

## 15 May 2019: Global Strategy Forum: 'The Commonwealth@70: A Beacon for Multilateral Connection and Collaboration'

Lecture by The Rt Hon Patricia Scotland QC, Secretary-General of the Commonwealth

Firstly, a very warm thank you to Michael, for his kind introduction and invitation. And may I say how gratifying it is to see such an eminent gathering assembled to consider the continuing and developing role of the Commonwealth.

- **Commonwealth @70**

A few days ago we marked the 70th anniversary of the London Declaration, by which our founding eight nations came together in 1949 to declare that we would “remain united as free and equal members of the Commonwealth of Nations, freely co-operating in the pursuit of peace, liberty and progress”.

In the seventy years since the London Declaration, which brought into being the Commonwealth we know today, many more nations have grown to maturity.

As independence has been achieved and celebrated, awareness of our interdependence has also grown, and it is by recognising and building on this that our cooperation continues to flourish and our connections to develop.

We draw together with countries at almost every stage of social, economic and political development, some of the smallest and poorest together with five of the G20 members.

This brings great depth of understanding and appreciation of our convening power.

- **Multilateralism**

So, at this time when multilateralism is under threat - and I think it has never been so under threat as it is today - and nationalism and narrow self-interest are on the rise, the Commonwealth shines as a beacon of hope and promise.



By demonstrating the practical benefits of international collaboration and combined purpose, Commonwealth connection and collaboration deepen understanding of how as countries, as communities and as individuals we are interdependent and mutually supporting.

So, as we mark the seventieth anniversary of the London Declaration, the weight of expectation rests on the shoulders of we who carry forward today the realisation of the tremendous vision it represents.

We build on foundations laid by pioneering men and women who saw new ways of conducting international affairs, and who, by creating the modern Commonwealth, committed to an idea and enterprise unprecedented in human history.

I know that many of you have had, and indeed still have, the duty of delivering in innovative and inventive ways the outcomes that we seek; because those inventive ways produce the realities of multilateral connection and collaboration.

Collaboration, based on the needs and perspectives of all members of our diverse family of nations, lies at the heart of all that the Commonwealth brings to our world.

Uniting in a spirit of goodwill and mutual support, the similarities of our systems and institutions enable lessons learnt in one setting to be shared, adapted and applied elsewhere.

This makes the benefits of successful experimentation and progress available to be enjoyed more swiftly by others and for the good of all.

So where some of our members may lead on interventions that reduce negative human impacts on the environment, others may show the way on measures to advance social inclusiveness or gender equality, while others pioneer pathways towards greater political or economic development.

By sharing knowledge of what has worked, as well as what has not worked so well, any one may encourage the others to move in positive directions.

By offering practical guidance and support, all can help hasten beneficial change.

- Trade

A vitally important factor in building multilateral connection and strengthening it is trade.

Movement of goods and services enables our nations to prosper, and enables the benefits of prosperity to raise standards of living for all.

A Commonwealth focus is to ensure that none are left behind, and that the poorest and the most vulnerable are well catered for, so that the marginalised nations and communities gain from increased commerce and investment.

Yet the rules-based global trading system, which has helped to lift millions of people out of poverty, is at risk from rising protectionism and unilateralism.

As indeed it has been for decades, the Commonwealth Secretariat continues to be at the forefront of advocacy on behalf of our least developed member countries for more inclusive and responsive international support measures, especially on trade.

Remember 31 of the 39 smallest countries in our world belong to our Commonwealth. So, we are supporting our least developed member states in several ways.

First, we are helping them to expand and diversify their trade.

In 2018, the Heads of Government adopted the Commonwealth Connectivity Agenda for Trade and Investment.

They set the goal of expanding investment and boosting intra-Commonwealth trade to US\$2 trillion by 2030. We hope to get to 700 billion by next year.

Second, the Commonwealth Secretariat and the WTO Enhanced Integrated Framework (EIF) are working together to deliver more effective and targeted Aid for Trade to least developed countries to build their productive and trading capacity, with priority attached to women's economic empowerment.

Third, the Commonwealth has called for rules-based global trade to be strengthened, and protectionism to be resisted.

