

## What is the Human Rights Commission (HRC)?

The HRC was established under section 116 of the 2009 Constitution as an independent body responsible for promoting understanding and observance of human rights in the Cayman Islands.

### What do I do if my rights have been breached or infringed?

The Commission will receive 1) all complaints of breaches or infringements of any section of the Bill of Rights, Freedoms and Responsibilities committed by a public official; 2) all complaints of breaches or infringements of common law and statutory human rights and freedoms committed by public officials; and 3) all complaints that any international human rights treaty extended to the Cayman Island has been breached or infringed by the actions of public officials or by legislation to which the treaty applies.

It is important to note that the Commission will only accept complaints of alleged breaches of the Bill of Rights, Freedoms and Responsibilities which have occurred after 6 November, 2012. This may be a one off event that has occurred after 6 November 2012 or may be a continuing infringement of a right. In all cases, unless there is clear evidence that the alleged infringement is continuing, the Commission will not accept a complaint in relation to an alleged infringement that has taken place more than one (1) year prior to the date of the complaint.

## Cayman Islands Human Rights Commission

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*promoting, protecting and preserving human rights*



## PROTECTION OF THE ENVIRONMENT

Cayman Islands  
Human Rights Commission



## In Simple Terms

The Cayman Islands has unique native animals and plants, and the country is bordered by beautiful beaches and surrounded by clear waters.

You enjoy these things and your children and grandchildren have the right to enjoy them too.

This rich heritage must be protected by means of laws and other actions by government.

Government shall, in all its decisions, have due regard to the need to foster and protect an environment that is not harmful to the health or well-being of present and future generations, while promoting justifiable economic and social development.

This right is a limited right.

## Type of Right

### Limited Rights

Limited rights are rights where the specific circumstances in which this right can be lawfully restricted or interfered with are set out in full in the definition of the right itself.

## A Few Examples

This right places a positive obligation on the Government to factor in the environmental impacts that would result from a decision or action taken by a public authority.

The government should adopt reasonable legislative and other measures to protect the heritage and wildlife and the land and sea biodiversity of the Cayman Islands that—

- limit pollution and ecological degradation;
- promote conservation and biodiversity; and
- secure ecologically sustainable development and use of natural resources.

## What are human rights?

Human rights are the essential rights and freedoms that belong to all individuals regardless of their nationality and citizenship. These rights are considered fundamental to maintaining a fair and just society. The preamble to the 2009 Constitution details the values of the Cayman Islands upon which this legislation was drafted.

### *How are human rights applied in the Cayman Islands?*

Human rights in the Cayman Islands only apply vertically which means that a person's rights are enforced against the Government only and not against private individuals.

It should be noted however, the Government will have to take account of the human rights set out in the Constitution when passing local laws, so there will be 'indirect' horizontal application of human rights principles to private individuals. This means that they will not pass laws which knowingly allow one private individual to violate another private individual's life even though you could not take the human rights case to court.



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