

XXXIII

TECMUN Jr.

Caribbean
Court of Justice

XXXIII TECMUN Jr.
Session Schedule

Wednesday, November 12th

Registration	8:00 – 9:00 h
Opening Ceremony	9:00 – 10:00 h
Break	10:00 – 10:30 h
First Session	10:30 – 12:30 h
Break	12:30 – 13:00 h
Second Session	13:00 – 15:00 h
Meal	15:00 – 16:00 h
Third Session	16:00 – 18:00 h

Thursday, November 13th

Master Conference	8:30 – 9:30 h
Break	9:30 – 10:00 h
Fourth Session	10:00 – 12:30 h
Break	12:30 – 13:00 h
Fifth Session	13:00 – 15:00 h
Meal	15:00 – 16:00 h
Sixth Session	16:00 – 18:00 h

Friday, November 14th

Seven Session	8:00 – 9:30 h
Break	9:30 – 10:00 h
Eighth Session	10:00 – 12:00 h
Break	12:00 – 12:30 h
Ninth Session	12:30 – 13:45 h
Meal	13:45 – 14:30 h
Closing Ceremony	15:00 – 17:30 h

XXXIII TECMUN Jr.
General Agenda

Secretary General: Abril Valdés Calva

GENERAL COORDINATION

*Subsecretary of General Coordination: Mauro Carillo Gálvez
Supervisor of General Coordination for Co. Secretariat: Emiliano Parra Maya*

GENERAL ASSEMBLY

*General Subsecretary: Andrea Abigail Salazar López
Supervisor of Coordination: Hannia Nieves José*

Plenary Session for the General Assembly

President: Fernada Cisneros Farfán

- A)** Mitigating the legal, humanitarian, and environmental repercussions of the forced relocation in the Republic of Kiribati, Tuvalu, and the Republic of Maldives caused by the increasing sea levels and the historical emissions by developed nations.
- B)** Addressing the conflict in the Taiwan Strait caused by the military activities, airspace violations, and sovereignty claims between the People's Republic of China and the Republic of China (Taiwan), with a focus on regional security and international law.

Third Commission of Social, Humanitarian & Cultural Affairs

Presidente: Diego López Peralta

- A)** Measures to regulate human rights violations and punishments against the LGBTQ+ community in Africa.
- B)** Ethical implications of artificial intelligence in healthcare access in countries with developing healthcare systems, like all of East Africa.

Comisión Interamericana de Derechos Humanos

Presidente: Mariana Dueñas Salgado

- A)** Estrategias para garantizar la seguridad y el cumplimiento de derechos humanos de periodistas en los Estados Unidos Mexicanos frente a los ataques derivados del narcotráfico, corrupción estatal y falta de protección por parte del Estado.
- B)** Medidas para salvaguardar los derechos humanos y la seguridad de los inmigrantes en los Estados Unidos de América afectados por las políticas de deportación masiva implementadas por la administración actual del presidente Donald Trump.

Programa de las Naciones Unidas para el Medio Ambiente

Presidente: Josué Yazid Reyes Oliveros

- A)** Medidas para frenar el tráfico ilegal de especies como amenaza a la biodiversidad y los esfuerzos de conservación global en América del Sur y la Amazonia brasileña

B) Estrategias para mitigar el impacto de los microplásticos en los ecosistemas marinos y su aplicación en el Sudeste Asiático

United Nations Children's Emergency Fund

President: María Fernanda López Islas

A) Actions to strengthen national legislation to prevent child labor in the informal textile industry in urban centers of the People's Republic of Bangladesh, where regulatory systems remain weak and exploitative practices are common.

B) Addressing the rise in mental health issues among children and adolescents following the COVID-19 pandemic with Significance in the Republic of India.

Instituto Interregional de las Naciones Unidas para Investigaciones sobre la Delincuencia y la Justicia

Presidente: Reggina Marie Orta González

A) Acciones para abordar crímenes vinculados al turismo criminal en el Sudeste Asiático, con enfoque en vacíos regulatorios y violaciones de derechos humanos.

B) El crecimiento del cibercrimen transnacional en América Latina como amenaza a la seguridad digital y jurídica.

Comisión de Derecho Internacional

Presidente: Axl Paris Ortega Rodríguez

Tópico A) Estrategias globales para detener la explotación ilegal de recursos naturales en el Amazonas, centrándose en la intervención de empresas extranjeras en Brasil y Perú.

Tópico B) Medidas para evitar el uso del derecho internacional con fines políticos, con énfasis en las sanciones económicas impuestas por los Estados Unidos y la Unión Europea a la Federación de Rusia.

Committee Against Torture

President: Mariana Méndez Cruz

A) Measures to eradicate the degrading and generational torture of genital mutilation of females in the Middle East and Africa.

B) Measures to stop mass repression, forced disappearance, and torture in the criminal procedure of the Arab Republic of Egypt.

Histórica Organización de los Estados Americanos

Presidente: Aarón Vázquez Guzmán

A) Mecanismos para eliminar la influencia política del Cártel de Medellín en la República de Colombia priorizando la protección de los derechos humanos de la población. (1976-1993)

B) Medidas para la resolución pacífica del conflicto bélico interno causado por los Contras en la República de Nicaragua mediante la liberación de tensiones políticas entre los Estados Unidos de América y la Unión de Repúblicas Socialistas Soviéticas. (1979–1990)

ECONOMIC AND SOCIAL COUNCIL

General Subsecretary: Samantha Salgado Nájjar
Supervisor of Coordination: Alexa Esmeralda Rivera Jimenez

Convention on the Elimination of All Forms of Discrimination Against Women

President: Valentina Reyes Pardo

A) Mechanisms to address the rise in obstetric violence in Latin America, due to the increasing cases of professional negligence that contribute to the violation of women's reproductive rights.

B) Measures to counter Gender-Based Political Violence Against Women perpetuated by the diffusion of anti-progressive campaigns during electoral processes in the United Mexican States.

Organización Internacional para las Migraciones

Presidente: David Trujillo Loza

A) Estrategias para mitigar la crisis masiva de desplazamientos de la República de Sudán a causa de las disputas territoriales entre las Fuerzas Armadas de Sudán (FAS) y las Fuerzas de Apoyo Rápido (FAR).

B) Estrategias para frenar la crisis migratoria de la República Bolivariana de Venezuela hacia países de Latinoamérica y los Estados Unidos de América, manteniendo el enfoque en la violencia generada por las elecciones presidenciales de 2024.

Comisión Económica de las Naciones Unidas para Europa

Presidente: Camila Oliveros Dávila

A) Medidas para mitigar el impacto económico y social del envejecimiento poblacional en Europa Occidental y del Norte, con especial atención a la sostenibilidad de los sistemas de pensiones y salud.

B) Acciones para fomentar la transición energética a energías renovables en países en desarrollo, con enfoque en Asia Central.

United Nations Institute for Disarmament Research

President: Claudia Guadalupe Pfeiffer Benítez

A) Measures to Address the Use of Chemical Weapons in the Syrian Arab Republic with Emphasis on Compliance with the International Disarmament Regime.

B) Approaches to Strengthening Nuclear Non-Proliferation in the Middle East with Focus on Adherence to International Norms.

Comisión Económica para África

Presidente: Rebeca Farah Romero Pérez

A) Estrategias para contrarrestar la hambruna extrema y la escasez de recursos en origen al conflicto civil en la República del Sudán del Sur.

B) Estrategias de intervención para el deterioro de la economía de la República de Sierra Leona a causa de la epidemia de ébola.

