

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS  
BY DEPUTY S.Y. MÉZEC OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 8th SEPTEMBER 2015**

**Question**

Could the Minister outline what procedures, if any, are in place and what action would be taken should a refugee or individual intending to claim asylum reach Jersey?

**Answer**

Various Conventions in relation to refugees/asylum claims have been extended to Jersey. In particular:

The 1951 Refugee Convention, which was extended to Jersey in 1955.

The Protocol Relating to the Status of Refugees (“the New York Protocol”), which was extended to Jersey in 1996.

In a letter to the United Kingdom (UK) Home Office dated 21 September 1995, Jersey indicated its willingness to be a party to the Dublin Convention. The Dublin Convention determines the State responsible for examining applications for asylum lodged in one of the Member States of the European Union (EU).

In addition, the United Nations Handbook on Procedures and Criteria for Determining Refugee Status recommends that contracting States meet certain basic requirements for dealing with applicants. In the UK, rules have been drawn up covering the necessary procedures to be followed. There are no equivalent procedures in Jersey, but a practice has been agreed with the UK Home Office that Jersey will obtain assistance and advice with any such applications.

In relation to asylum claims, the UK Home Office has agreed that any asylum claims made in Jersey should be notified to the UK Home Office for consideration.

As far as asylum applications received from claimants arriving from another EU State are concerned, the introduction of the Immigration and Asylum Act 1999, coupled with the provisions of the Dublin Convention, enabled the UK to treat all EU States as safe third countries for the purposes of asylum. On the basis that the 1999 Act and the Convention apply in Jersey, the Island has followed the same British policy. Consequently a passenger who claims asylum on entering Jersey from an EU State, where he/she would have had the opportunity to claim asylum, should be returned to that EU State.