

2019.12.10

4 Connétable K. Shenton-Stone of St. Martin of the Minister for External Relations regarding Jersey's external relations with regions or jurisdictions where there might be significant Human Rights concerns: (OQ.298/2019)

In light of the ongoing protests in Hong Kong and the release of the China cables, showing the mass internment of Muslim minorities in China, will the Minister explain how U.K. foreign policy informs the Island's external relations with areas where there are significant human rights concerns and whether the Government has considered any policy changes with respect to those external relations?

Senator I.J. Gorst (The Minister for External Relations):

We co-ordinate our approach on human rights with the United Kingdom, which exercises the ultimate international responsibility in this area. Jersey is aligned with the United Kingdom, the United States of America and European Union member states in believing that promoting progress on human rights in countries, with a poor human rights record, is best perceived through a process of constructive engagement, both at political and business level. Officials are in regular contact with counterparts at British Embassies and High Commissions in priority countries and with counterparts on the Foreign and Commonwealth Office desk in London. We welcome the U.K.'s use of its diplomatic channels to deliver private messages, on the basis that this offers the best chance of delivering meaningful change on issues that are often viewed as sensitive by the Governments concerned.

3.4.1 Deputy M. Tadier:

Does his Department have a contingency for a situation where the U.K.'s foreign policy, for example in human rights areas, may be divergent to that which the Island would wish to pursue?

Senator I.J. Gorst:

The Deputy surely knows the constitutional relationship. We are not a sovereign state. As a matter of fact, the United Kingdom is responsible for our foreign relations, as a matter of international law and, therefore, I do not quite accept the premise of his question.

3.4.2 Deputy M. Tadier:

The Chief Minister will be aware that this Assembly has expressed its views in regard to foreign policy in the past. One example being when Deputy Southern brought a Proposition for the Assembly to, I think in other words, condemn the invasion of Iraq. That was a difference of the States Assembly showing that it had an opinion, which was not the official policy of the U.K. Foreign Ministry. Does the Minister accept that not only is it constitutionally possible that it has happened and that, should it happen, Jersey has a right to express its own identity, which may be different to that of the U.K.'s?

Senator I.J. Gorst:

I think the Deputy is, with respect, confusing matters. This Assembly, of course, can - providing it is in line with Standing Orders, as adjudicated by yourself, Sir - bring forward any proposals to this Assembly, but it cannot act extraterritorially, nor can it act outside of the settled constitutional position. Therefore, I am not sure quite what the Deputy is endeavouring to ask me. If he is asking whether we can act outside of those 2 positions, then, of course, the answer is yes ... if he is asking if

we can act outside then the answer is no. If he is asking if we can act within those 2 positions, then the answer is yes.

3.4.3 Deputy S.M. Ahier of St. Helier:

In China, we have seen the repression of the Muslims, the Tibetan Buddhists, the Christian minorities and the imprisonment of those who criticise the Government. The Chief Minister stated last week that there could be financial benefits from trading with China. Has Jersey lost its moral compass?

Senator I.J. Gorst:

I do not believe that we have lost our moral compass. I was not at the Scrutiny hearing and, if the Deputy wishes to question the Chief Minister, he can lay a question and ask it of the Chief Minister. For my part, I am satisfied with the constitutional arrangement. I am satisfied with the facts of the international law. I remind Members of this Assembly that, in July of this year, United Nations ambassadors from 22 nations, that included the United Kingdom, signed a letter condemning China's mass detention of minority groups and urging the Chinese Government to close the camps and allow U.N. (United Nations) experts access to the area. That is not losing one's moral compass. I believe that every Member of this Assembly would stand behind that letter and find it to be exactly the right approach and one to which we could be aligned.

3.4.4 Deputy R.J. Ward:

Given the possibility of a Brexit, that leads to a desperate need for new trade deals, does the pursuing of trade deals - if you excuse the phrase - trump the pursuit of human rights?

Senator I.J. Gorst:

Firstly, let me reiterate - and I have been questioned at Scrutiny on a number of occasions about these matters - the Government of Jersey's policy is to engage and in that engagement there are difficult questions that arise and there are difficult questions, to which there are sometimes difficult answers. The Deputy is right to say that the current Government of the United Kingdom's - who knows what that Government will be at the end of this week - desire is to quickly have a future relationship with the E.U. (European Union) ironed out, if I might put it like that and then seek trade deals around the globe. But there is no indication, nor has there been any indication, nor would I expect there to be any diminution of the United Kingdom's view of the promotion of fairness, equality and human rights around the globe. They are not mutually exclusive. I think they can go hand in hand. In fact, I would even argue for trade leading to, in many cases, better outcomes. In the developing world, we see trade leading to the increase in the standard of living and better outcomes. These are issues that will be, of course, considered as these negotiations are undertaken and we will play our appropriate part in thinking about those trade deals and understanding and deciding whether we wish to be a party to them, or not.

3.4.5 The Connétable of St. Martin:

I thank the Minister for his answers and most of my supplementary questions have already been answered. It is my personal belief the Beijing stance is becoming increasingly difficult to defend and I was just seeking reassurance from the Minister that Jersey will not turn a blind eye to the suffering of millions of Muslims and minorities in China.

Senator I.J. Gorst:

We do not turn a blind eye to the sufferings of those around the globe. We know that there are many parts of the world and this, I am pleased to see, is coming up the political agenda, where those of faith are persecuted and lose their lives. We stand against that. We believe that, in the freedom of religious expression and it should be supported and it should be encouraged and we support the approach of the United Kingdom, we are aligned with that approach, which seeks to see those freedoms enhanced and human rights upheld, rather than diminished, as the Constable is rightly suggesting is happening in some countries around the world.