



## CARIBBEAN COURT OF JUSTICE

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### **MEDIA RELEASE**

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### **CCJ President Proposes International Climate Injuries Compensation Fund**

**Port of Spain, Trinidad and Tobago.** On 16 March 2026, the President of the Caribbean Court of Justice, the Honourable Mr Justice Winston Anderson, proposed the establishment of an International Climate Injuries Compensation (ICIC) Fund, funded by corporate actors, to provide compensation for damage and harm resulting from extraordinary weather events.

President Anderson presented the proposal while speaking at the Inter-American Seminar on Climate Emergency and Human Rights: Different Perspectives, held in Brasilia, Brazil. The seminar was hosted by the InterAmerican Court of Human Rights (IACtHR) and the Supreme Court of Brazil at the start of the 187<sup>th</sup> Ordinary Session of the Inter-American Court. The Seminar was convened to discuss the implications of the Inter-American Court's Advisory Opinion No.32 of 2025 on Climate Emergency and Human Rights.

While accepting that the Advisory Opinion established concrete obligations for governments to regulate companies and businesses that contribute to the climate crisis (a regime which implies guaranteeing the right to a healthy climate as part of the right to a healthy environment), President Anderson was of the view that establishment of this normative framework was not enough. He emphasised that more was required at a practical level to ensure that small vulnerable countries in the Caribbean and in other regions of the world receive urgent assistance to recover from destruction caused by extraordinary weather events, such as that caused by Hurricane Melissa in October 2025.

President Anderson acknowledged the existence of the Fund for Responding to Loss and Damage (FRLD) established by the Conference of Parties (COP) to the Paris Agreement on Climate Change, which was again discussed at COP30 held in Belém, Brazil, in November 2025. However, he expressed disappointment with the lack of urgency in securing capitalisation of the FRLD and,

that while Jamaica was actively engaging the FRLD, the maximum it could receive seemed to be about USD20M whereas the country had suffered some USD6-7B in damages.

The proposed alternative of the ICIC Fund model outlines that multinational corporations and businesses which contribute to greenhouse gas emissions above a certain threshold would be required to make mandatory contributions to the Fund by the State in which they operate. The Fund would have legal personality and could be sued in the country where the extraordinary weather event caused significant harm or damage. President Anderson suggested that the Fund be established by a global convention, modelled on the International Maritime Organisation's International Oil Pollution Compensation (IOPC) Funds, which provide compensation for oil pollution damage at sea, and is backed by shipowners of oil vessels. Like the IOPC Funds, 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.

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*Caption: CCJ President, the Hon. Mr Justice Winston Anderson sits on the panel for the Seminar on Climate Emergency and Human Rights: Different Perspectives*



*Caption: President Anderson proposes an International Climate Injuries Compensation Fund*

*Photos courtesy the IACtHR*

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### **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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