

COMMON POLICY FOR EXTERNAL RELATIONS

Report

The Council of Ministers,

Noting that the functions of the Chief Minister shall include conducting external relations in accordance with the common policy agreed by the Council of Ministers;

Recalling the distinct history of Jersey, which was part of the Duchy of Normandy from 933 AD through the conquest of England in 1066, and elected to remain loyal to the English Crown when King John lost Normandy in 1204, and was granted its Royal Seal in 1279;

Noting further that Jersey is not a sovereign state and cannot in general bind itself internationally without the consent of the sovereign state, but has had domestic autonomy since 1204, and acquired fiscal autonomy through a series of Royal Charters, and is a self-governing, democratic country with the power of self-determination;

Bearing in mind the framework for developing the international identity of Jersey signed by the United Kingdom and Jersey on 1 May 2007, in particular that Jersey has an international identity which is different from that of the United Kingdom and that the United Kingdom supports the principle of Jersey further developing its international identity;

Observing the recommendations of the Second Interim Report of the Constitution Review Group presented to the States Assembly on 27 June 2008 by the Council of Ministers, noting that it is not Government policy to seek independence from the United Kingdom, but rather to ensure that Jersey is prepared if it were in the best interests of Islanders to do so;

Acknowledging that Jersey has the right, under terms of the entrustment from the United Kingdom of Great Britain and Northern Ireland dated 23 November 2009, to negotiate and conclude Tax Information Exchange Agreements, and other agreements relating to taxation that provide for exchange of information on tax matters to the OECD standard; and that Jersey was also entrusted on 20 August 2012 to conclude an agreement with the Government of the United States of America regarding the sharing of legally confiscated or forfeited assets;

Recognising that international identity is developed effectively through meeting international standards and obligations;

Noting the Government of the United Kingdom's response to the House of Commons Justice Select Committee's report on the Crown Dependencies (November 2010), in particular Jersey's status as a Dependency of the British Crown, that is neither part of the United Kingdom, nor, except to a limited extent, the European Union;

Noting also from the same document that the Government of the United Kingdom agrees with the increased use of entrustment, whereby the Crown Dependencies are granted powers to negotiate treaties on their own behalf:

1. *Decides* on the following principles for the conduct of external relations, namely to:

- i) Protect Jersey's unique constitution, and its domestic and fiscal autonomy;
- ii) Promote Jersey's international identity and good reputation as a responsible country committed to the rule of law, international standards, and respect for internationally recognised human and labour rights;
- iii) Serve Jersey's best economic interests by promoting a strong, diversified economy, safeguarding its competitive position and promoting growth through trade and inward investment;
- iv) Promote Jersey's national and cultural identity abroad;
- v) Join with others in supporting sustainable development and poverty reduction in developing countries ;
- vi) Abide by internationally agreed standards of environmental stewardship.

2. *Also decides*, in accordance with these principles, to:

- i) Engage positively with the UK Government, Whitehall departments and Parliament;
- ii) Be a good neighbour, on the basis of reciprocity, to the United Kingdom, France and other European States, promoting and protecting Jersey's interests in Europe through the Channel Islands Brussels Office;
- iii) Maintain positive relations with the Bailiwick of Guernsey and the Isle of Man, coordinating on matters of mutual interest in external relations, and working with the Bailiwick of Guernsey to deliver common services to the benefit of the people of the Channel Islands;
- iv) Promote international cultural relations by building on Jersey's shared history and longstanding links around the world;
- v) Sustain a strong international profile, supported by relevant international agreements and by relationships with the international diplomatic community, to enhance recognition of Jersey's commitment to international standards;
- vi) Engage with multilateral institutions, including the European Union, Council of Europe, International Monetary Fund (IMF), World Trade Organisation (WTO), Organisation for Economic Co-operation and Development (OECD) and the Global Forum on Transparency and Exchange of Information for Tax Purposes, to contribute to the development of international policy;
- vii) Participate actively in the British Irish Council;
- viii) Promote Jersey's relationship with existing and emerging major economies, and develop the Island's international reputation as a centre of excellence and an outstanding place to do business;
- ix) Implement UN sanctions and EU restrictive measures in support of international objectives to address activities or policies that threaten the international rule of law, human rights, respect for democratic principles or international peace and security, or to prevent and suppress the financing of terrorists and terrorist acts;
- x) Assist in the identification, monitoring and reduction of external systemic risk to the Jersey economy;
- xi) Ensure that Jersey is prepared for external change that may affect the Island's formal relationship with the United Kingdom and/or European Union;

- xii) Share Jersey's experience as a well-run small island state and international financial centre with other countries and seek to learn from the success of others;
- xiii) Engage in poverty reduction and capacity building activities in developing countries by supporting the work of the Jersey Overseas Aid Commission, and through technical assistance;
- xiv) Support the Law Officers' Department in the provision of Mutual Legal Assistance to other countries and in the lawful recovery and return and/or sharing of forfeited or confiscated assets, where reciprocal agreements exist;
- xv) Build on the current, active participation in the Commonwealth, through the Secretariat, Law Association, Parliamentary Association and other Commonwealth bodies;
- xvi) Support the work of Members of the States Assembly with the Assemblée Parlementaire de la Francophonie and the British-Irish Parliamentary Assembly.

Council of Ministers

October 2012