

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY G.P. SOUTHERN OF ST. SAVIOUR**

ANSWER TO BE TABLED ON TUESDAY, 5th DECEMBER 2006

Question

In response to a question from Deputy Lewis of St. Saviour on 21st November 2006 the Chief Minister stated that there were “other issues” that made him loathe to engage in negotiations with the European Union over the issue of Protocol 3. Would the Chief Minister state what these “other issues” are?

Answer

The option of re-negotiating of Protocol 3 is not one that Jersey could enter into alone, or should do lightly, for many reasons.

Firstly, Jersey is not itself a State party to the UK Treaty of Accession to the European Union, of which Protocol 3 is a part. It would therefore be impossible to begin any effective negotiation without the full concurrence of the United Kingdom Government, who would represent Jersey’s position in negotiations. Any substantive amendment to the Treaties of Accession also normally requires the agreement of every Member State of the European Union – in other words all 25 (soon to become 27) States would have to be involved.

If we were to seek to re-negotiate Protocol 3, we should consider what would be put in its place – and what the EU might seek in exchange. In the light of recent experience, in my view, we would be extremely ill-advised to re-open discussion on Protocol 3.