

STATES OF JERSEY



FRENCH NATIONAL IDENTITY CARDS AS VALID TRAVEL DOCUMENTATION FOR FRENCH CITIZENS (P.36/2025): COMMENTS

**Presented to the States on 30th May 2025
by the Minister for Justice and Home Affairs**

STATES GREFFE

COMMENTS

The below Comments are provided in respect of both P.36/2025 lodged by Deputy Sir Philip Bailhache, and the Amendment to P.36/2025 subsequently lodged by Deputy Philip Ozouf.

P.36/2025 - Comments on the Main Proposition

The Minister for Justice and Home Affairs is pleased to accept this Proposition, and is grateful to Deputy Bailhache for bringing this to the States Assembly for consideration.

The Minister is particularly grateful that Deputy Bailhache has acknowledged the need for a balance to be found between ensuring the integrity and security of our border and the economic and cultural benefits from encouraging day trip visitors from France.

As Members will be aware, French nationals travelling to Jersey on day trips were a regular feature prior to Brexit and the travel restrictions imposed as a result of the Covid pandemic. Such trips aided in maintaining valuable cultural links between Jersey and France as well as boosting the local economy.

Following the United Kingdom's exit from the European Union, a requirement was introduced for travellers arriving in the UK or Crown Dependencies to carry a valid passport as a travel document, other than for a few exceptions.

Concerns about the decline of day trip travellers led to the introduction of the French ID card scheme in April 2023. Since then, French nationals have been permitted to travel to Jersey with a National ID card for day trips only.

This scheme is an exception to the standards for border controls within the Common Travel Area, and has been justified by the setting of stringent rules on the operation of the scheme. The scheme has continued to develop the Island's relationship with the Island's French neighbours and has provided some economic benefit to the local economy and ferry operators.

Thus far, the Scheme has been very successful with very few issues with compliance. These were quickly resolved with the ferry operators and all passengers were accounted for returning to France.

The scheme was initially launched as a pilot, due to end in September 2023. Given its successful operation it has subsequently been extended, currently to 30 September 2025.

It had not previously been possible to commit to further extension of the Scheme, as it was unclear whether it would continue to be viable after the implementation to the Crown Dependencies of the Electronic Travel Authorities (ETA) scheme which is scheduled for Q4 2025 or Q1 2026.

This is because travellers will be required to provide a valid passport in order to be granted an ETA

An ETA is an advance travel permission required to travel to the UK or Crown Dependencies as a visitor for those who do not require a visa. It mirrors similar arrangements for entry to the USA (ESTA) and many other countries globally. The

European Union will be introducing similar provisions under their European Travel Information and Authorisation System (ETIAS). By allowing for the advance screening of passengers it introduces additional protections to prevent those who would be denied entry from travelling.

Officers have examined options to continue the Scheme once ETA is implemented and have identified that this could be achieved by introducing a 'carve out' within Jersey's Immigration Rules to exempt French nationals on day trips to the Island from the requirement of an ETA, thus allowing the use of ID cards for that purpose.

Whilst I am confident that this will allow the continuation of the Scheme, I would highlight to Members that this is not without risk, some of which I have outlined below.

Border security

Border security will, at least to some extent, be diminished by the continued use of ID cards and any exemption from the requirement for ETAs. ID cards, when compared to passports, are less secure documents. It follows that any acceptance of ID cards over passports reduces security.

However, this is mitigated by limiting the extent of the scheme to French nationals, on day trips only, where any persons who are not in compliance can be identified and dealt with quickly and reasonably easily.

Relationship with the United Kingdom

UK Government counterparts have been informed that this proposition has been lodged and will be supported by the Council of Ministers. There are, however, concerns about border security, the interaction with the ETA scheme and how communication to the public will be managed.

There is a risk that, should the UK Government have significant concerns about the security of the CTA border as a result of the Scheme which we are not able to mitigate, there could be implications for intra-CTA travel to/from Jersey. In a worst-case scenario, which is considered unlikely, this may result in the implementation of a hard border between the UK and Jersey. This would have significant negative consequences, including for islanders travelling to the UK for medical or business travel.

We will seek to manage this, subject to the outcome of this Proposition, by liaising with the UK and offering strong reassurance about the security measures governing the Scheme.

Public sentiment

There is a risk that public sentiment in Jersey will not favour the scheme due to perceived or actual inequality in their treatment when travelling to France (British nationals need to travel with a passport and obtain a European Travel Information and Authorisation System (ETIAS)).

In supporting this Proposition I am confident that these risks can be satisfactorily mitigated, and, in that context, I am very pleased to support this proposition to continue the Scheme on the same basis that it currently operates.

Comments on the Amendment to P.36/2025

The Minister for Justice and Home Affairs urges Members to reject the Amendment to this Proposition.

Deputy Ozouf's Amendment, if adopted, would significantly increase the risks posed by the operation of the Scheme to a level which it would not be possible to satisfactorily mitigate.

Whilst Deputy Ozouf rightly points to the success of the current Scheme, this is not a good case on which to base an expansion of the Scheme. Rather, the success of the current scheme is precisely because of its limited nature and the tight controls that this allows.

Deputy Ozouf contends that extending the Scheme to 72 hours 'introduces no new risks'. This is simply not the case.

Increasing the amount of time allowed also increases the amount of risk. Whereas compliance for travellers on day trips can be easily assured through the actions of the Customs and Immigration Service and carrying companies, an increase to 72 hours would provide significant hurdles and complexity in identifying and locating overstayers, or those intent on travelling to other parts of the Common Travel Area unlawfully. There is real potential for the scheme to become quickly unmanageable.

The ability of the Customs and Immigration Service to successfully manage the scheme to date, within existing resources, is due to its simplicity. Contrary to Deputy Ozouf's view, additional resources, and therefore cost, would undoubtedly be required if the scheme were to expand.

Increasing the scope of the scheme goes against the broad intention to increase security and digitisation at the border through pre-travel checks in the context of the intended introduction of ETA later this year. It is important that the introduction of ETA in Jersey is not undermined and that, once introduced, its impact and effect is properly understood.

We enjoy a close and collaborative relationship with other members of the Common Travel Area and Islanders currently enjoy unfettered travel to the United Kingdom. There is the potential, and ability, for additional border checks to be put in place for intra-CTA journeys. I am sure this would concern Members greatly, and would in turn have a potentially large negative effect upon the Island's economy.

I firmly believe maintaining the scheme for day trips only strikes the right balance between embracing Jersey's cultural ties with France and supporting Jersey's economy, alongside the need to maintain border security, and our relationship with fellow members of the Common Travel Area.