

CAYMAN ISLANDS  
Human Rights Commission

Annual Report 2011



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## Statement from the Chairman

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The Human Rights Commission (HRC) has seen a year of progress and activity with respect to promoting the understanding and observance of human rights in the Cayman Islands. We see our role as promoting, protecting, and preserving human rights in the Cayman Islands, and believe that such rights are fundamental to sustaining a fair, just, and democratic society.

As an institution supporting democracy, the HRC recognises that a mutually reinforcing relationship exists between good governance and human rights. For this reason, the Commission continues to urge the Government to examine policies and legislation from a human rights perspective, and I applaud those who offered policies to the HRC for review and commentary. There is a need to go beyond the ratification of human rights treaties and implementation of the Bill of Rights; we must integrate human rights effectively in policy and practice. Notably, I wish to commend the members of the Strategic Implementation Group on their dedicated and tireless goal to sensitise all public officers to human rights prior to implementation day. Moreover, I urge all public officers to take an active role by incorporating the values, principles, and accountabilities into their public service duty.

Implementation day is fast-approaching, and 6<sup>th</sup> November 2012 will mark a historic milestone for the Cayman Islands. With this fact in mind, the HRC aims to strengthen the delivery of its services. In this sense, the HRC is steadfast in promoting a country-wide understanding of human rights as legitimate, inherent, and relevant to each of us.

On behalf of the Commission I would like to express my appreciation to the Commissions Secretariat, whose knowledgeable staff provide the HRC with administrative, analytical, and research support. Additionally, I commend the increasingly growing number of persons in the community who are not only embracing the values, principles, and concept of human rights, but also helping to promote our human rights education and observance campaign. The HRC wishes to particularly acknowledge the late Dr. Philip Pedley who was a guiding light for the establishment of the Human Rights Commission and the Commissions Secretariat.

In closing, I thank all of the Commission members who enthusiastically devote a tremendous amount of their time to ensure that we fulfil our Constitutional mandate for the benefit of all persons in the country.

**Richard Coles,  
Chairman, Human Rights Commission**



# Chapter 1

## The Cayman Islands Human Rights Commission (“HRC”)

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### 1.1 Vision

This vision of the HRC is: *promoting, protecting and preserving human rights.*

### 1.2 Mission

Leaders in promoting, protecting and preserving human rights in the Cayman Islands through:

- promoting the integration of human rights values into everyday life;
- encouraging government accountability to national and international human rights standards;
- embracing the Cayman Islands Bill of Rights and the principles of democracy; and
- empowering all persons to understand and exercise their human rights, freedoms and responsibilities.

The Commission’s mission is achieved through:

- listening, learning, researching, communicating and educating;
- fostering transparency, accountability and impartiality; and
- offering mediation and conciliation initiatives to resolve human rights complaints.

### 1.3 Constitutional Guidelines

The Constitutional guidelines for the HRC are found in Section 116 of the Cayman Islands Constitution Order 2009 (the Constitution) and reads as follows:

116.-(1) There shall be in and for the Cayman Islands a Human Rights Commission (referred to in this section as “the Commission”).

(2) The Commission’s primary responsibility shall be promoting understanding and observance of human rights in the Cayman Islands.

(3) The Commission shall consist of a Chairman and four other members appointed by the Governor, acting after consultation with the Premier and the Leader of the Opposition, at least two of whom shall be experienced lawyers.

(4) In the exercise of their functions, the Commission and its members shall not be subject to the direction or control of any other person or authority.

(5) The Commission shall replace the Human Rights Committee.

(6) The Commission shall have power to –

- a) receive and investigate complaints of breaches or infringements of any right or freedom

contained in the Bill of Rights or international human rights treaties that have been extended to the Cayman Islands, and investigate such possible breaches or infringements on its own initiative;

- b) provide advice to persons who consider that their rights or freedoms have been infringed;
- c) provide a forum for dealing with complaints by mediation or conciliation or by making recommendations;
- d) issue guidance on procedures for dealing with any complaints of breaches or infringements of rights and freedoms;
- e) contribute to public education about human rights;
- f) issue reports relating to human rights issues on its own initiative; and
- g) undertake such other functions, for the purpose of fulfilling its primary responsibility under subsection (2), as may be conferred on it by a law enacted by the Legislature.

