

STATES OF JERSEY



IMMIGRATION OF UKRAINIAN NATIONALS

**Lodged au Greffe on 2nd March 2022
by Deputy J.H. Perchard of St. Saviour
Earliest date for debate: 29th March 2022**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to request the Minister for External Relations and Minister for Home Affairs to liaise with the relevant authorities in the UK to seek agreement that the current definition of “relative”, in relation to the immigration of people displaced from Ukraine, which includes spouses, civil partners, children, siblings and dependent parents, should be expanded in Jersey to include extended family members; and
- (b) that the Government of Jersey should, over the next six months, be enabled to allow people displaced from Ukraine with relatives resident in Jersey immediate access to the island on a temporary emergency basis, giving them the right to reside with family, friends, or others for a period of at least one year from their date of arrival; and to request the Minister for External Relations and Minister for Home Affairs to liaise with the necessary authorities in the UK to seek agreement to pursue this policy, where such agreement is necessary.

DEPUTY J.H. PERCHARD OF ST. SAVIOUR

REPORT

Where we are now:

Jersey's arrangements are currently mirroring those of the UK.

This means that in order to enter the Common Travel Area, Ukrainian nationals need a visa. However, they do not need a visa to enter the Schengen Area. This area covers 26 countries:

Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Switzerland.

See <https://www.etias.info/visa-requirements/ukrainian-citizens/> for details on Ukrainian nationals travelling through the Schengen Area.

Concessions have been made by the UK Government for Ukrainian nationals which means that visas can be acquired much more easily and will be issued free of charge and within 24 hours. Applicants are still required to attend a VAC (Visa Application Centre) but it does not matter which VAC (they can attend any in Europe). It is my understanding that Jersey Customs and Immigration Service has matched this concession to allow the expedient processing of visas.

At present, 'relatives' includes as spouses, civil partners, children, siblings and dependent parents. This isn't wide enough, and, as we have seen from Jersey examples, there are instances where we allow certain adults but not their children. In one case, it is my understanding that a Jersey resident has a sister who is now allowed entry but whose child is not as nieces and nephews have not yet been included in the list of 'relatives'.

*Furthermore, at the time of writing, the UK was only allowing relatives of British nationals to seek safety in this way. However, it is likely that there will be Jersey residents who are not British nationals who wish to support their relatives seeking sanctuary here. We should not be discriminating against local residents in this way.***

Since first draft, this has now been updated to include Ukrainian nationals with relatives leaving Ukraine. However, the point still remains that we may have non-British, non-Ukrainian nationals who are **Jersey residents who have relatives trying to escape Ukraine. From a humanitarian perspective, my view is that anyone fleeing this war with relatives who are Jersey residents should be able to seek sanctuary in the arms and homes of those Jersey relatives.

The situation is changing at pace, but right now, there are people fleeing a war zone who have relatives in Jersey. The latter are telling us that they are able and willing to financially support their fleeing family members and begging us to let them in.

I think it would be proportionate and morally right to allow these relatives to come here, to be safe and secure while we figure out the paperwork. Our long-term position will need to be clarified, but now is not the moment to hesitate in the short-term provision of safety.

We have the capacity to take a decision ourselves on what we want to be able to offer. This is especially relevant given that those fleeing Ukraine can reach the French border via the Schengen Area.

Currently, some children are being excluded from accessing Jersey with adults who are eligible to come here. This isn't hypothetical; we have real Jersey examples of this happening now. This proposition gives the Government the instruction to liaise with the UK in order to rectify this exclusion.

All of this is said with the understanding that, due to our relationship with the UK in relation to our immigration policies, the success of our ambitions will be largely dictated by the Minister's ability to liaise and negotiate outcomes with the UK Government.

However, I think it is right that we, as an Assembly representing our local community, make our ambitions known and clearly demonstrate our commitment to the provision of safety to those fleeing war.

Whilst propositions can only be lodged in one member's name, I wish to make clear that this has been jointly developed with Deputy Inna Gardiner who has been, and continues to be, instrumental in the real-time support of many Jersey families who are desperately trying to save their relatives.

Financial and manpower implications

No implications as the proposition asks the assembly for their views and to give instruction to the Minister to liaise with the UK.