

**19<sup>th</sup> November 2013**

**3.11 Deputy T.M. Pitman of the Minister for External Relations regarding the challenging of the Chinese Government in relation to alleged human rights abuses:**

With increased financial business with China can the Minister clarify what measures, if any, are being undertaken to challenge the Chinese Government on its continuing record of human rights abuses and if none, why not?

**Senator P.M. Bailhache (The Minister for External Relations):**

Jersey's external relations policy is generally aligned with the overall British foreign policy approach to human rights in China. This policy is one of constructive engagement to sustain a long-term relationship that covers a wide range of interests in order to bring about positive change. The promotion of prosperity and human rights are mutually supportive priorities and the trade interests of Jersey and the U.K. are indivisible from our enduring British values.

**3.11.1 Deputy T.M. Pitman:**

I would have to say I question the Minister's statement that prosperity and human rights are even remotely linked in this world. However, surely a key part of what is effectively a Minister for External Relations' role is to try and influence trading partners, whoever they may be, that if their human rights record is not as it should be then perhaps it would be to the benefit of all if they improved it. When Senator Ozouf was travelling the world I asked this question and he said that the best was to actively talk to them, which seems to be what the Minister for External Relations is suggesting. Have any such discussions between himself and the Chinese equivalents of his office taken place, and have there been any tangible outcomes?

**Senator P.M. Bailhache:**

I think the Deputy is right, that one tries to influence the conduct of other countries in any way that one reasonably can. We received a visit quite recently from a Chinese delegation from one of the large Chinese cities, and there was an opportunity at the time of that visit for mutual discussions about the way in which Jersey operates and our political system and so on. One likes to think that those contacts do play a small part in influencing the development of policies in China. It certainly seems to be true that the overall British policy has been influential because the 2012 *Foreign and Commonwealth Office of the Annual Human Rights and Democracy Report* notes that China continues to make changes in regard to legislative and judicial reforms, including a major revision of the criminal procedure law, the passage of China's first ever mental health law, the publication of the first ever White Paper on judicial reform, and the issuing of a Chinese national human rights action plan. So these things do seem to be happening under the policy of constructive engagement.

[11:15]

**3.11.2 Deputy R.G. Le Hérissier:**

Although the Minister quite rightly outlines certain steps, ultimately as we know - despite being economically very successful - China is a totalitarian state. Has he reached the point where he feels that the behaviour of the Chinese Government is such that it is not prudent, and indeed not wise, to trade with them at this point in time?

**Senator P.M. Bailhache:**

No, I do not think we have. As I have indicated in my answer to the previous question, there does seem to be a progressive change in the approach of China to human rights issues, which is positive, and that seems to me to be something which ought to be encouraged.

**3.11.3 Deputy M. Tadier:**

Would the Minister advise whether there are countries with whom we would not do business, and what bar would there need to be in place for a country such as China for us to decide it is not worth our while engaging with them, for whatever reason?

**Senator P.M. Bailhache:**

That is a very difficult question to answer because of course there must arise circumstances where the events in a foreign country are such that it would not be appropriate to engage in trade with them. Insofar as China is concerned, I do not think that situation has arisen.

**3.11.4 Deputy T.M. Pitman:**

Could the Minister confirm - and I am sure he will - that this relationship would be a 2-way street, so if China were to criticise Jersey's own human rights failings, which are endemic to our justice system, that he would be willing to listen and see what improvements could be made?

**Senator P.M. Bailhache:**

As the Deputy will know, I do not share his views on the criminal justice system, or indeed the justice system in Jersey.

**Deputy T.M. Pitman:**

But would he be willing to listen if the Chinese raised it? That is the real issue.

**Senator P.M. Bailhache:**

This is a highly hypothetical question which seems to me is out of order.