

Future Guernsey – Priority Policy Area update (June 2019):

Future Guernsey Theme:	Our Place in the World
Future Guernsey Outcome/s:	Mature international identity
Priority Policy Area:	International Standards
Political Governance:	Policy & Resources Committee working with all Principal Committees

Overview
<p>Guernsey has a constitutional relationship with the UK as a sovereign state. The UK is responsible for managing the Island's international relationships (with the consent of the Island's government). Guernsey is increasingly representing its own interests internationally, either alongside the UK or under entrustments issued by the UK (such as in the field of taxation, asset sharing or social security). Guernsey has been working to develop its international profile including through the extension of various conventions, particular in relation to economic and taxation cooperation, human rights and environmental matters.</p> <p>This work stream does not follow the approach where it has outcomes and objectives in the same way that other areas of policy. Although treaties are extended, the External Relations team do not own or manage the policy and legislation within, therefore the target for extension should sit with the relevant policy areas (e.g. United Nations Convention on the Rights of a Child [UNCRC] is part of Children and Young People's Plan; International Maritime Organisation [IMO] would be reported in the Committee <i>for the Environment & Infrastructure</i> Policy Plan update).</p> <p>The Policy & Resources Committee has a role in helping principal committees manage international relationships, and helping ensure the Island maintains its international standing by meeting its obligations.</p> <p>In 2016 the States of Deliberation agreed recommendations from the Constitutional Investigation Committee to further develop Guernsey's ability to manage its own relationships internationally, and to enhance its international identity building on the International Identity Framework agreed between the UK and Guernsey on 2008.</p> <p>Work streams:</p> <ol style="list-style-type: none"> 1) Treaty Guidance 2) Treaty support – Brexit Treaties 3) Treaty support – other treaties <p>Key performance indicators</p> <p>The islands should be able to demonstrate a high level of compliance with international obligations through validation or periodic review by international bodies (such as the UN, the Council of Europe, OECD, MONEYVAL, IMF).</p>

Work stream 1	
Brief overview:	Treaty Guidance - introduce guidance to help direct Committees and any other related States entities to understand the treaty extension process, including commitments once treaties have been extended.
Resourcing:	Treaty officer within the External Relations Team (currently seconded to manage Brexit related treaty work)
Barriers to progress:	<ul style="list-style-type: none"> • Resourcing within External Relations, which is by necessity focused on Brexit-critical tasks. • Treaties regularly take many years to extend. Further experience and evidence of some aspects of the treaty process are needed to better formulate guidance that is sufficiently generic to Committees but is sufficiently detailed to be a valuable resource. • Knowledge transfer and policy resourcing within Committees to research treaties, work towards compliance and ensure adequate reporting and resourcing post-extension is an ongoing issue. • Treaty roles and responsibilities within Committees are not always well understood.
Next steps:	<ol style="list-style-type: none"> 1. Draft guidance has been prepared and elements of it are being used by the External Relations team in advance of any roll out wider in the States of Guernsey. 2. It is a medium-term aim to release guidance notes to Committees.
Needs/requirements that have not been supplied/resolved:	Resourcing and knowledge/handover across the States. Brexit has meant that resourcing has been directed towards more time-critical tasks.

Work stream 2	
Brief overview:	Treaty support – Brexit Treaties - to provide advice and expertise help enable Committees to achieve the extension and/or transition of Brexit-critical treaties
Resourcing:	Treaty officer within the External Relations Team (currently seconded to manage Brexit related treaty work)
Barriers to progress:	<ul style="list-style-type: none"> • Much of this work is timeframe critical and has to be managed in a very short timescale. If time was not an issue, many of these tasks would take several years to progress; the ability to sustain this level of work is finite. • As with work stream 1, there are some knowledge and resourcing gaps across the States. • There are lots of dependencies on the UK, such as the timeframe available, the ability to secure specialist advice, and information flows. • General political uncertainty in the UK affects the ability to know which treaties to prioritise and when. In terms of Brexit work, the UK, along with partner countries, makes the decisions over treaty prioritisation and there may be instances where it is not possible to remain part of certain treaties post-Brexit. Resourcing locally also makes it possible that some treaty continuation may be unable to occur. This work is, by its nature, highly reactive.

Next steps:	<ol style="list-style-type: none"> 1. Continue engaging with the UK to help identify critical treaties and treaty actions. Committees involved in Brexit are also key to this as engagement needs to occur on a subject-specific basis. 2. Continue to engage with relevant principal Committees as well as the Law Officers Chambers, regarding treaty transitions.
Needs/requirements that have not been supplied/resolved:	<ul style="list-style-type: none"> • Resourcing and knowledge/handover across the States. • UK political certainty. • Insufficient time to receive and process information and make decisions will be an ongoing issue in this area of work.

Work stream 3	
Brief overview:	Treaty support – other treaties - to provide advice and expertise to Committees in the treaty extension process to help them in getting treaties extended.
Resourcing:	Treaty officer within the External Relations Team (currently seconded to manage Brexit related treaty work)
Barriers to progress:	<ul style="list-style-type: none"> • Resourcing within External Relations. • Knowledge transfer. Where there has been a turnover of staff transferring between different roles and when Committees' restructure can mean that subject-specific knowledge is eroded, which can affect Committees' abilities to fully understand their international obligations and effectively discharge their international treaty obligations. The result is that, in some cases, there is a reliance on the External Relations Team to provide advice on or input into policy areas and to provide continuity. • Dedicated policy resources within some areas of the States is limited, which inhibits some Committees' abilities to research treaties, work towards compliance and ensure adequate reporting and resourcing post-extension.
Next steps:	<ol style="list-style-type: none"> 1. Work stream 1 on treaty guidance will help guide Committees through the treaty process. 2. Utilise the growth of policy resources across the States, and upskill Policy Staff on international matters. This should provide additional opportunities to address some of the identified issues relating to treaty research, working towards compliance and extension, and ensuring that there is an adequate reporting and resourcing infrastructure to manage treaties post-extension. 3. In 2018, Committee mandates were amended to include treaty obligations. This is an important step in helping ensure that responsibility for treaty work rests with the relevant Committees and is not seen as an External Relations task because the word treaty or extension are referenced. Putting these mandatory actions into effect will be take time to achieve, and the other work streams should help to achieve this.