

**WRITTEN QUESTION TO THE PRESIDENT OF THE
POLICY AND RESOURCES COMMITTEE
BY DEPUTY G.P. SOUTHERN OF ST. HELIER**

ANSWER TO BE TABLED ON TUESDAY 18th JANUARY 2005

Question

In the context of Statigic Aim 3.8, 'promotion of human rights and equal opportunities', contained in the Strategic Plan 2005 to 2010, will the President -

- (a) inform members of the extent to which Jersey is currently compliant with existing international Human Rights obligations?
- (b) inform members whether the Committee has investigated how Jersey's Human Rights standards compare with neighbouring territories?
- (c) inform members of what provisions, if any, the Committee has put in place to encourage the awareness, education and promotion of Human Rights, and whether these provisions are adequately co-ordinated and resourced?
- (d) outline what measures, if any, the Committee intends to take to improve the provisions referred to in (c) in relation to –
 - (i) the 60th Anniversary of the Liberation of Jersey in 2005; and,
 - (ii) in the 5-year period of the Strategic Plan?
- (e) state what action the Committee will take, if any, to encourage specific legislation to promote for the elimination of all forms of discrimination in 2005? and,
- (f) state what action the Committee will take, if any, to encourage the promotion of legislation for equal opportunities in employment matters?

Answer

- (a) The scope of Jersey's existing human rights obligations is considerable, including a large number of international conventions to which the Island is a party through the United Kingdom's ratification. These extend to issues such as the treatment of prisoners of war and civilians involved in armed conflict, the abolition of slavery, the elimination of racial discrimination, the prohibition or torture and cruel, inhuman and degrading treatment, the prevention of international child abduction, and the protection of children in inter-country adoption, to name just a few, as well as the European Convention on Human Rights.

These conventions are subject to review by the depository organisations and, together with the U.K. and other Crown Dependencies, Jersey is required to report on its compliance. These reporting cycles are noted in the periodic report to the States on International Conventions and Agreements. The detailed recommendations of the review bodies are published and, as far as possible, legislation or other measures are put in place to ensure compliance with those recommendations.

To the extent that Jersey is signed up to these international conventions, every effort is made to ensure the Island is fully compliant with its existing international obligations.

- (b) The focus of these questions, it is assumed, is on the European Convention on Human Rights and Fundamental Freedoms which was ratified by the U.K. on behalf of the Island in 1953. The standards that

apply to Jersey are therefore very similar to those that apply to all the neighbouring states that are also parties to the Convention, subject to their adoption of the various Protocols.

The Policy and Resources Committee continues to monitor developments in human rights standards in neighbouring territories.

- (c) With regard to the aims of the strategic plan 2005 – 2010, the Policy and Resources Department is planning to implement a programme of human rights awareness, education and promotion across the whole of the public sector, in conjunction with the Human Rights (Jersey) Law 2000, coming into force. This will include a series of workshops, seminars and awareness-raising activities, co-ordinated through the Human Resources training department. Sufficient dedicated funding has been brought forward to implement this programme.
- (d) The promotion of human rights is an on-going objective for the whole of the public sector, throughout the five-year strategy and beyond. Whilst Policy and Resources has the lead, it must be the responsibility of every Committee and Department to deliver the results.

Although the European Convention on Human Rights germinated from the seeds of Second World War repression and the terrible abuses of that time, it has now moved on. We should all celebrate Jersey's 60th anniversary of freedom, but human rights are an issue for today rather than about a particular event in history, no matter how significant it is for Jersey.

- (e) The responsibility to promote legislation to eliminate all forms of discrimination has been assigned by the States to the Legislation Committee. The Policy and Resources Committee has encouraged that Committee to bring forward its proposals, and will continue to do so in 2005.
- (f) The responsibility for legislation to promote equal opportunities in employment rests with the Employment and Social Security Committee. The Policy and Resources Committee would generally welcome any positive developments in this regard.