



CARIBBEAN COURT OF JUSTICE

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MEDIA RELEASE

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STATEMENT ON THE PASSING OF PIONEERING JURIST MME JUSTICE DÉsirÉE BERNARD

Port of Spain, Trinidad and Tobago. The Caribbean Court of Justice (CCJ) regretfully advises of the passing of retired CCJ Judge, Mme Justice Désirée Bernard. Mme Justice Bernard was a member of the inaugural CCJ Bench in 2005 and she provided exemplary service to the Court until her retirement in 2014.

A citizen of Guyana, Mme Justice Désirée Bernard established a number of professional “firsts”: first female High Court Judge of the Supreme Court of Guyana (1980); first female Justice of Appeal (1992); first female Chief Justice of Guyana and in the Commonwealth Caribbean (1996); and first female Chancellor of the Judiciary of Guyana and in the Commonwealth Caribbean (2001).

During her long and distinguished career, Mme Justice Bernard held memberships in various regional and international organisations, having been the founding Secretary of the Caribbean Women’s Association (1970-1974); first President of the Organisation of Commonwealth Caribbean Bar Associations (OCCBA, 1976); member and Chair of the Caribbean Steering Committee for Women’s Affairs, later established as the Women & Development Unit of The University of the West Indies (1978). Internationally, Mme Justice Bernard served as both rapporteur (1982-1984) and Chair (1985-1989) of the United Nations Committee on the Elimination of Discrimination against Women during her membership, which ran from 1982 to 1998. Mme Justice Bernard presented many scholarly papers and participated in numerous international seminars and colloquia both regionally and internationally on a variety of subjects relating to the law, gender, and other matters of public interest. Mme Justice Bernard took the oath of office as a Judge of the Caribbean Court of Justice on 16 April 2005.

CCJ President, the Hon. Mr Justice Adrian Saunders observed that “it is well nigh impossible that the region will ever produce another trailblazer as Justice Bernard was. She was a tremendous role model and while it is tempting to focus on her contribution in inspiring generations of women regionally and internationally, her influence in the region generally, in the creation of the OCCBA and in the development of our Caribbean jurisprudence, must not be forgotten. It was an absolute privilege and pleasure to work alongside her.”

As the first female jurist on the CCJ Bench, Justice Bernard also was a source of inspiration to others in the judicial fraternity. The Hon. Mme Justice Maureen Rajnauth-Lee was one such mentee. She reminisces “Justice Bernard was a great friend, mentor, mother, and sister to all. She was the first Patron of the Caribbean Association of Women Judges. We stand on her shoulders. What amazed me most about Justice Bernard was that she was so self-effacing. She just couldn't understand why we thought so much of her. Kindness and humility were her virtues. May she rest in peace, and may her memory be a blessing.”

For her exceptional contribution to the improvement of the status of women and to the development and practice of law, Mme Justice Bernard received several awards, the most notable being the Cacique Crown of Honour, and the Order of Roraima, Guyana’s third and second highest national awards, respectively. In July 2005, she was awarded the CARICOM Triennial Award for Women. She was awarded the degree of Doctor of Laws (*honoris causa*) by The University of the West Indies in November 2007. In February 2011, Mme Justice Bernard was appointed a judge of the Inter-American Development Bank Administrative Tribunal. In February 2023, the University of Guyana visited in person to confer on her an honorary Doctor of Letters in Trinidad and Tobago where she resided.

The Court will open a condolence book to the public on Monday, 8th April 2024 in recognition of Justice Bernard’s sterling contributions. We salute this pioneering jurist and mourn the loss with her family and friends. May she rest in peace.

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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 six 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, Guyana, and Saint Lucia. 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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