

Press Release

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FOR IMMEDIATE RELEASE

COLOURS CAYMAN WELCOMES THE GOVERNOR'S ASSENT TO THE CIVIL PARTNERSHIP LAW 2020

Colours Cayman welcomes the assent given by the Governor to the Civil Partnership Law and the consequential amendments being brought forward.

As an organisation, we appreciate the opportunity provided by the Governor to submit comments on the Bill and other amendments and we thank the AG Chambers and the Governor's Office for facilitating an open discussion with us to deliver the best possible outcome for the Cayman Islands following the Court of Appeal's decision last November.

While the law certainly falls short of providing full equality to same-sex couples, it is nevertheless a significant step forward for all of the Caribbean region and the Cayman Islands has now become something of a beacon of hope. Ours has become the only commonwealth jurisdiction in the region to have made such a step by legislation. Legislation that affords same-sex couples, finally, the equivalent rights to which they are entitled and that have long been afforded to different-sex couples through marriage.

However, our view has not changed: we still support the fight led by Chantelle and Vickie for absolute marriage equality and continue to recognise that as the only true means of achieving equality.

As we've previously stated, an alternative framework such as this is tantamount to legal segregation, and we believe that our Constitution does not allow for treating people separate but equal on *any* grounds. We mustn't forget why we are here: the Court of Appeal made segregation possible by effect of their judgment of November last year.

This week, we have submitted our application to intervene in the Privy Council in support of Chantelle and Vickie's case. We are confident that the law is on our side—it is a matter of common sense that a doctrine born in 1896 with *Plessy v Ferguson*, case in which the US supreme court upheld racial segregation under the separate but equal doctrine and buried by the same court in 1954 with *Brown v Board of Education* has no room to breed and brew in the Cayman Islands in 2021.

Unless the judges of the Privy Council are biased and homophobic, by next spring, we shall no longer have only equal rights with a different name, but we shall have instead achieved equal rights with the *same* name.

The Cayman Islands Human Rights Commission first petitioned to the Cayman Islands Government to legislate civil partnership in August 2015 in the aftermath of the decision by the ECtHR in the case *Oliary v Italy*. Given the answer of the Premier to the Commission that his government had no mandate to bring about legislation that would benefit LGBTQIA+ individuals, *Colours Cayman* wrote to Her Majesty the Queen to intervene and legislate for civil partnerships back in September 2016 explaining that there was no hope that our legislators will do so by themselves. We reiterated our petition in 2017 and it took Chantelle and Vickie to bring the case for marriage equality to get us here.

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