



CARIBBEAN COURT OF JUSTICE

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CCJ REMITS EXTRADITION CASE TO HIGH COURT

Port of Spain, Trinidad and Tobago. On Friday, 15 May 2026, the Caribbean Court of Justice (CCJ) delivered its judgment in the matter of *Andrew Avelline Bennett v Government of the United States of America, Attorney General of Belize* [2026] CCJ 7 (AJ) BZ, an appeal from Belize. The United States of America made a request for the extradition of the Appellant, Mr Bennett, using as evidence against him WhatsApp messages exchanged between himself and a Special Agent from the Drug Enforcement Administration. Within these messages, the Appellant allegedly incriminated himself. The Appellant argued that these messages were illegally obtained in breach of the Interception of Communications Act, Ch. 229:01, and violated his rights under the Belize Constitution.

That argument was upheld both by the High Court and Court of Appeal. However, the courts decided that there was other untainted evidence which supported the extradition request by the United States of America. On appealing this decision, the Appellant argued that the unlawfully obtained evidence vitiated the entire proceeding, and to proceed with the remaining evidence would amount to an abuse of process.

On appeal at the CCJ, it was discovered that the Interception of Communications Act was not in force at the time that the lower courts decided the Appellant's appeals, and thus their decisions could not stand. The Appellant sought to pursue the appeal at the CCJ on the footing of a general principle of unconstitutionality, but the CCJ Bench decided that a reformulated case of unconstitutionality was best left to be argued before the High Court. Accordingly, the case was remitted to the High Court.

The appeal was heard by the Honourable Mr Justice Anderson, President, and Honourable Justices Rajnauth-Lee, Barrow, Jamadar, Ononaiwu, Eboe-Osuji, and Bulkan. Mr Justice Barrow delivered the judgment of the Court; Mr Justice Eboe-Osuji delivered a concurring opinion. Mr Edward

Fitzgerald, KC and Mr Hector D. Guerra represented the Appellant, and Ms Samantha Matute, Deputy Solicitor General, represented the Respondents.

The full judgment is available on the Court's website at www.ccj.org.

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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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