



Sixth Annual Caribbean Court of Justice International Law Moot

The Right Honourable Sir Dennis Byron,
President of the Caribbean Court of Justice

Sixth Annual International Law Moot Competition of the Caribbean Court of Justice

Caribbean Court of Justice
Port of Spain, Trinidad and Tobago
14 March 2014

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 Right Honourable Sir Dennis Byron. 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 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, four states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica and Guyana.

Opening Remarks

By

The Right Honourable Sir Dennis Byron, President of the Caribbean Court of Justice,

on the occasion of

The Sixth Annual Caribbean Court of Justice International Law Moot Competition

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It is with great pleasure that I assist to open this Sixth Annual Caribbean Court of Justice International Law Moot Competition and to share with you, who I take it are the premier law students from across our Region. I extend special thanks and commendation to all of you, your advisors and to the institutions which have supported your participation in this year's competition.

The Caribbean Court of Justice Law Moot Competition was incorporated in March 2009 with a view to encouraging aspiring attorneys to become familiar with the Revised Treaty of Chaguaramas and other areas of international law. This is an important Court activity, as it serves as a medium through which law students in the Caribbean can be exposed to integral principles of the Treaty and the regional integration movement. It also facilitates the development and the honing of the legal skills of research and advocacy. I note in passing that the unique art of appellate advocacy as well is being cultivated, because as you know the original jurisdiction of the Caribbean Court of Justice is also final. So, in a sense, you are conducting a double role when you address the Court. I hope that you will feel that your participation here simulates appearance before the highest Court in the region.

Now, I would like to take advantage of this opportunity to share one or two thoughts on the role of our institutions of learning in the development of Caribbean integration jurisprudence, which is a very important and developing theme for our community.

The principal aim of the treaty is to facilitate regional integration through the creation of a common market and economy. It sets out the role of various organs and bodies of the community, but it specifically mentions the Court, the Caribbean Court of Justice, in its preamble. It indicates as a preeminent intention of the member states that *'the original jurisdiction of the Caribbean Court of Justice is essential for the successful operation of the CSME'*.

Article 211 of the treaty speaks directly to the jurisdiction of the Court. This provision is also repeated in Article XII of the Agreement Establishing the Caribbean Court of Justice. The agreements provide that the Court has compulsory and exclusive jurisdiction to hear and determine disputes concerning the interpretation and application of the treaty. The role of the Court in the process of integration and operationalization authorisation of the CSME is therefore quite significant. I would suggest that the successful implementation of the treaty depends on the participation of all stakeholders for the materialisation of regional integration.

Institutions of learning such as yours are, I think, are very important in increasing awareness of the functions and the benefits of the movement towards integration. Your institutions - the law faculties, the law schools, have an important and unique role, because they grant students exposure to research techniques and advocacy before international tribunals such as our own. In fact, this activity today provides this opportunity in that today you are anticipating your certificate of legal advocacy and you are also anticipating the day when you elevate to the levels of silk as you will have the opportunity of addressing the highest court in our region.

Now, I trust that you will appreciate that the benefits of this opportunity into the future, because I hope that the fruits of the research, practice that will be reflected in your activities today, will be seen in years to come. Your interaction with the Judiciary at this stage of your life's journey should help to make you become great lawyers. You are keen researchers and deliberate and effective advocates who are aware of and experienced in observing the traditions and the etiquette of a senior and regional court. I hope that this experience will serve as a tool to better equip you to make valuable contributions to the administration of justice and the development of Caribbean jurisprudence.

I hope that today will prove a beneficial and meaningful experience for everybody who participates. I encourage you all to see the activities as a catalyst for personal as well as for institutional ownership. By that I mean your own ownership of the success of the regional integration process. I hope this competition will encourage us all in our reflections on the various responsibilities of each element of our community in ensuring that integration is not just a project or a vision, but a reality of which we can all be proud.

Thank you very much and all the best to you today and beyond.