(7) The Commission shall have no power to –

- a) represent or provide representation to parties to litigation;
- b) act in a judicial capacity or make binding determinations as to whether any right or freedom contained in the Bill of Rights or any international human rights treaty or instrument has been breached; or
- c) compel any person to do anything against his or her will;

but any public official to which the Commission addresses a recommendation must respond in writing within a reasonable time, and such responses shall be published by the Commission unless there is a good reason to withhold publication.

(8) The Commission shall make an annual report to the Legislative Assembly about its activities.

(9) Further provision relating to the establishment and operation of the Commission may be made by the Legislature, but such legislation shall not derogate from any provision of this section.

(10) Nothing contained in or done pursuant to this section or any law made under subsection (9) shall –

- a) oblige a person to refer any complaint of a breach or infringement of any right or freedom referred to in the Bill of Rights to the Commission; or
- b) prevent a person from seeking redress directly from the Grand Court in relation to any breach or infringement of a right or freedom referred to in the Bill of Rights, and the fact that such person had previously sought the assistance of the Commission with respect to such breach or infringement shall not prejudice any legal action.

## 1.4 HRC Members

### ❖ Mr Richard Coles – Chairman



Mr Coles is an experienced lawyer both in England and in the Cayman Islands, Solicitor admitted in England and Wales, a Cayman Islands Attorney-at-law and former Attorney General for the Cayman Islands. He is a member of the Law Society of England, the Caymanian Bar Association, the Commonwealth Lawyers Association, the Commonwealth Parliamentary Association, a Fellow of the Caribbean Law Institute and the Institute of Advanced Legal Studies in London. He also has the distinction of being a Freeman of the City of London, and is the current Chairman for Cayman Finance.

### ❖ Miss Sara Collins



Miss Sara Collins is a retired partner of Conyers Dill & Pearman in the Cayman Islands. As a graduate of the London School of Economics she was admitted as a barrister of England & Wales (not currently practicing) as well as an attorney at law in the Cayman Islands.

### ❖ Mrs Catherine Frazier



A Caymanian of long lineage, Mrs Frazier is a successful business owner, having started a property management company with her husband Jerry Frazier in 1994. She is actively involved in the community and is a member of the Steering Committee for Planning the Future for Persons with Disabilities in the Cayman Islands; Member of ICCI Board of Trustees and Member of Church of God, Chapel.

### ❖ Reverend Nicholas JG Sykes, B Sc., Dip Ed., MTS



Rev. Sykes has taught science, mathematics and religious education for over 20 years in public schools and a teachers' college throughout Jamaica, the Cayman Islands and the United Kingdom. In 1979 he became Chairman of the Association of Science Teachers of Jamaica. Ordained as a priest since 1976, Rev. Sykes is currently the Rector of St. Alban's Anglican Church in George Town and Secretary of the Cayman Ministers' Association. He has authored the book "The Dependency Question" and numerous other articles.

### ❖ Mr Alistair Walters



Alistair Walters is an attorney at law and has been practicing for 20 years. He is the managing partner of Campbell's Attorney at Law and has been with the firm for 13 years, prior to working in London, England. Alistair is a member of The Rotary Club of Grand Cayman, a member of the Association of Cayman Mediators and Arbitrators (certified by the London School of Mediation), and former member of the Board of Governors of Saint Ignatius Catholic School.



# Chapter 2

## Monitoring Human Rights in Legislation, Policy, and Practice

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The HRC stated, in its first annual report, a willingness to contribute to the process of monitoring legislation and policy in the country; primarily by examining them for compliance with human rights principles and international human rights standards. The Commission maintains that such monitoring and examination is a key element in legislative and policy development and helps to prepare for the implementation of the Bill of Rights, Freedoms, and Responsibilities. As such, the Commission continues to undertake the assessment of legislative and policy proposals at the request of Government departments and sections. Our reviews aim to identify breaches or potential breaches of human rights in the proposed legislation or policy, contributing to policy development and review of laws.

