



CARIBBEAN COURT OF JUSTICE

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MEDIA RELEASE

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CCJ President Again Calls for Climate Change Compensatory Fund at International Conference in Barbados

Port of Spain, Trinidad and Tobago. Earlier today, Friday, 20 March 2026, the Honourable Mr Justice Winston Anderson, President of the Caribbean Court of Justice (CCJ), delivered a keynote address at the International Conference titled “*Climate Change Advisory Opinions from International Courts: Exploring Synergies and Implications*”, hosted by the Faculty of Law, The University of the West Indies (The UWI), Cave Hill, in collaboration with the International Union for Conservation of Nature (IUCN) World Commission on Environmental Law.

The two-day conference, held on 19 and 20 March 2026 at the Ralph Carnegie Law Lecture Theatre in Barbados, brought together leading jurists, scholars, and practitioners to examine the evolving role of international courts in addressing climate change through advisory opinions.

In his keynote address, President Anderson underscored the growing importance of international judicial mechanisms in responding to the climate crisis, particularly in clarifying states’ legal obligations and advancing climate justice. He also reflected on the unique vulnerabilities of small island developing states, including those in the Caribbean, which continue to face increasingly intense weather systems, such as that caused most recently by Hurricane Melissa in October 2025.

While noting that in the Caribbean, there has already been recognition that environmental rights are human rights, President Anderson lamented that the existing Caribbean frameworks are not sufficient to deal with matters that arise outside of the Caribbean, for example, the climate crisis. The region routinely faces elevated temperatures, rising sea levels, coastal flooding, hurricanes, loss of natural resources, and risks to water and food security, among other detrimental scenarios. He emphasised the critical role of law in ensuring equitable and effective responses to climate impacts, noting the importance of accessible legal remedies to support vulnerable states and their citizens in managing loss and damage and rebuilding their economies.

Accordingly, the proposal of an international, corporate-funded compensation fund for climate change-related disasters, the International Climate Injuries Compensation (ICIC) Fund, would “assist in circumventing difficulties associated with assigning liability to major corporations or significant greenhouse gas (GHG) emitters; offer a viable alternative to protracted and complex litigation; and respond to recognition that corporations should bear a proportionate share of costs associated with climate-induced harm.” The ICIC Fund proposal represents a necessary step toward achieving equitable and effective corporate accountability in the climate justice sphere.

The Fund suggests the establishment of an international convention, following which there would be compulsory funding paid by GHG corporations within the contracting States. The annual contributions would be made based on the percentage of yearly GHG emissions. Contracting States would be responsible for monitoring and reporting the entities to the Fund. The ICIC Fund would be entirely consistent with the ‘Polluter Pays’ principle and with the customary law responsibility of States to ensure that economic activities in their countries do not cause environmental harm or damage in other countries.

President Anderson first advocated the establishment of the ICIC Fund during his Keynote address: ‘Transnational Actions in Reshaping Accountability for Climate Justice: A Caribbean Perspective’ at the CANARI Partners Forum held in January 2026 in Barbados. His advocacy continued in Brazil on 16 March 2026 during the Inter-American Seminar on “*Climate Emergency and Human Rights: Different Perspectives*”.

The CCJ’s participation in this important forum, supported by The UWI and the IUCN, reflects its continued commitment to contributing to global legal discourse and to advancing the rule of law in addressing pressing transnational challenges, including climate change.

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Caption: The Hon. Mr Justice Winston Anderson, CCJ President, presenting his proposal for the establishment of an International Climate Injury Compensation Fund as a legal remedy to support vulnerable states in managing economic loss and damages arising out of extreme weather conditions.

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.

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