

## THE CIARB CARIBBEAN BRANCH ELECTS COMMITTEE FOR 2025-26

■ The **Ciarb** Caribbean Branch held its Annual General Meeting on 30 April 2025 online.

Chair of the Branch, Hon. Justice Dr. Anthony Gafoor presented the Branch Report and Financial Statement for 2024. Members present approved the election of members and the appointment of ex-officio members to serve on the Branch Committee for the year 2025-2026.

The Branch Chair, having served for three consecutive terms as Chair, retired from that office and also as an elected member of the Branch Committee, having served four consecutive terms on the Committee. Also retiring, but eligible for re-election, was co-Vice Chair, Hon. Barry Leon. During the year, co-Vice Chair, Andrew Pullinger, demitted office following his relocation to Australia, and Calvin Hamilton passed away.

The elected and ex-officio members met on 14 May 2025 to elect the officers of the Branch Committee and to co-opt members for such purposes as they deemed necessary.

The **Ciarb** Caribbean Branch Committee for 2025-2026 is as follows:

● **Chair**

Mr. Ebrahim Lakhi, FCI Arb.  
(Barbados)

● **Immediate Past Chair**

Hon. Justice Dr. Anthony Gafoor, FCI Arb. (Trinidad and Tobago)

● **Vice Chairs**

Hon. Barry Leon, FCI Arb.  
(British Virgin Islands)

Dr. Dawn De Coteau, FCI Arb.  
(Grenada)

● **Honorary Secretary**

Mr. Shaun Tracey, MCI Arb.  
(Cayman Islands)

● **Honorary Treasurer**

Mrs. Tammi Pilgrim-Payne, MCI Arb. (Barbados)

● **Public Relations Officer**

Ms. Salma Rahaman, FCI Arb.  
(Trinidad and Tobago)

● **Elected Members**

Mr. Mandish Singh, FCI Arb.  
(Saint Lucia)

Ms. Jodi-Ann Stephenson, FCI Arb. (British Virgin Islands)

Ms. Shani Nembhard, FCI Arb.  
(Jamaica)

Mr. Joshua Hamlet, MCI Arb.  
(Trinidad and Tobago)

Sir Marston Gibson, KA, FCI Arb.  
(Barbados)

Mr. Antonio Emmanuel, MCI Arb.  
(Turks and Caicos Islands)

● **Elected Chapter Chairs**

Ms. Tanya Goddard, FCI Arb.  
(Barbados)

Dr. Jane Fedotova, FCI Arb.  
(British Virgin Islands)

Dr. Quentin Cregan, FCI Arb.  
(Cayman Islands)

● **Co-opted Members**

Sir Patterson Cheltenham, KA, FCI Arb. (Barbados)

Mr. Miles Weekes, FCI Arb.  
(Barbados)

The following appointments were made by the Committee:

Mr Miles Weekes as the Education and Training Officer.

Mr Ebrahim Lakhi as the Webmaster.

Ms. Jodi-Ann Stephenson as the Young Members Group Representative.

Mr. Antonio Emmanuel as the Social Media Co-ordinator. ▲

# BERRYS LAUNCHED ITS INAUGURAL INTERNATIONAL COMMERCIAL ARBITRATION MOOT COMPETITION AT THE UWI, CAVE HILL CAMPUS

■ The Berrys International Commercial Arbitration Moot Competition was successfully launched in November 2024 with the distribution of the Rules and Problem, marking the beginning of an exciting journey for law students at the Faculty of Law, Cave Hill Campus, University of the West Indies.

The Moot was organized by Ms. Nicola Berry, Principal, Attorney-at-Law and Arbitrator of Berrys Attorneys & Arbitrators, in collaboration with Dr. Antonius Hippolyte, Acting Dean of the Faculty of Law at the UWI Cave Hill Campus.

The Moot focused on jurisdictional challenges and alleged contractual breaches related to a wind farm project, providing participants with a realistic and thought-provoking dispute to argue in both a memoranda competition and an oral hearing competition, culminating in the final oral hearing and closing ceremony on February 21, 2025.