The following section details the Commission's contributions to policy development and legislative review through the various submissions made during the reporting period. Many of these submissions sought to identify areas of concern at the drafting or consultation stage as a means by which to review the documents for potential breaches of human rights. While the Commission undertakes this role from the perspective of providing support for the Cayman Islands Government, it has been agreed that the documents and the policy on which they are based has already been reviewed and revised by the Attorney General's Chambers and respective Chief and Deputy Chief Officers. Accordingly those draft policies and documents should be in the final stage of development before being submitted to HRC for review.

In all instances, the HRC expects that the principles and substance of the Government policy and legislation, in its final version, will reflect the Government's commitment to protecting individuals' rights, freedoms, and responsibilities embedded within Part I of the Cayman Islands Constitution Order 2009 in addition to fundamental human rights under the European Convention on Human Rights.

### **2.1 H.M. Cayman Islands Prison Service, Search Policy (Draft)**

The Commission received a draft version of the Prison Service's Search Policy from the Portfolio of Internal and External Affairs. The HRC previously requested sight of the Prison Service's search policy upon its development following a HRC complaint in 2011. The HRC conveyed the urgent need to develop policy on the subject matter that balances prisoners' rights with the necessity to maintain a secure and safe prison environment.

While the entire response can be found on our website the HRC responded in part to the Draft Search Policy by saying:

The principles and substance of the HMCIPS Policy on Searching is expected, in its final version, to reflect the Government's commitment to protecting individuals' rights, freedoms, and responsibilities embedded within Part I of the Cayman Islands Constitution Order 2009 in addition to fundamental human rights under the European Convention on Human Rights.

Throughout the review of such a policy the HRC's main concern is that the policy complies with Section 3 of the Cayman Islands Bill of Rights, Freedoms and Responsibilities as well as Article 3 of the European Convention of Human Rights as both prohibit torture, and inhuman or degrading treatment or punishment. Based on existing case law, prison officials carrying out searches should do so within the parameter of the right of persons not to be subjected to degrading treatment.

Public Authorities have a negative and a positive obligation to protect and secure individuals from "inhuman and degrading treatment". It must be protected by laws and policy with recourse and investigative measures taken upon an alleged breach of Section/Article 3. It is important that prison staff understand the importance of Section/Article 3 and that prisoners are aware of their options for reporting.

While the HRC would like to commend HMCIPS for ensuring its Policy on Searching is compliant with the Bill of Rights, Freedoms and Responsibilities found in Part One of the Cayman Islands Constitution Order 2009, we wish to make clear that this document submitted to us in its present condition should be considered no more than an initial draft for discussions purposes and is far from ready to be published and/or utilized. It should be considered as a very first working draft and much further work and review needs to be undertaken.

In its present state the Commission is not able to answer whether this draft Policy is human rights compliant simply because of the number of unanswered questions it presents.

We are aware that the document has been submitted to the CIG Legal Department for feedback and that you have already liaised with Mr. Steve Fradley (OT Prison Reform Coordinator); however, the HRC would advise HMCIPS to undertake further reviews of this draft document.

We would also ask you to consider implementing an appeals process for those persons who are subject to a strip search (especially a level two) which can be expeditiously heard prior to the strip search taking place. This is especially important if, as the document has suggested, that even Junior Officers have the authority to require a strip search from a prisoner.



We also ask that you ensure you have made all preparations necessary to facilitate the search procedures as contained within the draft policy i.e. private spaces in the appropriate areas for searches to be conducted or the purchase of mats to be used during searches of soles of feet.

