

MINUTES
12th MEETING OF THE HUMAN RIGHTS COMMISSION
8 DECEMBER, 2010
CONFERENCE ROOM
COMMISSIONS SECRETARIAT

PRESENT:	Richard Coles	Chairman
	Cathy Frazier	Member
	Rev. Nicholas Sykes	Member
	Alistair Walters	Member
	Sara Collins	Member

SECRETARIAT MEMBERS PRESENT:

Deborah Bodden	Manager, Commissions Secretariat
Michael Ebanks	Analyst, Commissions Secretariat

1. Meeting called to order

The meeting was called to order at 3:30 p.m.

2. Confirmation of previous minutes

Prior to confirmation, one HRC member queried as to the possibility of Julene Banks attending an HRC meeting and debriefing the Commission in-person regarding the recent CEDAW conference in Anguilla. Currently, HRC members have been provided with a brief report of the conference.

3. Outstanding Business

a. HR Policy Indicators

A flow chart has been devised as a policy development and/or review tool for Government entities in relation to compliance with the Bill of Rights. Further policy indicator tools will be refined and provided by the HRC to assist Government agencies with the process of reviewing and developing policies in-line with the Bill of Rights prior to the 6 November 2012 implementation. These tools will be made available for public access on the HRC website and distributed to the various public authorities.

b. Communication Policy

A Communications Policy has been developed and will be made available online at the HRC website for public access. The aim of the policy is to establish a framework of efficiency in responding to external agencies.

c. Annual Report

Each member of the HRC currently has a copy of the annual report for review. Input on the report's details and structure will be forwarded to the Commissions Secretariat Manager no later than 29 December 2010; the report will be discussed at the next HRC meeting.

d. Update on CEDAW Conference, Anguilla: 27-29 October 2010

Julene Banks has returned from Anguilla following the CEDAW conference. An initial report was sent to the Chairman, which is to be circulated to all HRC members for review. A formal invitation

will be sent to Julene Banks to have her present her findings and information based on the input of other BOTs at the regional conference.

e. Update on HRC Youth Photography Project- "C. I. See You"

Five photograph submissions were received in relation to the project covering representations of Freedom of Religion, Protection of the Environment, and other aspects of the Bill of Rights. The participants will be rewarded for their efforts with gift certificates. The photographs have been compiled in a document with the intention of displaying the children's work online at the HRC website, and the photographs will be displayed at the International Human Rights Day event.

Due to the minimal response on the project, the HRC will evaluate its communication strategies and consider utilizing social media networking such as Facebook as a means in which to more effectively reach-out and communicate to a wider cross-section of the community for future projects and information sharing purposes.

f. Update on International Human Rights Day

The event will take place at Camana Bay, Friday 10 December 2010 and will showcase various local bands, poets, story-tellers, and artists. The event is organized by the HRC in collaboration with Camana Bay and OneWorld Entertainment. Promotional material and strategies have included information on the HRC website, radio & newspaper advertisements, emails, and television appearances by HRC members. The goal of the event is to create a family friendly environment to observe International Human Rights Day, which celebrates the United Nations' adoption of the Universal Declaration of Human Rights, which the Cayman Islands is party to.

g. Meeting with Dr. William Vleck

Dr. Vleck is a Lecturer in International Relations with the School of International Relations at the University of St Andrews, Scotland and is currently preparing a paper as part of the project, 'Microstates in the Margins of Europe: Post-Colonial Sovereignty Games' coordinated by members of the Department of Political Science, University of Copenhagen. The project will perform a systematic comparison of the relationships between the overseas territories of European Union (EU) Member States (Denmark, France, Netherlands, and United Kingdom), those Member States and the European Union. On 9 November, 2010 he met with HRC Chairman, Richard Coles, to discuss local perceptions with the statements and actions of the government in Westminster and the European Commission in Brussels concerning two cases – the decriminalisation of homosexuality (2000) and the European Union Savings Tax Directive (2005). The Chairman conveyed that in some instances a thorough understanding of the Caymanian culture, norms, history, and true methods of operation are not fully grasped by the international community, which can lead to misunderstandings and misrepresentations. They also discussed the new Cayman Islands Constitution.