Fonds Monétaire International

Président: Melany Fayed Cervantes Espinoza

- A) Mesures visant à réduire la perte d'emplois ruraux en République Fédérative du Brésil, en particulier dans la région du Cerrado, en raison de la dégradation des terres agricoles.
- B) Actions visant à réduire la dette extérieure de manière juste et organisée pour renforcer et diversifier l'économie africaine, en particulier en République du Zambie.

Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura

Presidente: Aarón Badillo Aguilar

Tópico Único) Medidas para la retención del desplazamiento forzado de comunidades indígenas por megaproyectos extractivos en la República Federativa del Brasil, la República de Colombia, la República del Perú y los Estados Unidos Mexicanos.

Commission on Crime Prevention and Criminal Justice

President: María Fernanda Domínguez Hereida

- A) Actions to prevent the recruitment of young people in the Central African Sahel region into organized crime, addressing the social roots of recruitment into gangs, cartels, and extremist networks.
- B) Strategies to limit radicalization within prison systems in the Southern Philippines and the lack of effective programs to prevent criminal recidivism.

Agency for the Prohibition of Nuclear Weapons in Latin America

President: Jacobo Nicolas Palafox Valdes

- A) Strengthening nuclear security protocols in Latin America and the Caribbean in response to natural disasters.
- B) Addressing the risks of illicit nuclear material trafficking in Latin America and the Caribbean.

SPECIALIZED AGENCIES AND REGIONAL ORGANISMS

General Subsecretary: Patrick Eduardo Cunillé Paniagua

Supervisor of Coordination: Arantza Estrada Ríos

Oficina de las Naciones Unidas en Ginebra

Presidente: Alexandra Sofía Reyes Galindo

- A) Medidas para frenar la trata de personas en África Occidental, con énfasis en los matrimonios infantiles forzados.
- B) Acciones para contrarrestar la represión estatal en Irán, ocasionada por la concentración del poder en manos del líder supremo y la Guardia Revolucionaria.

Organización Internacional de la Policía

Presidente: Diego Alejandro Salazar Náfate

- A) Medidas para frenar el empleo de criptomonedas en el tráfico ilícito de especies protegidas, entre la República de Camerún, los Emiratos Árabes Unidos y la República Federal de Alemania.
- B) Medidas para erradicar las redes de trata de menores encubiertas como adopciones internacionales a través de la manipulación de procedimientos legales y la adulteración de

credenciales de identificación entre la República Federal de Nigeria, los Emiratos Árabes Unidos y el Reino de los Países Bajos.

International Committee of the Red Cross

President: Emilio Antonio Contreras Salas

A) Measures to protect and assist the civil population and detained persons affected by the armed conflict between the State of Israel and Palestinian armed groups in the Gaza Strip.

B) Measures to prevent and address violations of human rights in the armed conflict in the Republic of Sudan, with emphasis on the protection of civilians.

United Nations Office for the Coordination of Humanitarian Affairs

President: Marian Robles Ortiz

Topic A) Actions to ensure the management of humanitarian consequences taking place in the Republic of Yemen as a result of its domestic conflict and the military intervention of international actors.

Topic B) Strategies to counter the human rights violations happening in Port au Prince and its surrounding areas as a result of gang violence and abuse from government authorities.

Organización del Tratado Atlántico Norte

Presidente: Fausto Moreno Hurtado

A) Medidas para contrarrestar las tensiones diplomáticas causadas en Europa del Este ante la adición de la República de Finlandia y el Reino de Suecia a la OTAN, con enfoque en el conflicto de la Federación Rusa y la República de Ucrania.

B) Medidas para enfrentar la crisis migratoria localizada en la frontera sureste de Europa, con énfasis en la ruta Mediterránea Oriental hacia la República Helénica, causada por conflictos internos localizados en el Medio Oriente con enfoque en el grupo Partido de los Trabajadores del Kurdistan (PKK) en la República Turquía.

World Bank

President: Javier Gil Rodríguez

A) Actions to limit the expansion of the agricultural frontier and large-scale deforestation in South America, with an emphasis on affected groups in vulnerable regions such as the Amazon and Gran Chaco.

B) Measures to eradicate the severe precarity of physical and economic resources in the conflict between the State of Palestine and the State of Israel, with specific attention to vulnerable citizens located in the Gaza Strip.

Consejo de Seguridad

Presidente: Emiliano Bautista Soza

A) Estrategias para prevenir el resurgimiento de la violencia armada entre el Estado de Israel y los grupos armados palestinos en Gaza y Cisjordania, al tiempo que se promueve la estabilidad a largo plazo en la región.

B) Acciones para detener el avance del programa nuclear de Corea del Norte, poniendo especial atención en sus pruebas de misiles y las amenazas que representa para la estabilidad de Asia Oriental.

International Atomic Energy Agency

President: Ana Mercado Garduño

A) Measures to prevent illicit trafficking of radioactive materials through unstable border regions, focusing on the region of Central Asia.

B) Actions to mitigate environmental and security risks of nuclear facilities in active and post-conflict zones centered on Ukraine and the Syrian Arab Republic.

Caribbean Court of Justice

President: Miguel Ángel Pérez Rodríguez

A) Appeal by Nevis Betancourt against conviction on depriving Jose Castellanos of his life in Belizean Appeal (Nevis Betancourt v The King).

B) Proceeding by Shanique Myrie against the State of Barbados on violation of human rights and free movement rights under the Revised Treaty of Chaguaramas (Shanique Myrie v The State of Barbados).

“The future belongs to those who believe in the beauty of their dreams.” — Eleanor Roosevelt

Dear reader,

Six years ago, I participated in my very first TECMUN as a judge in the *International Court of Justice*. It was a model full of challenges — not only because it was the first online TECMUN, but also because I struggled to find the courage to speak in front of delegates who were far more experienced than I was. I remember spending those three days hiding behind my camera, only speaking when the chair required me to. However, there was one moment that changed everything: watching the *Agent Defense* inspired me in a way I will never forget. It was then that I realized I also wanted to be there — to become someone capable of raising my voice and creating change. It wasn't until my second model that I discovered my true potential. I represented the Republic of Colombia in UNICEF, and that was when I asked myself why I should be afraid to express my opinions on topics that deserve to be heard. That year, I made a promise to stop doubting myself and to participate with the conviction that my voice also had value. That's when I understood that TECMUN was not just about debating — it was about growing, learning, and daring to step out of my comfort zone. That model marked the beginning of my personal evolution.

Years later, I decided to close this journey where it had all begun — in a court. I joined the *Caribbean Court of Justice* as the *Agent Defense* for the State of Barbados. During the closing ceremony, I realized I had achieved what I once only dreamed of: I had become an agent of change. I looked at the High Secretariat and understood that this was my destiny, my dream, my goal — to welcome new generations of agents determined to transform the world from within the debate halls. I share a piece of my TECMUN story with you because, just like me, you are probably seeking to grow, to find your voice, or to reach new goals. No matter where you are in your journey, what truly matters is that you keep moving forward and never stop believing in yourself.

Never stay silent in the face of injustice. Speak up, act, and make choices — because the power to create change lies both in the decisions you take and in the ones you choose not to. Educate yourself, because nurturing your mind will help you understand yourself and others. Help those who need it most, because you hold privileges that many people around the world do not — and using them to serve others is one of the noblest forms of leadership. Do everything with passion, with love, and with purpose — every single day, for yourself and for others. Inspire and be inspired, because you never know if your words or your actions might be the push someone needs to believe in themselves.

