

IN THE CARIBBEAN COURT OF JUSTICE
Original Jurisdiction

CCJ Application No TTOJ2026/001

Between

TONYA D'ALMADA

Claimant

And

THE STATE OF TRINIDAD AND TOBAGO
THE STATE OF JAMAICA
THE CARIBBEAN COMMUNITY

Defendants

NOTICE OF FILING OF ORIGINATING APPLICATION

(Rule 10.3(2) of the Caribbean Court of Justice (Original Jurisdiction) Rules, 2024)

TAKE NOTICE that pursuant to the Order of the Court given on 2 July 2026 granting the Claimant special leave to commence proceedings and to appear as a party to the proceedings, an Originating Application has been filed by the Claimant against the State of Trinidad and Tobago, the State of Jamaica and the Caribbean Community on 8 July 2026.

The subject matter of this application relates to a claim brought by the Claimant that the sharing, storage and utilisation of her personal information is without any legal authority and/or is in a manner which is unduly prejudicial to her, amounting to an infringement of her right to freedom of movement within the community.

The Claimant seeks the following relief in her application:

- (1) A declaration that the Defendants breached the Claimant's right to freedom of movement within the Community.
- (2) A declaration that the absence of laws and/or regulatory oversight in relation to the sharing, storage and utilisation of criminal histories of CARICOM nationals is inconsistent with and in breach of the right of those persons to freedom of movement.
- (3) A declaration that the use, sharing, or retention of inaccurate, outdated or unlawfully maintained personal information by the Defendants in a manner that impedes the

travel of a CARCIOM national is inconsistent with and in breach of the right of freedom of movement guaranteed under Community law.

- (4) An order of mandamus compelling the Defendants to irrevocably delete all information relating to the Claimant's criminal charge from files or databases in the control of the Defendants or in the alternative, an order that the Defendants accurately record the status of the criminal charge.
- (5) A declaration that the detention and interrogation to which the Claimant was subjected by Jamaican authorities upon her arrival at the Norman Manley International Airport on 9 March 2022 constituted harassment or an impediment to entry contrary to the rights of CARICOM nationals recognised under Community law.
- (6) Damages for breach of the Claimant's right to freedom of movement within the Community included damages for distress, humiliation, and inconvenience caused to the Claimant by the conduct of the Defendant(s).
- (7) Interest pursuant to the Court's inherent power under Article 211 of the Revised Treaty of Chaguaramas to grant appropriate remedies for treaty breaches.
- (8) The Claimant's costs are to be paid by the Defendants, including costs of the application for special leave.
- (9) Such further and other relief as the court considers just.

TAKE NOTICE ALSO that a Member State or any person who wishes to intervene in the proceedings must file an application for leave to intervene within six (6) weeks of notification of the filing of the originating application pursuant to Rule 17.3(1)(a)(i) and (ii) of the Caribbean Court of Justice (Original Jurisdiction) Rules, 2024.

Dated 16 July 2026

Deputy Registrar and Marshal
Caribbean Court of Justice