

STATEMENT BY THE CARIBBEAN COURT OF JUSTICE
ON THE OCCASION OF A DONOR MEETING
IN SUPPORT OF THE GRENADA CONSTITUTIONAL REFORM PROJECT

UNITED NATIONS HOUSE

BARBADOS

19TH NOVEMBER 2014

The Caribbean Court of Justice is pleased to have been invited to participate in this meeting aimed at facilitating the work of the bipartisan Grenada Constitutional Reform Advisory Committee.

The Court notes that an important objective of the Committee is the preparation of the Grenadian public to participate meaningfully in critical governance decisions through a process of constitutional reform that is transparent and credible and creates an atmosphere of consensus.

In particular the public is to be asked to make an informed decision in a referendum on the question of delinking from the Judicial Committee of Her Majesty's Privy Council based in London and accepting the appellate jurisdiction of the Caribbean Court of Justice with its seat in Port of Spain.

This is the very first time that this question would have been put squarely and fairly before any Caribbean society and the exercise is therefore historic for that reason alone.

The Court notes that the seeking in a plebiscite, of the approval of the people of Grenada to join the appellate jurisdiction of the CCJ, is necessitated by the terms of the Grenada Constitution. As such we regard the holding of the referendum as being relevant to the 2001 obligation undertaken by Grenada in Article XXXVIII of the Agreement Establishing the Court, to:

“...take all necessary action, whether of a legislative, executive or administrative nature, for the purpose of giving effect to this Agreement [including provisions on accepting the appellate jurisdiction]. Such action shall be taken as expeditiously as possible...”

Putting aside for the moment the question of whether, with the passage of 13 years, the requirement for expedition has been satisfied, the Court *is* pleased that Grenada is now moving forward in the discharge of its treaty obligation and the Court wishes to place on record its support for the undertaking of this process.

The Court would also wish to encourage support by the regional and international community for Grenada and its Constitutional Reform Advisory Committee as the country continues on this extraordinary but necessary governance exercise.

Finally, the Court assures the people of the Caribbean Community in general and people of Grenada in particular that it remains committed to the discharge of the mandate given it in its constituent treaties¹ i.e., in the exercise of its original jurisdiction to ensure the successful operation of the Community and the CSME; and in the exercise of its appellate jurisdiction, to play a determinative role in the further development of Caribbean jurisprudence through the judicial process.

[END]

¹ The Agreement Establishing the Caribbean Court of Justice, Preamble; The Revised Treaty of Chaguaramas Establishing the Caribbean Community (CARICOM) Including the CARICOM Single Market and Economy, Preamble;