Take advantage of being here today. You have the opportunity to expand your limits, to learn, to teach, and to motivate those around you. Remember, you are not alone — there is a network of support surrounding you, believing in you, and walking beside you every step of the way. Be the person you once wished would guide you through your learning process. And above all, trust yourself — because you are capable of achieving everything you set your mind to.

Abril Valdés Calva
Secretary General for the
XXXIII TECMUN Jr.

“No hay presión cuando haces lo que realmente amas”

-Neymar Jr.

Dear participant,

Today I speak to you from the heart of a 12-year-old Mauro, who came to his first model and wants to tell you that you are about to experience one of the most beautiful things — TECMUN. A model to which we have poured our soul, heart, and life. I ask you to please come and enjoy it. I don't know if you're here because you had to or because you wanted to, but the only thing I want to say is thank you — thank you for being part of this great model, because without you, this project wouldn't be possible. Thank you for getting involved in topics that maybe others find irrelevant, but in which you see a solution.

Many people think that being in TECMUN is something insignificant, but the truth is that you are deeply engaging with issues that are real global challenges today. I want to tell you that this experience will not only give you knowledge, but it will also open doors to future and amazing academic opportunities. Moreover, you'll meet incredible people who share your same academic interests — or even new ideas that might encourage you to step out of your bubble and see the world and things from a more realistic perspective.

Lastly, I want to invite you to make the most of your time at TECMUN, because it is a unique experience that truly changes you as a person and helps you grow. Be open to change and new ideas, remembering how your past self once dreamed of creating a big change — both within yourself and in leaving a small mark on the hearts of those who dare to step out of their comfort zones and routines. Now it's your turn: laugh, cry, enjoy, learn, and above all, never let others limit your ability to create.

A handwritten signature in black ink, slanted upwards to the right. The word "MAURO" is written in a large, bold, sans-serif font. Below it, "CG" is written in a smaller, similar font. A long horizontal line extends from the end of the signature.

Mauro Carillo Gálvez
Subsecretary of General Coordination for the
XXXIII TECMUN Jr.

*“La vie te prend, te brise parfois, mais elle te laisse aussi l’occasion de te
reconstruire.” -Frédéric Lenoir*

Dear participant,

It requires immense bravery to rise again, even when the world tries to push you down, even when you feel you’ve lost everything, or already given up, but that’s where the strength is born. I hope these three days teach you something that you see beyond the framework of a United Nations Model. Let yourself flow with what you’re meant to learn, and don’t stand in your own way. You probably have heard this before, if you have been here before, but TECMUN really is something far greater than a model of the United Nations, TECMUN goes from discovering new people, to discovering yourself, discovering abilities you never imagined you have, or discovering growth opportunities, so you can improve and become your best version. Nowadays, the world faces profound challenges, and humanity questions its own future. But true change begins with each small act of kindness, each gesture of help offered without expecting anything in return. That is what makes us human: the ability to understand one another, to extend compassion, and to move forward together, as one.

For me, TECMUN has opened countless doors to opportunities I never imagined, and to people who have truly changed my life. Enjoy the model in your own way, step out of your zone of comfort, and let yourself discover new experiences. Consecrate each moment with all your heart, time never comes back, and do that thing that you are afraid to do, you never know in the end what it could be. I hope TECMUN will become one of your many anecdotes to share, and a spark that leads to something greater.

Patrick Eduardo Cunillé Paniagua

Subsecretary for the Specialized Agencies and Regional Organisms for
the XXXI TECMUN Jr.

“You must always strive to be the best, but you must never believe that you are”

-Juan Manuel Fangio

Dear Judges and Agents:

I want to give you a warm welcome to this new edition of TECMUN Jr. First of all, I want to congratulate you. Maybe you are asking why, there's a simple reason: for taking this challenge. There are a lot of people that are scared of taking this kind of challenges, entering a room to express an opinion and look for a solution, and then, it is you, the one that has the courage of entering this Model of United Nations, especially in a Court of Justice committee, which I consider as the most challenging and difficult one in TECMUN. For me, it will be a pleasure to receive you in these three days, in which I hope you leave with unforgettable memories and lots of stories to tell. Being a president of TECMUN, especially of a Court committee, is a dream come true that I worked really hard to achieve. It was a complicated journey full of failures, success and frustration. But I decided to not give up and fight for my dream, and it is something I want you to learn. Sometimes life can be unfair or difficult, but if you have a clear objective in any moment of your life, fight for it until you achieve it, and if you don't achieve it, make all your effort that makes you feel satisfied with yourself where you can say you did your best. For me, everyone is a winner, and I want you to make sure you enjoy this model, don't be afraid. I was also in your position as delegate 11 times and I know how hard it can be to be on that side, but don't worry, you will leave as a better version of yourself. Finally, Thank you for joining me and the rest of the chair on this unforgettable journey.

Miguel Ángel Pérez Rodríguez
President of the Caribbean Court of Justice for the
XXXIII TECMUN JR.

Background

The Caribbean Court of Justice (CCJ) was established on February 14, 2001 by signing the Agreement Establishing the Caribbean Court of Justice with the main function of having a tribunal that could understand the region's social context. The court's mission is to provide accessible, fair, and efficient justice to the people and states of the Caribbean Region. The CCJ has the function of being a hybrid institution that consists as a last resort municipal court for individuals and an international court that settles disputes between the states with exclusive jurisdiction, respecting the interpretation of the Revised Treaty of Chaguaramas signed on July 5, 2001 which established the Caribbean Community (CARICOM). With their official inauguration and first audience in 2005, the CCJ is currently presided over by 7 judges including the president of the court. This tribunal is considered as a legitimate specialist for the Caribbean Region that aims to be a model of juridical excellence for the 15 countries of the Caribbean Region.

Faculties

With the aim of being a fair justice service for the individual and states understanding the social needs and reality of the Caribbean Community, the Caribbean Court of Justice offers solutions to unsolved cases and defines:

- Interprets and applies the Revised Treaty of Chaguaramas to ensure the economical and market development of the states of the Caribbean Region;
- Judges both, individuals and states, ensuring the rights of the countries, enterprises and people of the Caribbean nations;
- Allows to contemplate and rule appeals in criminal and civil matters before customary tribunals with jurisdiction in Caribbean States;
- Delivers advisory opinions concerning the application of the treaty at

the request of the contracting parties or the community;

- As it has autonomy, it decides its own jurisdiction when there is a dispute about whether the Court has jurisdiction or not in the matter.

Case A

Appeal by Nevis Betancourt against conviction on depriving Jose Castellanos from his life in Belizean Appeal (Nevis Betancourt v The King)

By: Miguel Ángel Pérez Rodríguez, Alethia Ortega Gallardo, Isabela Osuna González

Introduction

The case of Nevis Betancourt originated when he made an *appeal*¹ on the *verdict*² imposed by the Belizean tribunal, which consisted of a 20-year prison sentence after finding him guilty of taking the life of Jose Castellanos. The judgment mentioned that Nevis arrived at the restaurant in Santa Elena Town, where he shot Castellanos twice, stating that he intentionally and unlawfully committed the crime. Betancourt's side mentioned to the Caribbean Court of Justice (CCJ) that after getting rejected the *defendant's*³ evidence they had the right to defend with a third version of the incident which was “based on a reply of a witness to a question in cross examination” (CCJ, 2024). The Belizean Court of Appeal Justified that there was no need since the evidence that the appellant presented was inconsistent compared to the witnesses and the *forensics*⁴ evidence. It was mentioned that it was clear the intention of the appellant to commit the crime. Nevertheless, Mr Betancourt took the case to the Caribbean Court of Justice (CCJ) to appeal some irregularities found on the Belizean Court of Appeal judgement.