- **Climate change**

Countries in all our regions also face a myriad of other external and internal challenges.

There was the powerful cyclone which tore through countries of Southern Africa, killing hundreds of people, destroying roads, bridges and homes and leaving tens of thousands displaced across the affected area.

Full recovery from this level of devastation is likely to take years and slow down economic growth, as we have seen elsewhere, especially in the Caribbean.

2017 we saw countries such as Antigua and Barbuda - Barbuda was devastated, and the whole population had to be evacuated. Dominica had 226 per cent of their GDP demolished within six hours, and Grenada has faced years of disruption and an uphill struggle as they gradually recover from the devastating effects of the recent hurricanes.

And for those who do not believe in climate change, you only have to visit those countries to see the reality of its impact.

One picture remains very vividly in my mind, and that is of a mother who was holding her five-year-old son by the hand. When Hurricane Maria came it took her son. Even today, that unfortunate woman is seen going from place to place saying to people, 'Have you seen my son?' She cannot believe that the hurricane took him. These are the realities of climatic change.

And disaster recovery is a costly undertaking; it means taking away resources earmarked for other pressing public service needs and commitments, but it means also finding a way to pay for the debt that the country still has for the infrastructure that was destroyed in the disaster.

- **Anti-corruption**

We are also witnessing an exponential rise in international migration, largely fuelled by increased conflicts, religious intolerance, unemployment, insecurity and other factors in a number of regions.

These factors are all in turn fuelled or exacerbated by corruption, and so tackling corruption in all its forms is an important Commonwealth priority.

If you look at the money we need to deliver the sustainable development goals and the money we have, the sum equivalent between those two figures is exactly the amount which is syphoned off by corruption.

That is why, when I became Secretary-General of the Commonwealth, I set to work immediately to carry forward the anti-corruption work already underway within a Commonwealth context.

And many of you will know that I probably spent about 10 years as a Minister in the Government of the United Kingdom, and then as Attorney General of England, Wales and Northern Ireland, to try to create the new Bribery Act; and we struggled over those 10 years.

In the end we got there. And through those experiences, I absolutely understood how critical it was, not only for me as I had been the Attorney General for England, Wales and Northern Ireland, but for all of my Commonwealth colleagues with the same aspirations, whom I had met in 2009 at the Commonwealth meeting in Edinburgh.

I saw opportunities to add to the ambition and impact of what we achieve in tackling corruption through the Commonwealth collaboration.

Six weeks after taking up my responsibilities as Secretary-General I convened a Tackling Corruption Together Conference.

At that gathering, the absence of a Commonwealth-wide tool to strengthen anti-corruption efforts and the desire to have one became very apparent. So too did a political will to bring new energy and new ideas to this fight.

The result is that we are now at an advanced stage of developing an agreed set of Commonwealth Anti-Corruption Benchmarks.

In fact, I have come today from a meeting of experts from right across the Commonwealth, who are honing those benchmarks as we speak.

They are designed to help create optimal conditions for resisting and rooting out corruption in both the public and the private sectors.

We want to create an environment in the Commonwealth which is anti-pathetic, hostile, resilient in every way we can, to corruption and corrupt practices.

Our Commonwealth way always is to draw together the willing and to move forward by consensus.

And so our ambition is for these to be presented at our Commonwealth Law Ministers Meeting in Sri Lanka in November.

We hope that ministers will then feel able to recommend the Benchmarks for consideration by Heads of Government themselves at CHOGM in Rwanda next year.

And I am so pleased to see Her Excellency the High Commissioner of Rwanda here with us, because we know how many hopes and aspirations are going to rest on her very able shoulders.

- OCCJR

The Benchmarks were developed within the Office of Civil and Criminal Justice reform which I have established within the Commonwealth Secretariat.

Its function is to support Commonwealth countries in delivering access to justice and sustainable development through the creation of fair and effective national laws.

It does so by making available good legislative practice from across the Commonwealth, with model laws, standards, templates, and access to technical assistance and legal networks.

Our view is that if one of us is going to spend a penny or pound, then no other member state needs to spend the same penny or pound.

