



# XVI ANNUAL CARIBBEAN COURT OF JUSTICE INTERNATIONAL LAW MOOT



26-27 March 2026

Port of Spain, Trinidad and Tobago

## FACT PATTERN

*Susana Cruz Iglesias, James Simpson (by way of next friend, Susana Cruz Iglesias), Natasha Simpson  
and Mildred Simpson*  
v  
*The State of Domineeka*

Mark Simpson, a national of Jamayka, a Member State of the Caribbean Community (“CARICOM”), founded Simpson Engineering Solutions Limited, an engineering firm in Jamayka. The firm has a proven track record of delivering solutions for resilient infrastructure engineering and clean energy generation. Mark was keen to capitalise on the high demand for, and critical gaps in, expertise in these areas in Domineeka, a CARICOM Member State with a vision of becoming the world’s first climate resilient nation.

In the exercise of his rights under Article 32 of the Revised Treaty of Chaguaramas establishing CARICOM, including the CARICOM Single Market and Economy (“CSME”), Mark moved to Domineeka in January 2023 to set up a subsidiary of Simpson Engineering Solutions Limited. Mark’s immediate family remained in Jamayka but intended to join him in Domineeka once he settled and the business was operating. Mark’s immediate family comprises his partner, Susana Cruz Iglesias, their two children, Natasha and James Simpson, Mark’s nephew, Javier Salazar, and Mark’s mother, Mildred Simpson.

Susana, a self-employed interior decorator, is a national of Cooba, a Caribbean country that is not a member of CARICOM, and a resident of Jamayka. Susana and Mark are not formally married but they lived together in Jamayka for close to 20 years before Mark moved to Domineeka. Susana and the children have visited Mark several times in Domineeka since his relocation.

Natasha and James are both nationals of Jamayka. Having completed secondary school, Natasha, aged 19, is a full-time social media influencer with large followings on Instagram and TikTok. James, aged 9, is still in primary school. He has dreadlocks and his passions include football, robotics, and music. Javier, aged 14, is the son of Mark’s sister who lives in Behlise, a CARICOM Member State. Javier is a dual national of Behlise and Jamayka and has been living with Mark’s family to attend secondary school in Jamayka. Mildred, aged 65, lives with Susana and the children in Jamayka. Originally from Guyahna, a CARICOM Member State, Mildred is a recently retired English teacher. She taught at several public schools in Guyanha and Jamayka and paid social security contributions in both countries.

Each month, Mark remits money to Susana to help with the family’s expenses in Jamayka, as well as a separate sum to Mildred. The subsidiary of Simpson Engineering Solutions Ltd, SD Engineering Ltd, was incorporated under the laws of Domineeka in September 2023 and is wholly owned by Mark and his Domineekan business partners. SD Engineering Ltd is landing projects in Domineeka and Mark has been granted indefinite leave to reside and work in the country. Accordingly, Mark and Susana decided in 2025 that it was timely for the rest of the family to join Mark there.

The family was encouraged in its decision to relocate to Domineeka by the country’s plans, along with three other CARICOM countries, to implement free movement of all their nationals. At its Forty-Ninth Regular Meeting held on 6-8 July 2025, the Conference of Heads of Government of CARICOM, applying the Protocol on Enhanced Cooperation, authorised Barbeydus, Behlise, Domineeka, and St Vyncent and The Grenaydeens (“the Participating Member States”) to pursue Enhanced Cooperation in Free Movement in furtherance of Article 45 of the Revised Treaty of Chaguaramas (“RTC”). Consequently, as of 1 October 2025, the



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Participating Member States, among themselves, granted their nationals the right to (i) reside, work and remain indefinitely in the receiving Member State without a residency or work permit, (ii) access public primary and public secondary education and, (iii) access emergency and primary health care services provided by the Government.

On 4 October 2025, Susana, Natasha, James, Javier, and Mildred arrived at the Kweyol International Airport in Domineeka. The immigration officer granted Susana entry and stay for up to three months and Natasha, James, and Mildred were each allowed entry and stay for up to six months. Javier received an indefinite stay stamp in his Behlisean passport.

On 6 October 2025, the family visited the Ministry with responsibility for National Security, Immigration, Labour, and CARICOM Affairs. Applications were submitted for the conferral of rights on Susana, James, and Mildred under the Protocol on Contingent Rights, which Domineeka had signed and agreed to apply provisionally. The applications sought recognition of the right of Susana, as Mark's spouse, to reside and work in Domineeka indefinitely without a work permit, as well as the rights of James and Mildred to reside in Domineeka as Mark's dependants. Desirous of securing a work permit exemption, Natasha submitted an application for a Certificate of Recognition of CARICOM Skills Qualification.

On 20 October 2025, the Ministry denied Susana contingent rights on the basis that she does not qualify as a spouse under the Protocol on Contingent Rights. While James was granted contingent rights as a dependant of Mark, the Ministry denied Mildred contingent rights on the basis that she does not qualify as a dependant under the Protocol on Contingent Rights. Natasha's application was also unsuccessful because she did not satisfy the requirements for recognition of CARICOM skills qualification.

That same day, Mark and Susana were informed by Belle Aire Academy, a primary school in Domineeka, that James had not been granted admission due to the unavailability of a space. Mark and Susana favour this school for James because of its strong academic reputation and impressive robotics, football, and music programmes. The Academy receives a subvention from the Government as well as funding from private donors. Mark and Susana question whether the school is actually fully subscribed as they know another couple whose son is James' age and was granted admission even though he applied after James. Mark and Susana are concerned that the school is discriminating against James because he has dreadlocks and there is a well-known stigma in Domineeka against Jamaykan immigrants and persons with dreadlocks generally.

The family submitted complaints under the CARICOM Complaints Procedure arising out of their experiences seeking to exercise their rights under the CSME. Having received unsatisfactory responses to their complaints from the CSME Focal Point, the Simpson family filed applications, on 10 November 2025, for special leave to commence proceedings in the original jurisdiction of the Caribbean Court of Justice ("CCJ") against the State of Domineeka.

At a Case Management Conference held on 15 December 2025, the CCJ granted special leave to Susana Cruz Iglesias, James Simpson (by way of next friend, Susana Cruz Iglesias), Natasha Simpson, and Mildred Simpson to bring proceedings against the State of Domineeka under Article 222 of the RTC. The originating application has been set down for hearing on 26 and 27 March 2026. The Court also permitted CARICOM to be an Amicus Curiae pursuant to Rule 18.2 of the Caribbean Court of Justice (Original Jurisdiction Rules) 2024. There has been compliance with all relevant procedural matters.



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Senior Counsel for the Claimants will argue that the State of Domineeka has breached the rights of Susana under the Protocol on Contingent Rights, as well as the rights of James under that Protocol and Article 7 of the RTC. Junior Counsel will argue that the State of Domineeka has breached the rights of Natasha under Article 46 of the RTC, as well as the rights of Mildred under the Protocol on Contingent Rights.

Senior Counsel for the State of Domineeka will argue that Susana is not entitled to rights under the Protocol on Contingent Rights, and that the State did not breach the rights of James under that Protocol and Article 7 of the RTC. Junior Counsel will argue that the State of Domineeka has not breached Natasha's rights under Article 46 of the RTC and that Mildred does not have rights under the Protocol on Contingent Rights.

Competitors may apply the laws of Jamaica and the Commonwealth of Dominica to the fact pattern, as if Jamayka was the former, and Domineeka was the latter.