This case has focused on the concern and questioning of the protection of the human rights and of the accused on the national tribunals and how the rejection of evidence by a court can affect the fair and justice process of both parties. This case, related to how the Belizean Court of Appeal is accused by the appellant on the rejection of its “right of having a third vision of the case” as his party testified. This is due to a single inconsistent questioning of a main witness, mentioning that Castellanos received the shot after standing up with the machete; he also mentions that he committed the act of self defense as Castellanos attacked him with the machete without provocation. The CCJ, as a last resort court of appeal

¹ **Appeal:** a request made to a court of law or to someone in authority to change a previous decision. (Cambridge Dictionary, 2025).

² **Verdict:** an official decision made in a court at the end of a trial: (Cambridge Dictionary, 2025).

³ **Defendant:** a person in a court of law who is accused of having done something wrong: (Cambridge Dictionary, 2025)

⁴ **Forensics:** using the methods of science to provide information about a crime. (Cambridge Dictionary, 2025).

according to its appellate jurisdiction recognized by the State of Belize, has the obligation to analyze and ensure the human rights of all individuals to make sure that this case has proceeded with impartiality and fairness to affirm the culpability or, if it is the case, the innocence of the appellant.

Case Background

The State of Belize is known to be a country that has high criminal and homicide rates. It is considered as a level two destination by the Department of State's travel advisory, a level in which the government of the United States of America recommends to travel with "increased caution" (U.S. Department of State, 2025). Also, in 2023, there were registered a total of 83 homicides throughout the Country. In 2022, the crime acts were higher, when they registered 113 (Crime & Crime, 2024).

Within the criminal context in the State of Belize, on July 27, 2017, both Nevis Betancourt and Jose Castellanos were present at the restaurant *Comida Beliceña y Latina* in Santa Elena Town, in the State of Belize. There, moments later, José Castellanos was found without life. Jose Nuñez Castellanos was a 37 year-old man at the moment of the incident. There is no specific information about his personal life, family, etc. Likewise, the information provided about Nevis Betancourt is also limited to the acts occurred during the incident and *procedure*⁵.

The official version made by the *prosecutor*⁶ office of the national tribunal stated that Betancourt was the *assailant*⁷. It is mentioned that Betancourt entered the place and went directly to the place where Castellanos was sitting and ended shooting him twice. This statement was approved by the Belizean court after analyzing all the situation and evidence.

⁵ **Procedure:** a set of actions that is the official or accepted way of doing something. (Cambridge Dictionary, 2025)

⁶ **Prosecutor:** a person, especially a public official, who institutes legal proceedings against someone. (Oxford Languages, 2025).

⁷ **Assailant:** a person who physically attacks another. (Oxford Languages, 2025)

The actions in which the incident occurred made multiple debates about the intention of Betancourt on attacking Castellanos and about the reasons for the alleged direct attack that he made, which was mentioned to be intentional.

Nevis Betancourt made his official statement mentioning that he acted as self-defense without provocation. He declared that Castellanos was the first one that attacked him with a *machete*⁸, causing the reaction of shooting him multiple times. Betancourt also specified that he didn't know about the existence of Castellanos before the incident. The evidence and statements provided to the different courts contained insufficient information proving that Nevis and Jose knew each other or had some kind of relationship between them before the homicide. This version presented by the appellant contrasts with the one given by the official prosecutor, which highlights the intention and the purpose of taking the life of the victim.

The State of Belize's national trial and appeal process

The Belizean judiciary system is based on common English Law, inherited from its colonial background as the British conquered The Republic of Honduras. It is created to ensure justice through independent courts, working under the principle to separate powers. The highest authority consists of the Supreme Court, followed by the Court of Appeal and ultimately the CCJ, which serves as appeal in criminal and civil matters. The Constitution of Belize first took place in 1981 it provides a foundation for organization and justice upon the judiciary.

Consequently, The CCJ works with cases involving serious criminal offenses like criminal acts resulting in casualties, misconduct of sexual nature, privation of human life, forced intimacy or treason for instance are trialed in the Supreme Court. The Court of Magistrates handles less serious offenses and preliminary hearings. Once a case has been

⁸ **Machete:** a broad, heavy knife used as an implement or weapon, originating in Central America and the Caribbean. (Oxford Languages, 2025)

settled in the Supreme Court, it may be appealed to the Court of Appeal of Belize, The final footstep for appeal is the CCJ located in Port of Spain, Trinidad and Tobago.

The criminal proceedings in Belize follow a strict protocol with the principle that the accused is presumed innocent until proven guilty. And legal representation is a fundamental right. The proof rests on the prosecution. In capital cases such as the one involving Nevis Betancourt, the process is particularly complex. Requiring object evidence and adherence to the Constitution's protections. In a *conviction*⁹, the defendant has the right to appeal.

Appeals must be done on protocol errors, misapplication of the law, presentation of new evidence. Belize is signatory to multiple human rights treaties including international treaties such as: Covenant on Civil and Political Rights (ICCPR). These agreements form the base of interpretation for domestic legal standards, regarding the right of a fair *trial*¹⁰, the treatment of the detained and the capital punishment. Understanding the structure of the protocol and the judicial process in Belize is crucial for the judging of the appeal presented by Nevis Betancourt.

Any decision made must be considered to meet the expectations of the judicial process of both national and international legal standards. Analyze the integrity of the trial process, the passing or approval of evidence and the correct use of appellate review.

Nevis Betancourt was first arrested after the homicide happened, where he was taken to the prosecutor's office in order to attend the first stage of this case: the process in the national tribunal, where he was sentenced to the 20-year prison sentence. After that, he attended the Belizean Court of Appeal, where he showed his discomfort with the national court decision. On the grounds of appeal, he stated the judge permitted a damaging leading question of prosecution witness Donovan Ramirez on the re-examination, in addition, he also

⁹ **Conviction:** the fact of officially being found to be guilty of a particular crime, or the act of officially finding someone guilty. (Cambridge Dictionary, 2025)

¹⁰ **Trial:** a formal examination of evidence before a judge, and typically before a jury, in order to decide guilt in a case of criminal or civil proceedings. (Oxford Languages, 2025)

testified that the prosecution witnesses Donovan Ramirez, Roxana Gomes and Consuelo Canales were not evaluated in detail. Mr. Betancourt further mentioned that the judge didn't consider all the important matters to conclude that he was guilty. Also, since he had no criminal record before the incident, he mentioned that the first instance tribunal did not take that into consideration. Finally, Mr. Betancourt complained about the verdict, which, according to him, was against the weight of the evidence (Belizean Court of Appeal, 2019).

The Belizean court of appeal failed against Nevis Betancourt. The appellant required the tribunal to have his right of having a third opinion of the case since he considered it was done in a partial way. The judge denied the requirement justifying that his evidence and testimony provided to the court lacked and had no fundamentals. After hearing the judges' decision, Mr. Betancourt attended the CCJ in order to require his rights that he mentioned were not accomplished on both national courts.

Testimonial evidence

During the Nevis Betancourt v The King trial there were four key *witnesses*¹¹ who gave their testimonies, forming part of the prosecution's evidence. The four witnesses were present at the restaurant the day and time of the incident, three of them being customers and one being part of the restaurant's staff. The witnesses were Donovan Ramirez, Roxana Gomez, Elvia Montufar and Consuelo Canales. The testimonial evidence was focused on Donovan Ramirez, Roxana Gomez and Consuelo Canales' declarations.