The primary objective of the Moot was to equip law students with essential advocacy skills, deepen their understanding of international commercial arbitration, and simulate key aspects of arbitration proceedings in a dynamic educational setting. By engaging with seasoned arbitral panels and arguing a hypothetical case,

students gained invaluable insights into the complexities of international commercial arbitration.

Two teams embraced the challenge with dedication and determination, each putting their best foot forward as they navigated complex arbitration issues, refined their advocacy skills, and demonstrated a strong understanding of international commercial arbitration.

The esteemed arbitral panels for each phase of the Moot comprised the following **Ciarb** members:

## *Memoranda Competition:*

- Mr. Miles Weekes, Chartered Quantity Surveyor and an Independent Dispute Resolution Practitioner.
- Prof. Dr. David Berry, Professor of International Law and Regional Integration Law, Faculty of Law, UWI Cave Hill.
- Ms. Lanasia Nicholas, Legal Counsel, Caribbean Development Bank.

## *Elimination Round:*

- Ms. Lanasia Nicholas
- Ms. Tanya Goddard, Secretary General, Arbitration & Mediation Court of the Caribbean
- Sir Marston Gibson, Former Chief Justice of the Supreme Court of Barbados.

## *Semi-Finals:*

- Justice Dr. Anthony Gafoor, Chair of the Tax Appeal Court of Trinidad and Tobago
- Dr. Hamesh Lal, Partner, Hamish Lal Partners Limited
- Prof. Dr. David Berry

## *Finals – Oral Competition:*

- Ms. Shan Greer, Chief Executive Officer, BVI International Arbitration Centre
- Sir Patterson Cheltenham, Former Chief Justice of the Supreme Court of Barbados
- Ms. Vicki Marshall-Telford, Principal Architect & Project Manager, Director, Vicki Telford Architects Inc.

The winning team of both the Memoranda Competition and the Oral Competition were the team of final year law students, Ms. Deborah Bryan and Ms. Toni-Ann Watson. Congratulations to both of them!

Berrys Attorneys & Arbitrators extend sincere gratitude to the members of the moot committee, the panels of arbitrators, the sponsors, and the dedicated participants, without whose contributions the inaugural Berrys International Commercial Arbitration Moot would not have been a resounding success!▲

*This article was submitted by  
Ms. Nicola A. Berry, FCI Arb,  
Berrys Attorneys and Arbitrators  
(Barbados Chapter)*

# THE IMPORTANCE OF ARBITRATION IN THE EASTERN CARIBBEAN: A CRITICAL IMPERATIVE FOR ECONOMIC DEVELOPMENT (Part 1)

■ This article explores the significance of arbitration, the variations in arbitration rules across different jurisdictions, the relationship between developing economies and arbitration, recent arbitration awards in the region, and the urgent need for lagging jurisdictions such as Grenada, St. Vincent and the Grenadines, St. Kitts and Nevis, and Dominica to modernize their laws or risk being left behind.

Arbitration has long been recognized as a crucial mechanism for resolving commercial disputes efficiently and cost-effectively. In the Eastern Caribbean, where economies are heavily reliant on foreign investment, trade, and financial services, the development of a robust arbitration framework is essential.

## Arbitration Rules Across Eastern Caribbean Jurisdictions

While arbitration is widely accepted globally, its development in the Eastern Caribbean has been uneven. Several jurisdictions have taken proactive steps to update their arbitration frameworks in alignment with international best practices, while others remain stagnant. This imbalance is highlighted by looking at some examples.

**British Virgin Islands (BVI):** The BVI Arbitration Act (2013) aligns with the UNCITRAL Model Law, making BVI an attractive arbitration hub. The BVI International Arbitration Centre (BVI IAC) provides a structured and efficient platform for dispute resolution.

**Cayman Islands:** The Cayman Islands Arbitration Act (2012) is based on UNCITRAL principles and ensures judicial support for arbitration while limiting judicial intervention.

**Barbados:** The Barbados International Commercial Arbitration Act (2007) modernized arbitration practices in line with international standards, reinforcing its position as an arbitration-friendly jurisdiction.

