

STATEMENT BY
HIS EXCELLENCY RONALDO VENETIAAN
PRESIDENT OF THE REPUBLIC OF SURINAME AND
CHAIRMAN OF THE CONFERENCE OF HEADS OF
GOVERNMENT OF THE CARIBBEAN COMMUNITY

AT THE
INAUGURATION OF THE
CARIBBEAN COURT OF JUSTICE

TRINIDAD AND TOBAGO

16 APRIL 2005

Your Excellency President Max Richards and Mrs. Richards

**Your Excellencies, Members of the Conference of Heads of
Government of the Caribbean Community**

**Justice Michael De La Bastide , President of the Caribbean
Court of Justice and Mrs. De La Bastide**

Judges of the Caribbean Court of Justice

Heads of Judiciary

Distinguished Guests,

Ladies and Gentlemen

**The people of the Caribbean Community, the Member States
of the Community and the Caribbean Community, are today
making history on three levels. Firstly at the level of the
individual-English speaking countries which have indicated
their determination to complete their journey to independence
with the repatriation of their final appellate tribunal.**

Secondly at the level of our Community where the Caribbean Court of Justice will provide for a strong legal institution to guarantee the rule of law. The third level is that of the Caribbean Community's inestimable contribution to the processes of economic regional integration worldwide. And, linked to that, our contribution to the progressive development of international law by the structure and jurisdiction of the Caribbean Court of Justice.

Today, the people of the Community are active participants in this inauguration, as the ceremony is being broadcast live. This is merely an extension of the process over the past four years in which there have been public discussion and informative exchanges about the Court in all the Member States. We are aware that given known resource constraints more needs to be done.

Notwithstanding the constraints, and as a part of that process of education, a Manual for the CCJ for the use of Teachers in Secondary Schools across the Community has been prepared and will be distributed to Ministries of Education shortly.

It is the fervent desire and confident expectation of the Members of the Conference, Mr. President, that the administration of the Court will continue that process of educating our people about this vital institution.

This process of education and consultation has already led to the forging of links between the legal academic community in Suriname and the University of the West Indies. Our legal academics are acutely aware of the need for a new kind of legal education in this new dispensation.

The legal profession across the region already knows that they will have to rise to the challenge, particularly in ensuring the vindication of the rights of CARICOM nationals before the CCJ. It is public knowledge that Law Schools and persons within the legal profession outside of the region are busily acquainting themselves with the Revised Treaty and the CCJ in particular.

The CCJ is an entity *sui generis*. The Community has placed on the international stage a judicial tribunal which is at one and the same time a municipal court of last resort, as well as an international judicial tribunal to authoritatively interpret and apply the Revised Treaty Of Chaguaramas Establishing The Caribbean Community, including The CARICOM Single Market And Economy. The achievement is even more remarkable given the composition of the membership of the Community.

There are Independent States, there is one Dependent State, there are several Common Law countries and two Member States with a history and tradition of Civil Law and there are three distinct languages.

This will be a major challenge for the Caribbean Court of Justice and its judges, in setting the example how to bridge differences and pull them together.

Excellencies,

The Members of the Conference of Heads of Government of the Community have sought to keep faith with the people of the Community. We have listened closely to the anxieties expressed about the independence, integrity and financial sustainability of the Court. We have deliberately removed ourselves and our Governments almost completely from the process involving the appointment of the President and are completely uninvolved in the appointment of the Judges.

This is a historic first for the appointment of judges at any level, municipal, regional or international.

On behalf of the Conference of Heads of Government I have the honour to affirm and pledge to the people of the Community, to the President and Judges of the Court that we will scrupulously and at all times respect the independence of the Court and thus sustain its integrity.

The Members of the Community have also set off a small revolution in the financing of judicial tribunals with the establishment and capitalization of the Caribbean Court of Justice Trust Fund. The Member States of the Community are the Members of the Fund, but we have not sought to have even one governmental representative on the Board. You have our solemn undertaking that we will carry out our responsibility to the Fund as set out in the Revised Trust Fund Agreement.

We know there will be challenges as the Court interprets and applies the Revised Treaty. We are confident that there will be a jurisprudential marriage of the Common Law with the Civil Law and, as has happened in the European Union, our Community, particularly the Single Market and Economy will be the beneficiary. This means that our people, the economic actors in the Community will benefit.

Suriname, one of the two CARICOM member states with a Civil Law System, will closely observe the development of the Appellate Jurisdiction of the Court, and will sometime in the future decide whether it wishes to add a third tier to its judicial structure. The Supreme Court of Canada already offers a worthy precedent of a final court that has to deal with both the common law and civil law.

On behalf of the Conference of Heads of Government, please allow me to express our sincerest gratitude to all those who have worked to make this day possible. The thanks you all will receive reside in the surety that your efforts have brought fulfillment to the doorsteps of the Caribbean peoples and the rule of Law to our Community of States.

Excellencies, Ladies and Gentlemen,

Let us build an independent future for ourselves.

Thank you.
