



CARIBBEAN COURT OF JUSTICE

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CCJ PAYS TRIBUTE TO THE LATE MR JUSTICE WIT (RET.)

Port of Spain, Trinidad and Tobago. Representatives from around the region convened on Wednesday, 31st January 2024 at the Caribbean Court of Justice (CCJ) in Port of Spain, Trinidad and Tobago for a Special Sitting, celebrating the life of one of its earliest sworn-in judges, the late Honourable Mr. Justice Jacob Wit. Mr Justice Wit retired from the Court in December 2023 and was buried in a private ceremony on 24 January 2024 in Curaçao.

Presided over by the CCJ President, the Honourable Mr Justice Adrian Saunders, the Special Sitting included remarks by judges, academics, and members of the CCJ staff. Justice Wit was described by many of his peers as a witty and kind judge who was genuinely concerned about justice, fairness, and humanity. In the same vein, Mr Justice Saunders reminisced on his friendship with Justice Wit, stating that since they both joined the CCJ in 2005, the years were some of the most joyous “thanks in large measure to Justice Wit’s keen intellect, his curious mind, his generosity of spirit, [and] his collegiality.”

Remarks from the Rt. Hon. Sir Dennis Byron, former CCJ President, were delivered by the Hon. the Chief Justice of Trinidad and Tobago, Mr. Justice Ivor Archie, ORTT were similarly affectionate. He remembers Justice Wit as “a perpetual student, a great intellect, [who] brought a fresh approach to problem-solving and finding just solutions in the resolution of disputes. He made great contributions to the development of our Caribbean jurisprudence, including but not limited to, the land law of Guyana.”

In many of the other tributes throughout the event, Mr Justice Wit was lauded for his many contributions to the “multi-layered concept of the rule of law” particularly in the areas of civil law and constitutional interpretation. He was keenly interested in the granular workings of the judicial system and spent time visiting the prisons in every jurisdiction whenever the Court travelled. In

his capacity as co-Chairman of the CCJ Academy for Law, Justice Wit delivered a rousing lecture in Guyana on “Rethinking Criminal Justice”. The Hon. Mr Justice Winston Anderson confirmed that in *da Costa Hall v. The Queen*, Justice Wit “fathered the principle that time spent in custody before trial should count as time spent under the sentence imposed at trial” as convicted criminals were sentenced to prisons as punishment rather than for punishment.

Further warm sentiments were echoed by the Hon. Mme. Justice Lisa Shoman, General Counsel of the Caribbean Community (CARICOM), who stated that when Mr. Justice Wit was appointed in 2005 at the inception of the Court that he “not by birth, but by deliberate choice, conscientious action and deed, became in spirit and soul, a true son of our CARICOM sun and soil and we are both proud and privileged to claim him.”

Justice Geoffrey Henderson of the Trinidad and Tobago Judiciary also shared his fond memories, drawing from experiences both in Trinidad and Tobago and in The Netherlands as Justice Wit “brought to bear his distinctly blunt, direct, sometimes unsubtle, but most definitely, independent approach to his work as a jurist and his ability to speak to issues.”

Additional submissions were made by the Honourable Justices of the CCJ Bench; Gizel Thomas-Roberts, CCJ Deputy Registrar and Marshal; Shaiesta Nabibaks, Lecturer, International Law, Anton de Kom University, Suriname; Donovan Walker, President, The Organization of the Commonwealth Caribbean Bar Associations; and the Hon Mr. Justice Mauritsz de Kort, President, The Joint Court of Justice of Aruba, Curacao, Bonaire, Saint Martin, Saba, and Saint Eustatius.

The recording of the proceedings is available on the Court’s YouTube channel at https://www.youtube.com/watch?v=Wyq2_V14XFU.

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The Caribbean Court of Justice, along with Chief Justice Ivor Archie, Judiciary of Trinidad and Tobago and other regional luminaries, gathered to commemorate the legal contributions of the late Hon. Mr. Justice Jacob Wit (retired). Mr. Justice Wit was one of the first judges to be appointed at the Court and served the CCJ from 2005-2023.

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 Adrian Saunders. 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, four states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica, Saint Lucia and Guyana. 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.

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