h. Meeting with Sir Philip Bailhache

Sir Philip Bailhache of Jersey travelled to Cayman hoping to gather information on our new constitution and, more importantly, the process by which we arrived at it. He was, particularly interested in how Cayman negotiated such a large degree of derogation of authority in external affairs. He met with the Chairman on 10 November 2010. The Commissions Secretariat Manager determined before-hand that Sir Philip was visiting the island in a personal capacity.

i. Mediation Training Opportunities

Findings indicate that various options are available to the HRC, however, the cost in obtaining the various services are significant- ranging from \$80,000 CI for an international organization to \$1200.00 CI per day for a local training option. Another international option is expected to cost

approximately \$60,000CI. Logistical concerns were raised by members in relation to the tenure of Commission Members and the inevitable need to continuously spend significant amounts of money to train and certify newly-appointed members in the future. The Cayman Islands Constitution states that the HRC is obligated to provide a forum for mediation; as such, advice will be sought on the possibility of outsourcing mediation to locally qualified mediators in the instances that the need arises. Without previous data, the HRC cannot accurately forecast the demand for mediation following the implementation of the Bill of Rights on 6 November 2010. One Commission Member has undertaken a mediation training course in the UK and will share material with the remainder of the Commission. Professor J. Jowell is being contacted regarding a training opportunity that would encompass various other Commissions including the HRC over a period of one week.

4. New Business

a. Paris Principles

Public criticisms, raised by facilitators of the recent Human Rights training course in Grand Cayman held by the Commonwealth Foundations, have been addressed by the Governor's Office.

b. Enquiry by member of the public

The HRC is in the process of preparing a response to a member of the public on two particular topics- (1 person / 1 vote constituencies and requirements for obtaining voting rights). The Electoral Boundary Commission's 2010 report addresses the first point; the report is a public document available online. Research is currently being conducted on both subjects.

5. Human Rights Complaints

a. Update on Human Rights Complaint 015/2010

Members were updated on the status of this case.

b. Update on Human Rights Complaint 020/2010

The HRC has received a letter from the complainant in relation to the complaint filed and members were updated accordingly.

c. Human Rights Complaint 024/2010

The Commission reviewed this case and correspondence will be sent from the HRC to the respective complainant in accordance with HRC procedures.

d. Human Rights Complaint 025/2010

The Commission reviewed this case and correspondence will be sent from the HRC to the respective complainant in accordance with HRC procedures.

e. Human Rights Complaint 021/2010 and 022/2010

Commission Member Reverend Sykes declared an interest in these cases and therefore they were dealt with as the final matter of business at the end of the meeting once he had excused himself from the meeting.

The Commission reviewed these cases simultaneously as they related to the same subject matter. Correspondence will be sent from the HRC to the respective complainants in accordance with HRC procedures.

f. Human Rights Complaint 023/2010

The Commission reviewed this case and correspondence will be sent from the HRC to the respective complainant in accordance with HRC procedures.

6. Any Other Business

The Commission received correspondence from the respondent in the HRC Complaint 002/2010 and members were updated accordingly.

7. Items to be Discussed at the Next Meeting

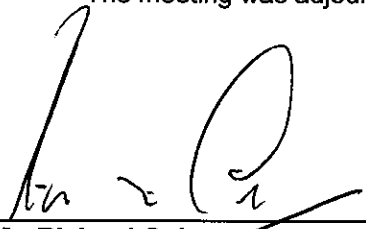
- a. HRC Annual report 2010
- b. CEDAW Conference update from Julene Banks

8. Next Meeting

The next meeting will be held on Wednesday, 5 January, 2011 @ 3:30pm in the Commissions Secretariat Boardroom.

10. Adjournment

The meeting was adjourned at 5:10pm.



Mr. Richard Coles
CHAIRMAN
HUMAN RIGHTS COMMISSION