

Draft States of Jersey (Minister for External Relations)(Jersey) Regulation 201-

Overall view

I think it would be very much to Jersey's advantage to have a Minister for External Relations. Senator Cohen started to develop a network of contacts outside the Island and Sir Philip Bailhache has continued that.

In a globalised world where our principal commercial interest is in offering financial services, it is essential for our future success that Jersey should have intergovernmental relations with a range of countries like India and China and areas like the Middle East where a governmental framework and relationship can make a substantial contribution. Jersey will also be affected by a range of other international issues such as immigration, climate change etc where it will be important for Jersey to have a direct input into the negotiations dealing with such problems.

Having worked in UK delegations where a range of mainland and dependent territories interests have been represented by HMG I am clear that the most effective way of developing relationships and explaining your interests is by doing it yourself, in this case for Jersey to act independently.

One of the key factors shaping the environment in which Jersey conducts its business, both external and internal, is legislation emerging from London and Brussels. The only way to affect such legislation is for Jersey either alone, or in co-ordination with the other Crown Dependencies, to speak to those drafting and deciding on legislation at an early stage in its formation. I therefore applaud the joint initiative of Jersey and Guernsey to establish a Mission to the EU in Brussels and would urge that Jersey, either alone or in company with others, sets up its own representation in London.

I would suggest that a general provision be added to the draft regulations to the effect that the Minister for External Relations should be authorised to sign international agreements and Treaties on behalf of the island.

Involvement in the development of these proposals

I have given advice to successive Chief Ministers that it would be to Jersey's advantage to have dedicated external representation. I have not, however, been involved in the development of these particular proposals.

Impact on the undertaking of Jersey's external relations

The appointment of a Minister for External Relations will not of itself have a great impact. His or her appointment will need to be accompanied by a number of other factors.

The first is that the Council of Ministers should establish and agree a list of Jersey's external priorities, vote the means for their achievement and debate them in the States. These will form the objectives for the Minister of External relations and his team. Since many of the objectives will fall within the domestic responsibilities of a range of other Ministers ie Transport, Economic Development, Environment etc it will be important that all those with responsibility for the domestic implementation of external commitments should agree on the priorities to be pursued. Without this background the Minister of Foreign Relations will not have the authority or confidence to negotiate on behalf of his colleagues.

The Minister of Foreign Relations should report annually to the States on progress in meeting the objectives agreed by Ministers collectively and debated in the States.

If something on these lines can be agreed and become established it should enable Jersey, through its Minister of External Relations, to play a much more influential role in the world on issues of importance to its interests than is at present the case.

A slow establishment of precedents where Jersey is acknowledged by HMG as taking the lead in representing its own interests will form a valuable basis for future action. It will be important that Jersey should proceed in consultation and by agreement with HMG.

Relationship between the Chief Minister and the Minister of External Relations

In all Governments of which I have had experience there has always been a certain tension between the Prime Minister and the Minister for Foreign Affairs. This is inevitable since many international negotiations and agreements are conducted and signed by the Prime Minister/Chief Minister with the Foreign Minister leading on the preparatory negotiations.

It is not a field where a formal delineation of responsibilities is likely to prove effective. The only workable solution, in my experience, is for both the Foreign Minister and the Prime Minister to have a close working relationship combined with an understanding that headlines and photographs in the press are not the real evidence of an effective foreign policy.

Sir Nigel Broomfield
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