A particular area of focus for the office is that relating to contracts governing foreign investment.

A resource is being created to assist government officials with negotiating durable, effective and fair investment contracts with private investors.

The project is a response to the capacity constraints faced by the governments of developing countries in the Commonwealth when negotiating complex investment agreements with well-resourced and sophisticated foreign investors and other foreign countries.

With a shared legal heritage in the Common Law system, many developing Commonwealth countries adopt similar approaches to contract negotiation and have similar government legal office structures and challenges.

So a Commonwealth resource in this area should prove especially beneficial.

Alignment with Commonwealth good contractual practice for equitable foreign investment could provide developing countries with valuable leverage in negotiation processes.

The office is also currently conducting a comprehensive, Commonwealth-wide survey of lawyers, judges, arbitrators, businesses and academics to identify the problems and potential of international commercial arbitration.

Once the results of this survey are processed and analysed, the Commonwealth Secretariat will consider the most valuable ways in which support can be offered.

It may, for example, include publishing a guide to international arbitration, arranging deployments to train arbitrators in-country, or even establishing a Commonwealth arbitration centre.

The operation of the court systems also remains of fundamental importance to the Rule of Law considerations, and the OCCJR carries forward the long and impressive Commonwealth Secretariat record of working in this area, including through providing support for civil procedure law reform in Commonwealth jurisdictions.

Alongside this, our Commonwealth Legal Knowledge Exchange Portal is making it easier for our member countries to collaborate on legislation, and to share and have access to legal information and resources.

It provides templates for legislation and model laws together with schemes for legal guidelines.

As well as being a resource for Commonwealth statutes and other legal materials, the portal is a community for users working in government departments.

Country focal points within Offices of Attorneys-General are able to share new legislation, and also to discuss questions about legislative issues.

Cooperation towards swifter progress on legislative reform is a vital factor in supporting our member states development and achieving the Sustainable Development Goals.

- **Sustainable Development Goals**

The 2030 Agenda now defines the global development priorities for developed and developing countries alike.

So our Commonwealth strategies are now aligned to this agenda, particularly towards those areas which have caused the most difficulty and presented the most challenges to our member states.

We have a comparative advantage, because if we can come together, if we can distil all the best from our diverse countries, we are likely to create pathways which will not only suit ourselves but will also be of real benefit to others.



Our strategies are placing great emphasis on collaboration and partnerships, and the ease of doing business, as we have the same language, we have the same laws and we have the same principles.

- **Toolkits**

We've also looked at how we could make these things practical. So we have turned all of our guidelines into toolkits. We now have over forty implementation toolkits. And the way in which that came about is when I was speaking to a number of our countries, they were delighted that we had these guidelines, but were basically saying 'what do with them?'

Because if we don't have the money, if we don't have the people, if we don't have the acuity, locally; if I am left with a country where I have 50 000 people, then how exactly do I do this? So what we've done is to convert everything into implementation toolkits. This means we are able to help our member states know how to do it. But, much more importantly, they are helping each other to know how to do it.

### **CHOGM 2018 outcomes**

The Commonwealth Heads of Government Meeting (CHOGM) last year, was quite a remarkable occasion.

We had a very challenging agenda, covering a range of issues:

- What are we going to do about the Blue Charter - the new construct for the ocean?
- What about connectivity?
- What about crime?
- What about climate change?
- What about our young people?
- What about health?

We had a whole plethora of things, and yet something remarkable happened, 53 leaders came to London, Windsor and 53 leaders agreed on everything. Absolutely everything, and that comity was something I found quite breath-taking. I just want to touch on some of the things

they said in that statement, because the communique and declaration which was issued, really bear quite a great deal of depth of scrutiny, and the titles really resound with promise.

There was the CHOGM Leaders' Statement and the CHOGM Communiqué entitled 'Towards a Common Future'.

The Commonwealth Blue Charter was adopted, by which all 53 Commonwealth countries agreed to co-operate to solve ocean-related problems and meet commitments for sustainable ocean development.

I was told, when we started to look at this in June of 2017, that it was madness to think that you could have an international charter, started in June and agreed by 53 countries by April the next year, but we were able to make it happen.