Mr. Donovan Ramirez testified that on 27th of July 2017 at about 8:00 pm, he encountered himself at the restaurant with the deceased Jose Castellanos when a young man, the appellant, approached them with a firearm and shot him twice in the chest. Mr. Ramirez stated that the appellant walked towards a lady at the restaurant and mumbled something he couldn't hear, then the lady proceeded to point at the deceased and that was when the

¹¹ **Witness:** a person who sees an event, typically a crime or accident, take place. (Oxford Languages, 2025)

appellant shot him. The deceased then *brandished*¹² a machete and attacked the appellant. Mr. Ramirez said, when asked, that he didn't know where the machete came from, as he was distracted with his mobile phone until the attack. He stated that "*As I saw the movement, I placed my phone and I saw what was happening*" (Hafiz-Bertram, Woodstock-Riley, Foster, 2023). In his first statement, Mr. Ramirez said that the deceased was sitting in a chair near the television when he got shot.

Ms. Roxana Gomez stated that she was at the restaurant with her child and saw the appellant arriving. Ms. Gomez said the appellant approached his mother, Ms. Stephanie, and she pointed right where Mr. Jose Castellanos, the deceased, was. Ms. Gomez said she saw the two men, the appellant and the deceased, *mumble*¹³ something she couldn't hear and later she heard two gunshots, when she turned around she saw the deceased holding a machete trying, unsuccessfully, to chop the appellant. The machete then fell from the deceased's hand. Ms. Gomez testified that she saw the deceased crawling underneath the restaurant and the appellant 'finished his shooting'.

Elvia Montufar testified that she saw the appellant entering the establishment. After that, she heard two shots and later some more. Ms. Montufar said she saw the deceased holding a machete and falling to the ground. She saw the appellant holding a gun, yet she didn't see him do anything with it. Ms. Montufar didn't see anything else.

Ms. Consuelo Canales was the owner of the establishment where the incident occurred. Ms. Canales testified that she was at her restaurant with about eight customers, including the appellant's mother. Ms. Canales stated that she heard two gunshots, but she didn't see them. She said later she heard 'something like a machete', then she saw the appellant with a firearm in his hand and she heard the appellant say "*You with a machete, I*

¹² **Brandished:** to wave something in the air in a threatening or excited way. (Cambridge Dictionary, 2025)

¹³ **Mumble:** say something indistinctly and quietly, making it difficult for others to hear. (Oxford Languages, 2025)

with a gun, let's see who will do better", then the appellant continued 'firing' the deceased, Ms. Canales affirmed.

There were then after cross-examinations to each of the witnesses. Ms. Gomez stated that he saw the appellant with an object in his hand from about three feet away. She didn't realize that it was a gun, so she ignored it; then later saw the deceased chopping the arm of the appellant a first time and on the second one he failed. Ms. Canales stated that after the incident she took the machete away and placed it in the garbage to cease the fight; as well, she declared that she didn't see the appellant shooting for she closed her eyes. However, there is a confusion in the declaration of Mr. Ramirez.

One of the grounds of appeal that were cited in the notice of appeal argues that the judge erred in permitting a prejudicial leading question. This occurred in Mr. Ramirez's cross examination. He stated that he was sitting with the deceased when the appellant arrived with a firearm and shot him, then the deceased brandished the machete and the appellant kept shooting the deceased, he said he didn't see any more, he took his bicycle and ran away from the restaurant. This statement led to a brief confusion in which the defendant is leaning in order for the Court of Appeal of Belize to reopen the case. He later declared:

"Q. So he was standing up when he got shot?"

A. Yes he was standing up.

Q. And it was when he was going with the machete in his hand when he got shot?"

A. He was shot before that; he was shot when he got two shots in his chest area.

Q. Chele got two shots and then he raised the machete to chop the young man?"

A. It was when he raised the machete to attack the young man that he was shot two times and then he turned around and went down the stairs and he continued shooting him”. (Hafiz-Bertram, Woodstock-Riley, Foster, 2020).

Nevis Betancourt’s Appeal: Justice Before the CCJ

The Caribbean Court of Justice, in its Appellate *Jurisdiction*¹⁴, has the capacity of hearing and judging appeals on both criminal and civil matters, following the jurisdictions of the common law courts for the states that signed the Agreement Establishing the CCJ. Also in its appellate jurisdiction, the CCJ is the highest municipal court for the region (Caribbean Court of Justice, 2020). This for the states which accede to the CCJ’s arbitration. For the case of the State of Belize, the CCJ is recognized as that last resort of appeal since it accedes to the authority agreed for the Court in the agreement previously mentioned.

After passing the first two stages on both national tribunals and hearing the posture of them, Nevis Betancourt decides to make a final appeal of this case and take it to the CCJ. He attended with hope that the court rules in his favor and ensures his human rights that he claims are getting violated. He considers that the verdicts made by the national tribunals were not enough. The requirements he made to the Belizean Court of Appeal of having a third version of the affair to be heard due to the judges which took the case before failing on approving the witness. Donovan Ramirez was asked a leading question that had irregularities on the final version of Mr. Ramirez, concluding that his procedural rights were not accomplished, affecting the appellant on having a proper defense that can end in prejudicial verdict for him, because of that, the appellant required the CCJ to check the sentence made by the national tribunal demanding that his procedural rights were not respected; finally asks for the recognition of his procedural right to present his *third version* of the case for his defense.

¹⁴ **Jurisdiction:** the official power to make legal decisions and judgments. (Oxford Languages, 2025)

The ensuring of human rights is a fundamental goal to focus on any case that is getting solved on any tribunal in order to guarantee the fair process of the proceedings, and that also applies to Belizean courts and the CCJ. Betancourt has a clear point of view about his case, the national tribunals had violated his human rights. The International Covenant on Civil and Political Rights (ICCPR) is an international agreement ratified by the State of Belize in 1996 which “aims to ensure political and civil rights” (OHCHR, n.d.). This agreement on Mr. Betancourt’s affair can show how the denial of the previously mentioned third version apparently denies his right to be heard.

The Caribbean Court of Justice has the responsibility to analyze this case and ensure that the final verdict presented was made in total fairness and impartiality, and assure that both of the parties rights were respected. This appeal is a big challenge for the CCJ, it will show the *competence*¹⁵ this tribunal has on taking a process where it can exhibit the inconsistencies that the tribunals of the region can have. Nevis Betancourt does not only look for the dismissal of his sentence, he wants a fair trial where all his rights can be ensured. He maintains a clear position that the homicide was in an act of self-defense, affirming that his acts were done only to protect himself.

For Nevis Betancourt, this appeal is not only a legal procedure, it is a big challenge between the responsibility and justice of his acts. The Caribbean Court of Justice will have an obligation to analyze the case again to give a final verdict to both parties. Mr Betancourt has exhorted the CCJ to have a fair proceeding where the judges can take it with total impartiality on both parties. He wants his version to be heard. Finally, he hopes that the tribunal perceives his intention of self-defense and rules this case in his favor.

