

**10th MEETING OF 2011
HUMAN RIGHTS COMMISSION
MINUTES
7 DECEMBER, 2011
CONFERENCE ROOM
CORPORATE CENTRE**

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

APOLOGIES: Alistair Walters 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 3:25 p.m.

2. Confirmation of previous minutes

The minutes of 2 November, 2011 were confirmed.

3. Presentation by Department of Environment

The Department of Environment provided the HRC with a DVD packet of information regarding the accomplishments of the Darwin Initiative and efforts to protect the marine biodiversity of the islands. Due to technical difficulties members were unable to view the DVD. The PowerPoint version of the presentation will be emailed to all members.

4. Matters Arising from Previous Minutes

a. Commonwealth Foundation's Request for Information

The Commission received correspondence from Mr. Peter Ashman of the Commonwealth Foundation indicating the contents of the section of his report to the UK with reference to the HRC. The HRC remains unclear as to whether or not the submissions provided by three commission members were taken into consideration regarding a request for information on the needs of Cayman pertaining to human rights.

b. Radio Cayman's Talk Today Programme

Member Rev. Nicholas Sykes attended the programme on Tuesday 6, December 2011 to discuss the first three sections of the Bill of Rights, Freedoms, and Responsibilities. The member also took phone calls from the public on the subject matter and provided responses accordingly. Appearances on the programme form a part of the Commission's public education campaign leading up to the implementation of the Bill of Rights on November 2012.

c. Project in Partnership with the National Gallery

The Secretariat has received correspondence from a few artists in relation to developing illustrative works to express the various sections contained in the Bill of Rights. The

Secretariat will continue to coordinate the team of artists as well as the financial and logistical elements of the project.

d. Freedom of Expression versus Parliamentary Privilege

The HRC has, as requested and received comments on the factual accuracy of the Commission's report from Brent Fuller and Tammy Chisholm of the Caymanian Compass. The Commission will continue to research this subject area.

e. Convention on the Elimination of Discrimination Against Women (CEDAW)

The HRC received correspondence from the Governor's Office reiterating the Government's commitment to signing on to the Convention on the Elimination of Discrimination against Women. A review of all Cayman Islands Legislation needs to be conducted prior to signing on to CEDAW. The review is to be funded by the Commonwealth Foundation and will be carried out by a regional consultant and local counterpart in January and February of 2012. The Manager also indicated that she has requested that the review include human rights issues as one has not yet been conducted in that area.

f. ICTA Communication and Message Interception Regulations

As requested, the Secretariat provided information on the other British Overseas Territories' procedures for message interception warrants and presented findings to the Commission. The HRC will continue to research the subject.

5. New Business

a. Mediation Training Update

Members of the HRC attended a mediation training session conducted by Jonathan Dingle and associates of the London School of Mediation whilst that team was in Grand Cayman. The session confirmed that any mediation provided by the HRC should be outsourced to qualified/certified mediators in accordance with the principles of mediation. As such the HRC will endeavour to establish a "pool" of local mediators to support the provision of mediation services to the parties involved in human rights disputes.

b. Review of Immigration Department's Cuban Policy

The Commission is considering reviewing the Immigration Department's policy on Cuban migration including the Department's internal policy and the MOU between Cayman and Cuba in the context of human rights compliance. The HRC will move to schedule an appointment in the new year with the Chief Immigration Officer to discuss the matter in detail to understand the policies, procedures, and laws currently in place.

c. Budget: 2012 – 2013

The Commission was asked to provide the secretariat with any opportunities they will require funding for in the 2012/2013 budget year as the budget will be developed in the first quarter of the new year.

6. Human Rights Complaints

The Commission did not receive any new complaints following the last meeting of the HRC.

7. Strategic Implementation Group Update

The Commission's Secretariat's Manager informed the HRC that the Strategic Implementation group continues to provide sensitisation courses to all public officers. The courses are receiving positive feedback from participants. The Commission remains supportive of this initiative by the Cayman Islands Government and notes its encouragement for all public officers to be mindful of their duty to act in accordance with the Bill of Rights following implementation in November 2012.

8. Any Other Business

a. Final Preparations for International Human Rights Day

The Commission has partnered with OneWorld Entertainment and Camana Bay to host a music and arts celebration of International Human Rights Day 2011. The event will take place on Saturday, 10 December, and feature music by Hi Tide, Arianna Broderick, After Skool, and I Am, with a special performance by students of the Light House School. The National Gallery will showcase various pieces of artwork through its Art Sisters programme. Caymanian artisans Wray Banker and Deal Ebanks will demonstrate traditional crafts and games including gigs, wary (board game), and soldier crab races.

Radio Cayman will provide a live broadcast of the event from Camana Bay. Additional sponsors and supporters of the event, include Alternative Entertainment, Apex Video Solutions, Flipside Productions, and Abacus.

The HRC Chairman and Eden Hurlstone (OneWorld Entertainment) will promote International Human Rights Day and the celebration through an appearance on Day Break, Cayman 27 and member Sara Collins and the Secretariat Manager are scheduled to appear on Talk Today on Friday, 9 December, 2011 to promote the event. The Secretariat will also coordinate promotion through Government email, social media, and media houses.

b. Update: Philippine Government's Ban on Migrant Workers Deployment to Cayman

The HRC was informed by the Governor's Office that the sudden announcement may have resulted from miscommunication between the Philippine Overseas Employment Administration (OEA) and the Philippine Department of Foreign Affairs (DFA). The letter indicated that there had been no contact made between the Philippine Government and the Cayman Islands Government prior to the implementation of the resolution by the Philippine Government to commence the ban. Consequently after enquiries were made by the Cayman Islands Government the OEA has agreed to defer implementation until discussions have taken place between the Philippines and the relevant countries named in the resolution. As such, the Attorney General will examine relevant domestic laws and international conventions and present findings to Cabinet. The Governor's Office has agreed to keep the HRC abreast of any further developments.

c. Anti-Corruption Law

A member raised a potential ambiguity in the Anti-Corruption Law and the Commission asked the Secretariat to conduct more research into this.

d. HRC Complaint 003/2011

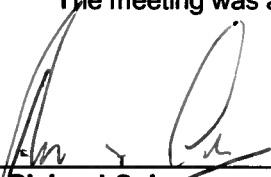
Commission members and the Secretariat continue to receive letters and emails from a third party concerning HRC Complaint 003/2011. These letters and emails are all logged and acknowledged notwithstanding that this complaint has been dealt with and closed. The Commission will write to the complainant concerning the third party correspondence.

9. Next Meeting

The next meeting will be held on Wednesday, 11 January, 2012 @ 3:30pm in the Government Administration Building.

10. Adjournment

The meeting was adjourned at 5:15 pm.



Mr. Richard Coles
CHAIRMAN
HUMAN RIGHTS COMMISSION