## **2.2 Royal Cayman Islands Police Service, Custody Policy (Draft)**

The Commission received a draft version of the Custody Policy from the Royal Cayman Islands Police. While the entire response can be found on our website the HRC responded in part to the Draft Custody Policy by saying:

The principles and substance of the RCIPS Custody Policy is expected, in its final version, to reflect the Government's commitment to protecting fundamental human rights under the European Convention on Human Rights in addition to individuals' rights, freedoms, and responsibilities embedded within Part I of the Cayman Islands Constitution Order 2009. Essentially, the RCIPS, in its policies and practices, is required to balance the rights of detained persons against the powers vested in constables in accordance with the law.

Section 5 of Part 1 of the Cayman Islands Constitution Order 2009, in addition to Article 5 (paragraph 1) of the European Convention on Human Rights, points to a presumption that everyone should enjoy liberty and that a person can only be deprived of their liberty in exceptional circumstances. Thus, section 5 begins with an unqualified assertion of the right, "No one shall be deprived by government of liberty and security of the person" *followed* by "the right to liberty does not extend to the following measures taken in relation to a person in accordance with a procedure prescribed by law...."

While the HRC would like to commend the RCIPS for taking an interest in ensuring its Custody Policy is compliant with the Bill of Rights, Freedoms and Responsibilities found in Part One of the Cayman Islands Constitution Order 2009, we would like to make it clear that this document in its present condition is far from ready to be published and/or utilized. It should be considered as a very first working draft and further work and review needs to be undertaken.

## **2.3 The Convention on the Elimination of Discrimination against Women (CEDAW)**

While the entire research paper can be found on our website the HRC wrote in part:

The Commission embarked on a review process of CEDAW, an international convention to which the Cayman Islands is currently not a party to but that the Cayman Islands Government aspires to sign on to in the near future. Due to this the HRC decided to review CEDAW taking into consideration the positive and complex ramifications of the Convention. CEDAW is a sophisticated international human rights tool with a specific cause. Its fundamental purpose is to

combat discrimination and secure human rights and other gender specific rights for women. As such the HRC is concerned with the effect it will have on Caymanian life.

In April 2011 the Commission was approached by the student members of the Caymanian Bar Association who wished to participate on a human rights research project. The student members agreed to assist the Commission with their review of CEDAW by researching how current legislation in the Cayman Islands will be impacted should the Government choose to sign on to CEDAW. Their report was included as an appendix to the Commission's final report on the subject.

#### **2.4 ICTA Telecommunication Message Interception Regulations (2010)**

Following the legislative implementation of the ICTA Telecommunication Message Interception Regulations (2010), the Commission requested the assistance of the ICTA Managing Director, David Archbold, in outlining the process of legislative debate relating to the formulation of the ICTA Law and Regulations for Telecommunication Message Interception. The Commission is appreciative of Mr Archbold and his team for providing a timely and detailed response on the subject matter. The HRC continues to conduct research into this subject area focusing on assessing the human rights compliance aspect of issuing warrants to the Royal Cayman Islands Police Service for the interception of communications.

#### **2.5 Parliamentary Privilege versus Freedom of Expression**

Based on a number of events which have occurred during 2011 the Commission is currently reviewing the subject of parliamentary privilege versus freedom of expression as outlined in the Constitution and the Bill of Rights. These scenarios have shown that a potential conflict may arise at times between the two areas. The HRC continues to conduct research into this subject area focusing on finding a balance between the two areas to affirm the sovereign right of Parliament and the Legislative Assembly to govern its own proceedings whilst allowing the media to provide information to the electorate.

#### **2.6 Government Policy, Civil Servant Signing Petitions**

The Commission reviewed a draft policy on civil servants signing petitions at the request of the Honourable Deputy Governor.

While the entire response can be found on our website the HRC wrote in part:

The Commission is concerned that a distinction should be made between placing restrictions on civil servants which (if justifiable) would fall under the exemption in the Bill of Rights Section 11(2)(c) and imposing certain requirements on them which may not fall under that exemption i.e. the requirement in certain circumstances to inform a Minister prior to signing a petition. This requirement is a positive act not a restriction and the exemption only speaks to restrictions.