¹⁵ **Competence:** the ability to do something successfully or efficiently. (Cambridge Dictionary, 2025)

Recommended Material

1. Belize Court of Appeal. (2023). *Nevis Betancourt v. The King*, [2023] BZCA 6 (Crim).
<https://archive.belizejudiciary.org/wp-content/uploads/2023/04/Criminal-Appeal-6-of-2019-Nevis-Betancourt-v-The-King-Judgment-FINAL.pdf>
2. Caribbean Court of Justice. (2024, March 8). *CCJ upholds the Court of Appeal decision of a murder conviction in Belizean appeal: Nevis Betancourt v The King [2024] CCJ 6 (AJ) BZ* [Media release].
<https://ccj.org/wp-content/uploads/2024/03/Media-Release-Nevis-Betancourt-v-The-King.pdf>
3. Caribbean Court of Justice. (2024). *Nevis Betancourt v The King [2024] CCJ 6 (AJ) BZ* (Appellate Jurisdiction, Criminal Appeal No. 6 of 2019).
https://ccj.org/wp-content/uploads/2024/03/2024_CCJ_6_AJ_BZ.pdf
4. Caribbean Court of Justice. (2023, December 13). *Hearing of the Appeal - BZCR2023/001 Nevis Betancourt v The King* [Video]. YouTube.
https://www.youtube.com/watch?v=Bee_3oWutDk

References

1. Belize Court of Appeal. (2023). *Nevis Betancourt v. The King*, [2023] BZCA 6 (Crim).
<https://archive.belizejudiciary.org/wp-content/uploads/2023/04/Criminal-Appeal-6-of-2019-Nevis-Betancourt-v-The-King-Judgment-FINAL.pdf>
2. Caribbean Court of Justice. (2024, March 8). *CCJ upholds the Court of Appeal decision of a murder conviction in Belizean appeal: Nevis Betancourt v The King* [2024] CCJ 6 (AJ) BZ [Media release].
<https://ccj.org/wp-content/uploads/2024/03/Media-Release-Nevis-Betancourt-v-The-King.pdf>
3. Caribbean Court of Justice. (2024). *Nevis Betancourt v The King* [2024] CCJ 6 (AJ) BZ (Appellate Jurisdiction, Criminal Appeal No. 6 of 2019).
https://ccj.org/wp-content/uploads/2024/03/2024_CCJ_6_AJ_BZ.pdf
4. Caribbean Court of Justice. (2023, December 13). *Hearing of the Appeal - BZCR2023/001 Nevis Betancourt v The King* [Video]. YouTube.
https://www.youtube.com/watch?v=Bee_3oWutDk
5. Hafiz-Bertram, P; Woodstock-Riley, J. A; Foster J. A. (April 14, 2023). Criminal Appeal no. 6 of 2019: *Nevis Betancourt v The King*. Retrieved on June 17, 2025, from
<https://archive.belizejudiciary.org/wp-content/uploads/2023/04/Criminal-Appeal-6-of-2019-Nevis-Betancourt-v-The-King-Judgment-FINAL.pdf>
6. OHCHR. *Background to the International Covenant on Civil and Political Rights and Optional Protocols*. Retrieved (2025, June 17) from:
<https://www.ohchr.org/en/treaty-bodies/ccpr/background-international-covenant-civil-and-political-rights-and-optional-protocols>
7. *Puzzling over death of Jose Castellanos in Cayo* | *News 5 Belize Archive*. Retrieved (2025, June 17) from: <https://archive.channel5belize.com/archives/150529>
8. Quilter, N. *La Corte de Justicia del Caribe (CCJ) rechazó la apelación de Nevis Betancourt*. Retrieved (2025, June 17) from:

<https://estereoamor.com/corte-de-justicia-del-caribe-ccj-rechazo-la-apelacion-de-nevis-betancourt/>

9. vLex. Nevis Betancourt v The King. vLex. Retrieved on June 17, 2025, Retrieved (2025, June 17) from:

<https://caribbean.vlex.com/vid/nevis-betancourt-v-the-1033967672>

10. *Welcome to the official website of the Senior Courts of Belize. - Belize Judiciary.* (2025, March 3). Belize Judiciary. <https://www.belizejudiciary.org/>

11. 5KBW Criminal Appeals Unit. (2024, July). *The Appellate Brief: Caribbean Appeals Newsletter*, (1).

https://www.5kbw.co.uk/images/uploads/practice-areas/The_Appellate_Brief_-_Issue_1.pdf

12. *7 News Belize.* Retrieved (2025, june 17) from:

<https://www.7newsbelize.com/sstory.php?nid=69504>

Case B

Proceeding by Shanique Myrie against the State of Barbados on violation of human rights and free movement rights under the Revised Treaty of Chaguaramas (Shanique Myrie v The State of Barbados)

By: Miguel Ángel Pérez Rodríguez, Alethia Ortega Gallardo, Isabela Osuna González

Introduction

On March 14, 2011, Shanique Myrie, a 22 year-old Jamaican citizen arrived in the State of Barbados at the Grantley Adams International Airport (GAIA), where she was denied access to the country. She mentioned that there was no justification provided to the denial, stating that the process was full of insults and was forced to an unlawful body cavity search in unsanitary and demeaning conditions. She explained that she received such inhuman acts due to her Jamaican nationality, that it was less favorable compared to other citizens of other nationalities. Ms Myrie chartered this proceedings against the State of Barbados, where claims a right of free movement for the Caribbean Community nations.

Shanique Myrie, the *claimant*¹⁶, accused the State of Barbados of outlawing her rights under Articles 7 and 8 of the Revised Treaty of Chaguaramas (RTC) to non-discrimination on the ground of nationality only and to treatment that is no less favourable. The treatment was accorded to nationals of other CARICOM States or third States (Caribbean Court of Justice, 2013). Ms. Myrie required the CCJ to clarify the rights of free movement that the individuals have among the Caribbean Community nations since it is not clarified on the RTC. For the Caribbean Court of Justice, it is essential to ensure the free movement rights for all individuals.

This case is centered on the concern of the *discrimination*¹⁷ based on nationality, which ended in violation of human rights, violating the articles mentioned in the Revised Treaty of Chaguaramas. As it was something the CCJ haven't discussed, it is showing concern for the Caribbean Community nations on the accomplishment of the treaty, showing how inefficient and corrupt the system is in the Caribbean region, specially in the State of Barbados. The State of Barbados has recognized that Ms Myrie was denied access to the

¹⁶ **Claimant:** a person who asks for something that they believe belongs to them or that they have a right to. (Cambridge Dictionary, 2025).

¹⁷ **Discrimination:** the unjust or prejudicial treatment of different categories of people, especially on the grounds of ethnicity, age, sex, or disability. (Oxford Languages, 2025).

country, detained and *deported*¹⁸ on the following day; however, the State of Barbados also denies Ms Myries' allegation. This was justified with an act that foreigners must answer the question of the officials truthfully. The State of Barbados also mentions that Myrie was told the reason for her *detention*¹⁹ and all the procedure was applied by the laws of the State of Barbados.

Case Background

Shanyque Myrie was a 22 years old woman from Jamaica who arrived in the State of Barbados on March 14th, 2011 at the Grantley Adams International Airport. Ms. Myrie was denied to enter the country by the border officials, who, according to Ms. Myrie, were treating her with insults and in a disrespectful way. Despite not having any illicit substance nor object, she was submitted to a body cavity search which she felt as sexual harassment. The next day she was deported to Jamaica. After all these events, Shanyque Myrie went to the CCJ stating that her human rights were violated.

The claimant noticed that her treatment was different due to her Jamaican nationality compared to the other visitors of other nationalities. The Revised Treaty of Chaguaramas, in its articles 7 and 8, mentions the prohibition of discrimination of nationality and the importance of equal treatment among all individuals. Ms. Myrie claimed that the State of Barbados does not respect both articles and also noticed that the Revised Treaty of Chaguaramas does not clarify the conditions of free movement between the CARICOM nations. Finally, she testified that the body cavity search was unlawfully done and she described as sexual harassment the act done by Belizean Border officials.

¹⁸ **Deported:** to force someone to leave a country, especially someone who has no legal right to be there or who has broken the law. (Cambridge Dictionary, 2025).

