna Clarke, Ms Mohanie Sudama, and Ms Shania Persaud represented the appellant and Mr K. A. Juman-Yassin, SC represented the respondent.

The full judgment is available on the Court's website at [www.ccj.org](http://www.ccj.org).

**-End-**

---

#### 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 Winston Anderson. 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.

For more information please contact:  
The Public Education & Protocol Unit  
Tel: (868) 612-5225 ext. 2260, 2246  
Email: [ccjcomm@ccj.org](mailto:ccjcomm@ccj.org)