In addition it should be noted that using just offices and titles to justify an exception is probably too broad. The circumstances of the petition and what the consequences of signing it might be must surely feature in the decision process. This doesn't necessarily have to all be prescribed and some responsibility could be laid on the officer.

Overall it is the Commission's view that the document should be given further consideration in its attempts to strike a balance between individual's rights and the role of a civil servant. The Freedom of Speech is one of the most basic Rights and should only be curtailed in exceptional circumstances. Hence the exemptions set out in Bill of Rights Section 11.

# Chapter 3

## Responses to Enquiries from the Media and Members of the Public

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The Human Rights Commission maintains a position of openness with regard to responding to enquiries from both the general public and from the media houses on human-rights-related topics when appropriate. We believe that the media can fulfil a vital role in shaping, amplifying, and responding to subjects that impact the citizens of our country. In this regard, the relationship between the general public and the media can be understood as one that contributes to democracy, good governance, and the realisation of human rights through a process of helping to:

- 1) identify the principal factors and considerations influencing the protection of rights, freedoms, and responsibilities in a democratic society;
- 2) understand how to apply strategies to represent and convey the concept of human rights in principle, and any differences of opinion amongst different groups, organizations, and individuals;
- 3) identify examples of practices within the community that exemplify human rights values, and stimulating debate on aspects within the society, for example, policy, legislation, or delivery of services, that may be deemed as not compliant with human rights.

As Cayman moves closer toward implementation of the Bill of Rights, we hope that media houses continue contributing to the promotion of human rights, and not allow the concept of human rights to become peripheral in our local media. The Commission urges all media houses to explore the Constitution, particularly the Bill of Rights, and act as a conduit for public information alongside the Commission. The HRC believes that if media coverage and public debate challenges misperceptions of human rights in the Cayman Islands, it can prove an effective means of generating support amongst public officials for embracing human rights in their professional capacities as well as educating the general population on the concept of holding public officials accountable to performing their duty within the framework of the Bill of Rights.

During the reporting period, the HRC responded to enquiries from the media and conducted several interviews on topics of interest. The HRC also developed a Facebook page which provides links to external websites, electronic access to the Cayman Islands Constitution, videos, pictures, and links to international human rights treaties relating to Cayman, teacher/student resources, FAQs, and monthly blog postings.

# Chapter 4

## Alleged Breaches or Infringements of Human Rights

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The Commission remains dedicated to fulfilling its overriding responsibility under section 116 (2) of the Cayman Islands Constitution, to promote ‘understanding’ and ‘observance’ of existing human rights and freedoms. In accordance with the Cayman Islands Constitution Order 2009, the Commission has the power to “receive and investigate complaints of breaches or infringements of any right or freedom contained in the Bill of Rights or international human rights treaties that have been extended to the Cayman Islands, and investigate such possible breaches or infringements on its own initiative.”

It must be noted, however, that the Commission does not have the power to “act in a judicial capacity or make binding determinations as to whether any right or freedom contained in the Bill of Rights or any international human rights treaty or instrument has been breached.” The Commission does not have legal investigatory powers to act as a tribunal and subpoena records, summons witnesses, and take sworn testimony. The Bill of Rights specifically states that HRC cannot “compel any person to do anything against his or her will”.

Additionally, pending the implementation date (6 November 2012) for the Bill of Rights, the Commission cannot investigate complaints regarding the decisions or actions of a public official that has potentially breached or infringed our Bill of Rights as such. Nor can the HRC investigate complaints that any local legislation violates human rights and freedoms, except in cases where any international human rights treaty extended to the Cayman Islands requires all legislation to conform to its provisions.

Prior to the implementation of the Bill of Rights, if an individual is of the belief that his or her rights and freedoms outlined in any of the International Human Rights Treaties extended to the Cayman Islands have been breached or violated, current provisions for assistance include:

- 1) making a formal complaint to the HRC, which can give guidance and or investigate and deal with the complaint by mediation or conciliation or by making recommendations; or
- 2) applying independently to the European Court of Human Rights in Strasburg, France.

