



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

MEDIA RELEASE

(For immediate release)

No. 30:2026

30 July 2026

CCJ DISMISSES APPEAL, ALLOWS EXTRADITION PROCEEDINGS TO CONTINUE AGAINST GUYANESE OPPOSITION LEADER AND FATHER

Port of Spain, Trinidad and Tobago. On Wednesday, 29 July 2026, the Caribbean Court of Justice (CCJ/Court) dismissed an appeal brought by Mr Azruddin Mohamed, Leader of the Opposition in Guyana, and his father, Mr Nazar Mohamed, challenging the validity of an Authority to Proceed (ATP) issued under Guyana's Fugitive Offenders Act in connection with a request by the United States of America for their extradition.

The extradition request was received by the Government of Guyana on 28 October 2025. Two days later, the Minister of Home Affairs issued an ATP, which initiated the extradition process before the courts. The Applicants subsequently sought judicial review of that decision, alleging that the ATP was invalid because it was tainted by actual or apparent bias arising from public statements made by senior government officials during the 2025 election campaign. They also contended that the Minister had improperly consulted the Attorney General, who was likewise alleged to be biased.

The High Court and the Court of Appeal dismissed the challenge. The Applicants then sought [special leave](#) to appeal to the CCJ, which decided to hear the application for special leave and the substantive appeal at the same time. The Court also granted an interim stay of the extradition proceedings pending determination of the appeal.

At the CCJ, President Anderson and Justice Barrow, in a joint judgment, held that special leave should be granted. On the merits, they held that while the broad rule against bias can apply to a ministerial decision to issue an ATP, mere political bias would not invalidate its grant. They further found that the Applicants had failed to establish that the issuance of the ATP was tainted by bias in any relevant sense and emphasised that an ATP is a preliminary administrative step in the extradition process. The Minister's role is to engage in the decision-making process contemplated by the legislation. The Applicants did not allege that the Minister failed to consider relevant factors

or had relied on irrelevant considerations. Instead, they relied solely on allegations of political bias. The Judges found those allegations insufficient to invalidate the ATP.

President Anderson and Justice Barrow also expressed the view that challenges to an ATP may be filed before but, save in the most exceptional of circumstances, should be heard only after completion of the committal stage of the extradition process. Such an approach, they reasoned, would better align with Guyana's extradition framework and international obligations.

In separate reasons, Justices Rajnauth-Lee, Jamadar, and Bulkan agreed that the appeal should be dismissed but held that there was no legal bar preventing an early judicial review challenge to an ATP where bias is alleged. While finding no appearance of bias on the part of the Minister, they concluded that there was a real possibility of apparent bias on the part of the Attorney General. Nevertheless, they determined that any such apparent bias did not contaminate the Minister's decision-making process or invalidate the ATP. The CCJ Judges further ordered that each party bear its own costs and underscored the importance of judicial independence, cautioning against public comments by public officials on pending judicial proceedings.

In a further separate opinion, Justices Ononaiwu and Eboe-Osuji agreed that the appeal should be dismissed. They stressed that allegations of bias must be assessed from the perspective of a fair-minded and informed observer who considers all the surrounding circumstances. On that test, bias is not made out in the particular circumstances of the present case. The CCJ Judges also highlighted procedural considerations concerning the timing of challenges to an ATP, observing that extradition proceedings themselves provide mechanisms for addressing potential unfairness.

Ultimately, the CCJ unanimously granted special leave to appeal but dismissed the substantive appeal. The interim stay of extradition proceedings previously granted by the Court was lifted. The Court further ordered that there be no order as to costs before the CCJ and reserved its decision on the costs in the courts below.

The appeal was heard by the full CCJ Bench comprising the Honourable President Mr Justice Winston Anderson, and the Honourable Justices Rajnauth-Lee, Barrow, Jamadar, Ononaiwu, Eboe-Osuji, and Bulkan. Mr Fyard Hosein, SC, Mr Roysdale A. Forde, SC, Mr Sasha Bridgemohansingh, Mr Siand Dhurjon, Mr Damien Da Silva, and Mr Aadam Hosein represented the Appellants. Mr Douglas L. Mendes, SC and Mr Clay J. Hackett represented the First Respondent, the Minister of Home Affairs. Mr Mohabir Anil Nandlall, SC, Attorney General, Mr Nigel O. Hawke, Solicitor General, Ms Shoshanna V. Lall, Deputy Solicitor General, and Ms Dishon Persaud represented the Second Respondent, the Attorney General. Mr Arudranauth Gossai represented the Third Respondent, Magistrate Judy Latchman.

-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