**Jamaica:** With the passage of the Arbitration Act (2017), Jamaica has made significant strides in establishing itself as a hub for alternative dispute resolution (ADR) in the Caribbean.

**Trinidad and Tobago & Guyana:** Both countries recently revised their arbitration legislation to align with modern international standards, making them more attractive for investors and businesses seeking arbitration as a preferred dispute resolution mechanism.

Conversely, Grenada, St. Vincent and the Grenadines, St. Kitts and Nevis, and Dominica have yet to enact modern arbitration laws, a failure that continues to hinder investor confidence and economic progress.

## Key Arbitration Rules and Conventions and Their Importance

International arbitration relies on well-established rules and conventions that provide consistency and fairness in resolving disputes. Some of the most widely recognized arbitration frameworks include:

### UNCITRAL Arbitration Rules:

The United Nations provides a comprehensive set of procedural rules for arbitration and they are widely adopted in international commercial arbitration.

### New York Convention (1958):

This United Nations treaty ensures that arbitration awards are recognized and enforceable across more than 170 countries, making it a critical tool for business certainty.

### ICSID Convention (1965):

Administered by the World Bank, this treaty is used primarily for investment disputes between states and foreign investors.

*This article continues on the next page.*

## THE IMPORTANCE OF ARBITRATION: A CRITICAL IMPERATIVE (cont'd)

### ICC Arbitration Rules:

Developed by the International Chamber of Commerce, these rules are widely used in complex commercial disputes globally.

### LCIA Rules:

Use of these rules by the London Court of International Arbitration provides flexible and efficient arbitration mechanisms for international business disputes.

The adoption and adherence to these rules and conventions

enhance the credibility of arbitration-friendly jurisdictions, making them more attractive to global investors.

### Arbitration and Developing Economies: A Clause for Growth

Developing economies, in the Eastern Caribbean, rely heavily on foreign direct investment (FDI), tourism and trade. Without a clear and enforceable arbitration framework, these economies risk deterring inter-

national businesses that require certainty in dispute resolution.

Arbitration provides several advantages, including investor confidence in jurisdictions with robust arbitration laws, judicial efficiency as an alternative to litigation in back-logged courts and economic growth.▲

*This article was submitted by  
Dr. Dawn De Coteau, FCI Arb,  
Vice-Chair of Ciarb Caribbean  
Branch (Grenada)*

## PASSING THE BATON

■ The Immediate Past Chair of Ciarb Caribbean Branch, Hon. Justice Dr. Anthony Gafoor met with the recently elected Chair, Mr Ebrahim Lakhi, in Trinidad and Tobago, where Chair Lakhi received the ceremonial medallion of office from Past Chair Gafoor.

In accepting the medallion, which passes from Chair to Chair, Mr. Lakhi stated, "I remain humbled to have been given the opportunity to serve as Chair of the Caribbean Branch of the Chartered Institute of Arbitrators (Ciarb)", and he acknowledged the work and efforts of those preceding him in that role.▲

*Article shared via LinkedIn.▲*



*Anthony Gafoor (L) hands over medallion to Ebrahim Lakhi (R)*

## YOUNG MEMBERS GROUP

### ■ Calling All Young Members!

If you are a Ciarb Caribbean Branch member, or a student member, under the age of 40 and interested in joining the YMG please contact your Chapter Chair as soon as possible.

## IN THE NEXT EDITION

Part II of Dr. De Coteau's insightful article on the importance of arbitration for the economic development of the Eastern Caribbean states, looking at recent arbitration awards in the Caribbean, the lessons learned and the way forward, PLUS an informative article on the work of the Institute for Transnational Arbitration (ITA) and its Caribbean Task Force.

## IT'S TIME! HAVE YOUR SAY

■ If you have an article or case update or just a comment on any area of alternative dispute resolution which you would like to share with our readers, please let us know and we will be pleased to publish it in

**The Ciarbbean News .▲**

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Submissions, views and comments should be sent by e-mail to [info@ciarbcaribbean.org](mailto:info@ciarbcaribbean.org)  
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