Following Implementation Day on 6 November, 2012 an application can be made directly to the Grand Court of the Cayman Islands in cases where a citizen of the Cayman Islands feels the Cayman Islands Government has breached his or her human rights.

During the reporting period the HRC received eleven (11) formal complaints from the public. The Commission did not find evidence sufficient to substantiate a violation of human rights in any of the complaints examined. In the

process of examining each complaint, the Commission was guided by its established policies and procedures manual.

*N.B.: In maintaining the confidentiality of the complainants, detailed information pertaining to complaints is not published by the Human Rights Commission.*

# Chapter 5

## Human Rights Events, Presentations, and Training

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Representatives of the Commission attend various conferences and training programmes to engage in the exchange of information pertaining to human rights issues including, although not limited to, policy development, gender equality, human rights reporting, research, and educational initiatives. Additionally, the HRC welcomes opportunities to engage the public on topics related to human rights in general as well as specific elements of the Bill of Rights.

### **5.1 International Ladies Club, Human Rights Presentation**

At the request of the International Ladies Club, the Human Rights Commission carried out a presentation on the Bill of Rights, Freedoms, and Responsibilities to the group on 3 February, 2011. The presentation offered information pertaining to human rights in general as well as specific information concerning the Cayman Islands Bill of Rights, how it affects the everyday lives of citizens and the role of the HRC. The Club was informed of basic terminology, the role of the Commission, and the integrative processes required as we move toward implementation of Part 1 of the Constitution.

### **5.2 University College of the Cayman Islands, Human Rights Presentation**

The HRC conducted a presentation on 21 September, 2011 at the University College of the Cayman Islands campus, and was delivered to a combination of faculty and staff. The presentation covered much of the same information as was delivered to the International Ladies Club. Numerous HRC pamphlets were distributed in an effort to integrate HRC literature on campus, stimulate further discussion, and enhance the level of understanding.

### **5.3 Cayman Islands Youth Assembly, Human Rights Presentation**

The HRC conducted a presentation on 24 November, 2011 at the Clifton Hunter High School to the Cayman Islands Youth Assembly. This presentation was more interactive and was geared towards the youth and their responsibilities as the next generation of Caymanians. There were numerous and varied questions asked and answered and pamphlets given out to provide more information to the students.

### **5.4 Meeting with Professor Sir Jeffery Jowell, KCMG QC**

The Commissions Secretariat coordinated the visit of Professor Sir Jeffery Jowell, KCMG QC to the Cayman Islands. During his time on-islands, Sir Jeffrey met with the Human Rights Commission to discuss the current role of the HRC and challenges faced since its inception. The group also discussed solutions to address challenges and increase effective fulfilment of the Commission's constitutional remit.



## **5.5 London School of Mediation – Introduction to Mediation**

The Commission took advantage of a training opportunity to enhance members' understanding and practicality of offering mediation. The HRC has a constitutional obligation to provide a forum for mediation to parties in cases where there is found to be a breach of human rights. The HRC continues to research how best to offer this option to parties through local mediation. Although HRC members will not themselves act as mediators the HRC Chairman, Richard Coles, has accepted an invitation to join the Cayman Islands Association of Mediators and Arbitrators Advisory Council on Arbitration.

## **5.6 Monthly Talk Today Radio Show**

The HRC has committed to a public education campaign in partnership with Radio Cayman's Talk Today call-in program. The Commission will engage the community once a month to discuss each of the rights contained in the Bill of Rights, Freedoms, and Responsibilities in an effort to drive awareness of human rights to a larger cross section of the community.