¹⁹ **Detention:** is when someone is arrested or put into prison, especially for political reasons. (Collins Dictionary, 2025).

The State of Barbados confirmed that Shanique Myrie was detained and later deported the next day. However, the defendant denied any violation to the human rights that the claimant is complaining about, they mentioned that the humiliating cavity search never happened and that the treatment to her was always respectful and there was no discrimination due to her Jamaican nationality. The State of Barbados also testified that the only reason why Ms. Myrie was deported because she was untruthful about the person it would host her inside the country. In conclusion, the State of Barbados concluded that the returning of the claimant back to her natal country was totally justified, since she was also notified the reason why she was displaced.

This affair shows the lack of clarity on the rights of free movement. In addition, it makes the CCJ concerned about the application of the RTC on the Caribbean Community nations in terms of migration process among them. Shanique Myrie took this case to the Caribbean Court of Justice since it is the only court that has jurisdiction on the treaty, with the court getting big responsibility for giving a fair verdict on the situation. This trial will be a historic challenge for the CCJ for the integration and regulation for the application of the Revised Treaty of Chaguaramas, a matter of first impression for the tribunal.

CARICOM free movement and migration practices

The Caribbean Community was entrenched in 1973 through the treaty of Charaguamas, the CARICOM was established with the intention of promoting economic integration and cooperation among member states. One of its fundamental propositions is the free motion of goods, services, capital, and people within the region. This intent was significantly strengthened with the signing of The Revised Treaty of Charaguamas in 2001. From which emerged the Caribbean Single market and Economy (CSME). Under this amended treaty, CARICOM citizens were granted the right to move freely among member states, for work, study, business or residency purposes, depending on certain qualifications, and legal category.

Despite all these legal agreements and implementations of free movement policies across the Caribbean has been inconsistent over the years. Yet, several member states have imposed strict border controls, and on many occasions the citizens from CARICOM nations have faced arbitrary denial of entry, appalling treatment by immigration officials, or discriminatory practices. These actions reflect the tension and deflect of regional unity and the reality of national sovereignty concerns. There are common issues such as: lack of immigration personnel, the absence of clear procedures, and resistance to national and regional agreements.

This inconsistency between policy and practice came into a deep focus with the case of Shanique Myrie v. The State of Barbados that questions the integrity of the CARICOM framework. In 2011, Shanique Myrie, a Jamaican national migrated to The State of Barbados intending to stay on a two week visit. On arrival, she was subjected to a degrading cavity search, she was detained overnight in unsanitary conditions and deported the next day without any justification.

Shanique Myrie argues that her human rights and rights regarding the free movement under the Revised Treaty of Charaguamas have been violated. Given that: every CARICOM national has the right to enter another member region and remain for up to a six month stay without the need of a VISA, unless declared *undesirable*²⁰ for valid and proven reasons. The State of Barbados failed to give Shanique Myrie a proper justification for the treatment given. The invasive cavity search and the condition of her detention constituted a cruel, degrading and inhuman treatment, breaching human rights.

This specific case was brought directly to the Caribbean Court of Justice which serves as the main judicial organ of CARICOM responsible for interpreting and applying the revised treaty. The case of Shanique Myrie v. The State of Barbados implies a bigger focus in the

²⁰ **Undesirable:** not wanted or desirable because harmful, objectionable, or unpleasant. (Oxford Languages, 2025).

fight for free movement rights among member nations, obligating the member states to standardize immigration practices, and strengthening the role of the CCJ as a regional human rights protector. It highlights the ongoing struggle to balance national interests with regional commitments. Following the profound focus of this case, several countries have undertaken reforms to train immigration officials, or personnel and improve their border protocols, to achieve efficiency and stick to the regional agreements made.

In summary the free motion of people within CARICOM is a foundational principle of regional integration. However it continues to face practical challenges concerning protocol, and human affairs. This case of Shanique Myrie v. The State of Barbados serves as a powerful landmark of how legal structures and systems can be used to enforce treaty agreements and protect individual human rights, while supporting the vision of a united Caribbean space based in justice, equality, respect and shared identity.

The State of Barbados Immigration procedures and human rights concerns

The State of Barbados' Immigration Act establishes that no person who wishes to enter the country may disembark without the permission or consent of an immigration officer. The same Act states that a person who wishes to enter the State of Barbados must appear before an immigration officer to be examined and, in decision of the immigration officer, the permission of entering or not to the State of Barbados. To this extent the State of Barbados followed their protocols and immigration laws in order as it is established. As Ms. Myrie did, bringing her documentation correctly and following the general protocols.

At the examination the person who seeks to visit the State of Barbados must respond to all the immigration officer's questions truthfully, if this requirement is not met, the immigration officer shall take the person who seeks to enter the State of Barbados to a second examination. At court, Officer Alicia Young stated that Ms. Myrie, when asked about where and with whom she was going to stay during her time in the State of Barbados, she responded

she was staying ‘with a friend she met on the internet’, officer Young suspected of false information and called for a second inspection with her superior. With this statement it’s left clear that, even though Ms. Myrie gave what she believed was true information, the State of Barbados suspected false statements and had to follow their protocol, for nothing more than security. If the person with interest in entering the State of Barbados cannot be properly examined for any medical or legal reason, the designated immigration officer shall be detained until they can properly practice any examination. That’s why Ms. Myrie had to be detained until the State of Barbados could corroborate her declarations, even though she, as said in court, wasn’t aware that she gave false information.

If the person who seeks to enter the State of Barbados applies to by order of the immigration officer, they must submit themselves and their belongings to be searched by designated officers to look for any document that is specified. The State of Barbados denied occurring any inspections in Ms. Myrie’s luggage or any personal belongings, yet it is part of their Immigration Act section 11 that a baggage and personal belongings’ search must happen before a physical search. The person looking for entrance at the State of Barbados must, if asked to, submit themselves to a medical examination; this examination must be practiced by a medical practitioner, and most importantly, if the person requesting to enter to the country happens to be a female individual, any search or physical examination must be done exclusively by another individual of the same sex and gender. Even though the State of Barbados has declared that a body cavity search never occurred, it’s against the Immigrant Act and several International Treaties that the State Barbados is part of, for an officer without any medical preparation to practice any type of internal search to a person seeking to enter the national territory. It is also stated in the International Covenant on Civil and Political Rights (ICCPR) Part II Article 7 that “*No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected*

without his free consent to medical or scientific experimentation.” (United Nations, 1967). As said in the ICCPR ○ Part II Article 2 section 1:

“Each State Party to the present Covenant undertakes the respect and to ensure to all individuals [...] the rights to the present Covenant, without any distinction of any kind such as race, colour, sex, language, religion or other opinion, national or social origin, property, birth or other status.” (ICCPR, 1967)

As well as the International Covenant on Economic, Social and Cultural Rights (CESCR) Part II Article 2 section 2:

“The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” (CESCR, 1967)

With this being known, the claimant’s accusations of two officers discriminating against her for her Jamaican nationality go against her right to non-discrimination. One of the State of Barbados’ Human Rights concerns is the “Respect the Integrity of the Person, including: [...] Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.” (United States Department of State, 2011). The State of Barbados has been addressing this specific concern since 2009. However, the same Human Rights Report quoted previously mentions that there was another Jamaican victim of sexual harassment who was, as well, accused of drug trafficking earlier on February 28, 2011. Ms. Myrie accused the State of Barbados of violating her rights in the Revised Treaty of Chaguaramas of the CARICOM.

