



CAYMAN ISLANDS

Office of the Governor
Grand Cayman
Cayman Islands

FROM: THE GOVERNOR

7 December 2011

Mr Richard Coles
Chair
Human Rights Commission
Government Administration Building
P.O. Box 391
Grand Cayman KY1-1106

Dear Richard,

Thank you for your letter dated 8 November, 2011, in which you seek information about the recent decision by the Philippine authorities to include the Cayman Islands in a list of countries considered to have insufficient protection in place for migrant workers.

The Cayman Islands Government was surprised and concerned by this decision. Philippine nationals are the second largest group of ex-pat workers in the Cayman Islands and the impact of this decision – no new permits to be issued by the Philippine authorities to Filipinos wishing to work in the Cayman Islands – is potentially significant.

Through the work of the unofficial Philippines Honorary Consul Mr Art Ursua and the intervention of the British Embassy in Manila, we have established that on 2 November, the Philippine Overseas Employment Administration (OEA) issued Resolution Number 7 (attached), including Cayman in a list of 41 countries which it considered did not have sufficient legislation in place to protect its migrant workers.

The sudden announcement of the decision may have resulted from miscommunication between the OEA and the Philippine Department of Foreign Affairs (DFA). We understand that the OEA jumped the gun with this announcement, not allowing the DFA to take steps to inform the territories concerned or to have a dialogue with them on how to resolve any issues to avoid a ban. There was certainly no contact with the Cayman Islands Government prior to this announcement.

Following representations by the British Embassy in Manila, the OEA has agreed to defer implementation of this decision until discussions have taken place between the Philippines and the countries concerned (Resolution Number 8 attached).

The Attorney General has confirmed that his Office is examining relevant domestic legislation and international conventions. He will present his findings to Cabinet .

The British Embassy in Manila will continue to lobby on Cayman's behalf making Cayman's concerns evident and attempting to clarify with the Philippine authorities what precise concerns they have so that these can be addressed as necessary.

I will keep your Commission updated.

This is a matter which affects a number of different Government Departments and Units across my responsibilities and those of Government Ministers. I am, therefore, copying your letter and this reply to all Cabinet colleagues for their information.

With best regards,



DUNCAN TAYLOR

cc: Honourable Premier
Honourable Deputy Premier
Honourable Deputy Governor
Honourable Attorney General
Honourable Minister of Health, Environment, Youth, Sports & Culture
Honourable Minister of Education, Training and Employment
Honourable Minister of Community affairs and Housing