## **5.7 International Human Rights Day Event**

On 10 December, 2010 the HRC coordinated, in conjunction with Camana Bay and One World Entertainment, an event to celebrate International Human Rights Day for the second year. This year's event was the second in the Cayman Islands and focused on youth. The event showcased various activities for children and families, artwork



displays by local artists, and featured musical entertainment by various local youth bands. The event's aim is to promote the formal observance of International Human Rights Day in the Cayman Islands. 2011 marks the 63<sup>rd</sup> anniversary of the Assembly's adoption of the Universal Declaration of Human Rights in 1948. The family-friendly entertainment was free-to-the-public as a result of partnering with community spirited organizations, companies, and volunteers. HRC is grateful to

those sponsors for enabling this very well attended event to take place.

## **5.8 Department of Environment's Presentation on Marine Parks**

The was provided with a video presentation discussing the research the Department of Environment is currently conducting on our marine parks. The Commission members provided individual feedback via the DoE's online survey. The Bill of Rights contains a clause (18) unique to the Cayman Islands and entitled "Protection of the Environment". The Commission applauds the DoE for their efforts in line with that Protection of Environment clause.

# Chapter 6

## Moving Forward


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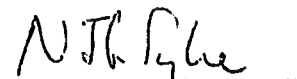



Throughout the next year the Commission will continue to engage the community in a myriad of ways to take advantage of opportunities including public presentations, the internet, and partnership events that enhance public awareness and understanding of human rights. Particularly, the public can expect an increase in educational initiatives aimed at promoting awareness of the Bill of Rights Freedoms and Responsibilities, which will be implemented on 6, November 2012. The HRC will continue to work to promote observance of human rights in the Cayman Islands.

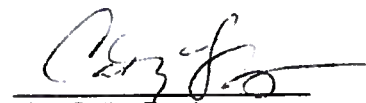
The HRC encourages you to visit our website ([www.humanrightscommission.ky](http://www.humanrightscommission.ky)), join us on Facebook, or email us at [info@humanrightscommission.ky](mailto:info@humanrightscommission.ky) to get involved in promoting human rights in the Cayman Islands. The entire Commission is committed to protecting, promoting, and preserving human rights in the Cayman Islands, and we hope that you take the time to explore this meaningful cause which is to the benefit of us all.

**Dated this 8<sup>th</sup> day of February, 2012**

  
Miss Sara Collins

  
Rev. Nicholas Sykes

  
Richard Coles (Chairman)

  
Mrs. Cathy Frazier

  
Mr. Alistair Walters

# Appendices

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## **Appendix 1: Cayman Islands Bill of Rights, Freedoms, and Responsibilities**

1. Guarantee of Rights, Freedoms and Responsibilities
2. Life
3. Torture and inhuman treatment
4. Slavery or forced or compulsory labour
5. Personal liberty
6. Treatment of prisoners
7. Fair trial
8. No punishment without law
9. Private and family life
10. Conscience and religion
11. Expression
12. Assembly and association
13. Movement
14. Marriage
15. Property
16. Non-discrimination
17. Protection of children
18. Protection of the environment
19. Lawful administrative action
20. Education
21. Public emergencies
22. Protection of persons detained under emergency laws
23. Declaration of incompatibility
24. Duty of public officials
25. Interpretive obligation
26. Enforcement of rights and freedoms
27. Remedies
28. Interpretation of the Bill of Rights

## **Appendix 2: International Human Rights Treaties Extended to the Cayman Islands**

(as at 1 May, 2010 based on information provided to the HRC by outside sources)

- ❖ European Convention on Human Rights
- ❖ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- ❖ Convention on Consent to Marriage, Minimum Age and Registration
- ❖ Convention on the Abolition of Slavery
- ❖ International Convention on the Elimination of All Forms of Racial Discrimination
- ❖ Convention on the Rights of the Child
- ❖ Convention relating to the Status of Stateless Persons
- ❖ Convention on the Political Rights of Women
- ❖ Registry of the European Court of Human Rights September 2003
- ❖ International Labour Organisation Convention 29
- ❖ International Labour Organisation Convention 87
- ❖ International Labour Organisation Convention 98
- ❖ International Labour Organisation Convention No. 105
- ❖ International Covenant on Civil and Political Rights
- ❖ International Covenant on Economic, Social and Cultural Rights
- ❖ United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education