

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.

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promoting, protecting and preserving human rights



SLAVERY, OR FORCED, OR COMPULSIVE LABOUR

Cayman Islands
Human Rights Commission



In Simple Terms

You have a right to not be treated like a slave, or forced to perform certain kinds of labour.

Being a slave means someone actually owns you, like a piece of property. It also refers to cases in which you work for little or no pay.

This right is an absolute right, meaning that the Government can never make you a slave or make you do forced labour. However, there are examples listed of cases where you can be forced to work without this being considered to be slavery or forced labour (see 'A Few Examples').

Type of Right

Absolute Rights

Absolute rights cannot be restricted in any way or under any circumstances by the government.

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

While under no circumstances can you be made a slave or be in servitude there are instances where it is lawful for you to be made to work.

For example,

- you could be forced to work by an order or sentence of the court;
- if you belong to a disciplined force (i.e. police or prison officers);
- if you are a prisoner, and required to carry out specific tasks to ensure where you live is clean or maintained; or
- in cases of public emergency where labour is required.

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 rights even though you could not take the human rights case to court.



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