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Sent: 22 January 2007 01:35

To: Scrutiny

Subject: Scrutiny Panel - Jersey Overseas Aid

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Dear Sirs

I would like to make the following brief submissions to the Sub-Panel on Jersey Overseas Aid. I address the four items in your terms of reference in turn.

(a) The States' Policy for upgrading the Island's Overseas Aid budget in line with GNI.

The States of Jersey appears to be in wilful breach of its obligations under Agenda 21, the program of the United Nations related to sustainable development.

On its website, under the heading "Background", the Jersey Overseas Aid Commission ("JOAC") states that "it is our duty to meet existing international obligations. Jersey is a signatory to Agenda 21 which commits Jersey to moving to a target of overseas aid funding which is comparable with that of other nation states, but is currently based on taxation revenue rather than GNP."

Chapter 33.13 of Agenda 21 reads as follows: "Developed countries reaffirm their commitments to reach the accepted United Nations target of 0.7 per cent of GNP for ODA and, to the extent that they have not yet achieved that target, agree to augment their aid programmes in order to reach that target as soon as possible and to ensure prompt and effective implementation of Agenda 21. Some countries have agreed to reach the target by the year 2000...developed countries, in line with their support for reform efforts in developing countries, agree to make their best efforts to increase their level of ODA..."

It seems clear to me that the States of Jersey falls woefully short of that target of 0.7 per cent of GNI (formerly known as GNP) for ODA and has wilfully failed to augment its aid programme to reach that target "as soon as possible" as it is possible to augment our aid programme to that level immediately. The States of Jersey has similarly failed to make its "best efforts" to increase its level of ODA.

The States of Jersey should immediately increase its level of overseas development aid to at least 0.7 per cent of GNI in order to fulfil its obligations under Agenda 21.

(b) The JOAC's policies and procedures for the distribution of its grant aid budget

In my opinion, whilst I see no problem with the JOAC having its own guidelines for the distribution of its grant aid budget, the policies and procedures are very rigid and seem to allow of no exceptions in many cases. This seems to unduly fetter the discretion conferred on it by clause 3 of its constitution to "manage and administer the monies voted by the States of Jersey for overseas aid, so as to enable humanitarian aid to be provided overseas..." At best, this seems to me to prevent the JOAC from considering many perfectly valid and worthy applications. At worst, it is ultra vires. I

would submit that the JOAC should reconsider its policies and procedures with a view to introducing more flexibility, and in particular to reframe most of its rigid policies in the form of guidelines, allowing exceptions in its discretion.

(c) The methods for measuring the effective utilisation of the JOAC's aid budget by recipients

I have no substantive comments on this particular matter, other to say that whilst it is important to ensure that moneys have been applied for the purposes for which they were intended, there are limits to the usefulness (especially in terms of cost-effectiveness) of seeking to quantify effective utilisation.

(d) The Island's Overseas Aid contributions in comparison with other jurisdictions

I would commend the work of Brian Coutanche, MBA FCA, on this particular matter and have nothing to add to his research and analysis, other than to submit that as a relatively wealthy territory, the States of Jersey should be giving generously to overseas development aid, if anything beyond the 0.7 per cent of GNI to which it is committed, and it is shameful that our historical and present level of giving falls woefully short of what some less privileged countries give. As for those other countries which fail to give as they should, that is for their national shame and not a reason for our holding back in assisting as we should and as we are able.

It is my sincere belief that generosity in giving to those in need not only blesses the recipients of that giving but also brings great blessing to the donor. As Proverbs 28:27 states (NIV): "He who gives to the poor will lack nothing, but he who closes his eyes to them receives many curses." I am in no doubt that this spiritual law applies to governments as it does to individuals, and that as the States of Jersey reaches out extravagantly to the poorest of the poor in our world, so it will see the fruit that follows for the blessing of this Island.

Yours faithfully

Peter R. Cushen, Advocate