Request and Submissions

- Shanique Myrie has made the allegation to the Caribbean Court of Justice with its Original Jurisdiction. Alleging the violation and required the accomplishment of the Revised Treaty of Chaguaramas, focusing on the articles 7 and 8, which states:

- Article 7: Non-Discrimination; “*Within the scope of application of this Treaty and without prejudice to any special provisions contained therein, any discrimination on grounds of nationality only shall be prohibited.*” (CARICOM, 2001);
- Article 8: Most favoured nation treatment “*Subject to the provisions of this Treaty, each Member State shall, with respect to any rights covered by this Treaty, according to another Member State treatment no less favourable than that accorded to: a third Member State; or Third States.*” (CARICOM, 2001).
- The claimant has a clear position about this case where she assures the bad treatment that the State of Barbados made to her, violating her essential human rights. Ms. Myrie wants justice to be done. So, she made three requirements to the CCJ for the compensation and the ensuring of the migration rights for all the Caribbean population;
- The first one, the ruling of the minimum standard of treatment of CARICOM individuals that moves under the Revised Treaty of Chaguaramas; the compensation of \$500,000 USD in *punitive damages*²¹ due to the threat to her in the State of Barbados; and finally, the awarding of costs and special damages.

Shanique. Myrie is taking the affair to the CCJ not only for her personal benefit, one of her main goals is to ensure and clarify the rights and conditions of free movement between countries for all the CARICOM individuals. Her case is crucial to improve and respect the protection of all human rights when moving between the Caribbean States. These requirements are crucial for the CCJ to ensure them due to the violations committed to the treaty. A ruling in favor of the claimant can possibly have a big impact for all the Caribbean

²¹ **Punitive damages:** an amount of money that someone who commits a crime has to pay, that is intended to be large enough to prevent them or others from committing similar crimes in the future. (Cambridge Dictionary, 2025).

Community nations and its population when moving between those countries. This is a really important case that all the CARICOM nations should not ignore due to the impact it will have on the region.

Recommended Material

1. Barbados Immigration Department. (n/d). Right of Establishment. Barbados Digital.
<https://barbadosdigital.com/articles/immigration-department>
2. Caribbean Community (CARICOM). (2001). Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy (CSME).
<https://caricom.org/documents/revised-treaty-of-chaguaramas/>
3. Caribbean Court of Justice. (2013). Shanique Myrie v. The State of Barbados [CCJ Application No. OA 002 of 2012].
<https://ccj.org/judgments/shanique-myrie-v-the-state-of-barbados/>
4. Reece, S. (2017, October 6). *When can a CARICOM Member State deny entry to Community nationals?* Antillean Media Group.
<https://www.antillean.org/shanique-myrie-v-barbados/>

References

1. Barbados Immigration Department. (n/d). Right of Establishment. Barbados Digital.
<https://barbadosdigital.com/articles/immigration-department>
2. Caribbean Community and Common Market. (2007). Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy (CSME).
3. Caribbean Community (CARICOM) Secretariat. (2001). Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy.
4. Caribbean Community (CARICOM). (2001). Revised Treaty of Chaguaramas Establishing the Caribbean Community including the CARICOM Single Market and Economy (CSME).
<https://caricom.org/documents/revised-treaty-of-chaguaramas/>
5. Caribbean Court of Justice. (2013). Shanique Myrie v. The State of Barbados [CCJ Application No. OA 002 of 2012].
<https://ccj.org/judgments/shanique-myrie-v-the-state-of-barbados/>
6. Commonwealth Human Rights Initiative. (2016). Freedom of Movement within CARICOM: Human Rights Perspectives.
https://www.humanrightsinitiative.org/publications/caribbean/freedom_of_movement_caricom.pdf
7. Immigration Act (Barbados). (2002, 2007). [Immigration Act of Barbados] Cap. 190.
8. International Covenant on Civil and Political Rights. (1967). United Nations.
9. International Covenant on Economic, Social and Cultural Rights. (1967). United Nations.

10. Jones, T. M. (2015). Free Movement in the Caribbean: The Role of the Caribbean Court of Justice in Enforcing Community Law. *Journal of Eastern Caribbean Studies*, 40(3), 65–82.

11. Roberts, J. M. (2014). The Shanique Myrie Case: Reinforcing the Right to Free Movement in the Caribbean Community. *Caribbean Law Review*, 24(1), 35–57. Caribbean Community (CARICOM). (n.d.). Free Movement.

<https://csme.caricom.org/the-csme/free-movement>

12. United Nations Department of Economic and Social Affairs (UN DESA). (2017). International Migration Report 2017: Highlights.

https://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017_Highlights.pdf

13. *Myrie v Barbados*. (2020, July 15). vLex.

<https://caribbean.vlex.com/vid/myrie-v-barbados-805441601>

14. Reece, S. (2017, October 6). *When can a CARICOM Member State deny entry to Community nationals?* Antillean Media Group.

<https://www.antillean.org/shanique-myrie-v-barbados/>

XXXIII TECMUN Jr.
Glossary of Forbidden Words

Forbidden Words

Defined by the United Nations, are non diplomatic terms participants must avoid to mention during their speeches on the debate and in the writing of resolution projects

Forbidden Words	Permitted equivalents
First world countries	Developed countries
Third world countries	Developing countries
Gay ²²	Member of the LGBTIQ+ community
War ²³	Belic conflict
Rape	Sexual abuse
Terrorist	Extremist
Kill or murder	Deprive someone of their life
Death	Casualties
Assassination	Homicide
Army	Military forces
Money	Economic resources
Poor	Lack of resources
Okay	Yes or agree
Black ²⁴	Afrodescendant

²² The word Gay is replaced by a more inclusive term, recognizing that not all people within the LGBTIQ+ community identify in the same way.

²³ The word War can be used in order to refer to historical contexts, such as the Cold War, the First World War, etc. It can only be used in the Security Council to refer to armed conflicts.

²⁴ The word Black, in reference to ethnicity, is not prohibited but it is recommended to limit its use and refer to this sector as a dark-skinned person or afrodescendant as the case may be.

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Preambulatory Phrases

Preambulatory Phrases are used at the beginning of every Resolution Paper in order to give context about the resolutions made for the topic. Preambulatory Phrases must be written in italics followed by a sentence that gives said context. For each Resolution Paper there must be five sentences beginning with a Preambulatory Phrase.

Affirming	Desiring	Noting with deep concern
Alarmed by	Emphasizing	Noting with satisfaction
Approving	Expecting	Noting further
Bearing in mind	Expressing its appreciation	Observing
Believing	Fulfilling	Reaffirming
Confident	Fully aware	Realizing
Contemplating	Further deploring	Recalling
Convinced	Further recalling	Recognizing
Declaring	Guided by	Referring
Deeply concerned	Having adopted	Seeking
Deeply conscious	Having considered	Taking into consideration
Deeply convinced	Having examined	Taking note
Deeply disturbed	Having received	Viewing with appreciation
Deeply regretting	Keeping in mind	Welcoming

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Operative Clauses

Operative Clauses are used at the beginning of every resolution within the Resolution Paper on the debated topic. They must be written in italics and bold.

Accepts	Endorses	Notes
Affirms	Draws the attentions	Proclaims
Approves	Emphasizes	Reaffirms
Authorizes	Encourages	Recommends
Calls	Expresses its appreciation	Regrets
Calls upon	Expresses its hope	Reminds
Condemns	Further invites	Requests
Confirms	Further proclaims	Solemnly
Congratulates	Further reminds	Affirms
Considers	Further recommends	Strongly
Declares accordingly	Further requests	condemns
Deplores	Further resolves	Supports
Designates	Has resolved	Takes note of
		Transmits
		Trusts

[illegible]

[illegible]