The Commonwealth Cyber Declaration was issued, with leaders committing to work closely together to evaluate and strengthen cybersecurity frameworks and response mechanisms.

And we hear today what Prime Minister Ardern, together with the Prime Minister of this country and France and others are seeking to do in fulfilment of that agenda.

Heads also made an important Declaration on the Commonwealth Connectivity Agenda for Trade and Investment.

Revised Commonwealth Guidelines for the Conduct of Election Observation in Member Countries were adopted.

There were also statements and other outcomes from the associated gatherings for business, youth, women and civil society.

We had a Small States meeting in order for us to concentrate on what we were going to do for our small states.

These initiatives and interventions add to the dynamic record of Commonwealth contributions towards positive change in the modern era, which complement and contribute to the vitally important work of the United Nations.

Increasingly, at UNGA, at the UN Human Rights Council and at other UN gatherings, collective Commonwealth positions are presented - by me as Commonwealth Secretary-General, by the representative of the country serving as Commonwealth Chair-in Office, and by others of our member nations in their interventions.

By understanding that all have something to contribute, and recognising the richness that each can bring, we have learnt together that it is by consensus rather than by confrontation that more will be achieved.

So the Commonwealth continues to pioneer and to find ways of working together that are innovative, collaborative, inclusive and connected.

- **'A Connected Commonwealth'**

Indeed, our Commonwealth theme this year is 'A Connected Commonwealth', and we bring this to bear in the way we work together on the rule of law, democracy, and the many aspects of development needed if all our citizens are to enjoy the benefits of fair and sustainable social and economic progress; and in so many areas of life which are of vital importance.

Through the mutual support and encouragement of Commonwealth connection, and its distinctive strength as a 'network of networks', valuable knowledge is shared in order for more to be achieved.

Each jurisdiction is different, and has specific local needs and context, yet deep affinities and close connections flourish among our peoples, and the institutions which serve them.

The opportunity for members to greet each other as brother or sisters, for us, has real meaning and depth. And it has enabled us to look at the peace-building that we want to make in our world; as well as, the need to counter violent extremism, the need to bind our young people together and the need to learn to be the agents of inclusion and cognisant engagement.

And we have seen the need for the Commonwealth in this way, quite dramatically, first, in New Zealand and then most recently in Sri

Lanka. And they were painful and difficult occasions, but I was actually incredibly proud of our Commonwealth, because the Commonwealth response was, 'you will not divide us! We stand together, we stand together as one and we will not allow terrorism and extremism to erode our friendship and our commitment.

Out of that came the nine days of peace and understanding that we called for with prayer and contemplation; and out of that came the Peace at the Crease initiative which is using cricket to bring healing to our countries.

We are also using Faith in the Commonwealth, which is an initiative that we created for people of all faiths and those of none. It brings together young people under the age of 30, so they can get to know each other, work together, deliver projects together, and heal together. This approach is having a wonderful impact.

We are remaining resilient, and what has been remarkable in the last few months is everything that was supposed to tear us apart has brought us closer.

## Conclusion

Those of us who have the privilege of being a member of this very special global family can help realise more fully the immense potential of the Commonwealth.

And it's not just the Commonwealth, it's the Commonwealth and all its friends. Because if you look at our Commonwealth, as we represent one third of world, the other two thirds from which we come, look just like us. Therefore, if we can come together. If we can heal, if we can work out a pathway which is good for us, it is likely to be an equally good pathway for everyone else as well.

It's a huge privilege to be asked to be the Secretary-General of the Commonwealth because, during the last three years in particular, I have seen so much open up, broadening our opportunities, creating inclusivity, deepening the foundations of friendship and affinity on seventy years of equal partnership in pursuit of peace and progress towards a more secure, a more inclusive, and a more sustainable future for all.



The Commonwealth@70 is truly a beacon for multilateral connection and collaboration towards health, hope and harmony for all our citizens.

And I suppose I can say for those of us who have reached a certain age, 70 does seem remarkably young. So we look forward to the next 70 years of the Commonwealth and we look forward to the engagement of all Commonwealth citizens and their friends.