

Rt Hon Dominic Raab MP
Secretary of State for Foreign, Commonwealth and Development Affairs
Foreign, Commonwealth and Development Office
King Charles St
London
SW1A 2AH
United Kingdom
(by email only)

24 November 2020

Dear Secretary of State,

As Chair of the Bar Human Rights Committee of England and Wales (BHRC), I write to express my serious concern at reports that the UK is considering cuts to official development assistance (ODA) of more than £4 billion as part of the 2020 Spending Review to be announced on Wednesday 25 November. This would reduce ODA to 0.5% of the UK's Gross National Income (GNI), taking our contributions below the Government's manifesto commitment to maintain ODA spending at 0.7% of GNI.

The proposed cuts appear to be in addition to the £2.9 billion package of reductions in the UK Government's planned ODA spend for 2020, announced in July 2020, which nevertheless maintains ODA at 0.7% GNI, reflecting the economic impact of the COVID-19 pandemic.

BHRC is an independent and non-political body of barristers called to the Bar of England and Wales dedicated to promoting internationally respected principles of justice and fundamental human rights through the rule of law. This is achieved using the international human rights law expertise of some of the UK's most experienced barristers to produce public statements, letters of concern, *amicus curiae*, and delivering training to lawyers in other jurisdictions. Our remit extends to all countries of the world except from our own jurisdiction of England and Wales. This reflects the need for BHRC to maintain its role as an independent but legally qualified observer, critic and advisor.

Access to justice, protection of human rights and respect for the rule of law are the foundations to achieving peaceful and fair societies. This is recognised through Goal 16 of the UN Sustainable Development Goals to promote peace, justice and strong institutions. As a global leader in the recognition and promotion of human rights standards, the UK is respected world-wide for its adherence to the rule of law and justice processes that are independent, impartial and fair. BHRC remains committed to promoting, realising and upholding the rule of law through the protection of lawyers, judges and human rights defenders as part of civil society across the world. Members of the English and Welsh Bar – and we at BHRC in particular – are committed to sharing our expertise with partners that hold similar aspirations in their countries but may lack the training and research infrastructure to deliver change. As a pro bono organisation, we rely heavily on our

partnerships with other bodies and institutions within the UK and around the world to deliver our work.

BHRC regularly works closely with UK embassies around the world, as well as with UK-funded initiatives such as the Rule of Law Expertise programme (ROLE UK) to provide high quality pro bono legal expertise to local partners (in the past year in Kazakhstan, India and Nigeria), that both promotes and strengthens the rule of law.

For example, to enhance their knowledge and understanding of international human rights and the legal implications of environmental degradation, more than 100 Nigerian Bar Association members have received a series of trainings, led by BHRC and facilitated by the ROLE UK programme during 2018 and 2019. The training sought to build the professional capacity of Nigerian lawyers to advise on how to utilise mechanisms of redress for people displaced in North-Eastern Nigeria by internal conflict, as well as on how to use international and regional law in pursuit of economic claims in the Niger Delta. We also produced training on best practice in investigation into, and legal redress for, human rights and environmental violations. This has led to lawyers being able to mount legal challenges and the establishment of *ad hoc* court infrastructure in remote regions to hear the claims of internally displaced people.

The continuation of such initiatives is now seriously under threat. Many organisations, including ours, have already experienced the impact of the July 2020 cuts, with work having been postponed, reduced or ceased completely. This is compounded by the ongoing effect of the Coronavirus pandemic, which both constrains our ability to act, yet increases the need for action. Around the world we have noted an increasing trend of governments using the pandemic as a cover or distraction from the introduction of measures that undermine the rule of law and reduce people's rights.

We echo the sentiments raised by the leaders of nearly 200 organisations in a letter to the Prime Minister on 20 November. Despite the challenges and difficulties that the pandemic has placed on us all, now is not the time for the UK to take a step back from its international commitments.

We implore the Government to urgently reconsider its plans to make drastic cuts to ODA spending and to, as a minimum, keep its manifesto commitment to maintain such spending at 0.7% of UK GNI.

Yours sincerely,



Schona Jolly QC

Chair

Bar Human Rights Committee of England and Wales

Copy to:

Rt Hon Rishi Sunak MP
Chancellor of the Exchequer
HM Treasury
London
SW1A 2HQ
United Kingdom
(By *email only*)

Bar Human Rights Committee of England and Wales (BHRC) | 289-293 High Holborn | London WC1V 7HZ
Chair: Schona Jolly QC | Vice-Chairs: Stephen Cragg QC & Gráinne Mellon

coordination@barhumanrights.org.uk | www.barhumanrights.org.uk
+44 (0) 207 611 4689 | +44 (0) 7854 197862