



November 7, 2014

Via email: john.baird@international.gc.ca; minister@acdi-cida.gc.ca

The Honourable John Baird, P.C., M.P.
Minister of Foreign Affairs
125 Sussex Drive
Ottawa, ON K1A 0G2

The Honourable Christian Paradis
Minister of International Development
International Cooperation
Place du Centre, 12th Floor
200 Promenade du Portage
Mail Stop: MIN
Gatineau, QC K1A 0G4

Dear Minister Baird and Minister Paradis:

Re: Rule of Law in the Post-2015 Development Agenda

I am writing on behalf of the Canadian Bar Association to ask the Government of Canada to support the inclusion of the rule of law as one of the goals for the post-2015 development agenda.

The CBA is a national association representing approximately 37,000 jurists, including lawyers, notaries, law teachers and students across Canada. Our primary objectives are to uphold the rule of law, improve the administration of justice, and promote equality in the law. The International Initiatives Program of the CBA has worked for close to twenty-five years in countries around the world to strengthen rule of law, contributing to Canada's leadership position in the world on these issues.

There is now an ongoing global debate to determine the post-2015 development agenda which will replace and build on the Millennium Development Goals (MDGs). The MDGs have been instrumental in focusing development efforts, raising public awareness and support and providing guidance for aid effectiveness. Canada has made significant contributions to achieving the MDGs, particularly those related to child and maternal health, and has historically been a leader in discussions related to determination of the global development agenda and aid effectiveness. In an address to the United Nations, the Prime Minister made clear Canada's continued commitment to improving child and maternal health globally. We applaud Canada's commitment to this vital issue.

The Prime Minister's address also recognized that freedom, democracy, human rights and the rule of law are the necessary foundation for prosperity. The importance of governance, including the rule of law, as a pre-condition for successful development has been accepted by a wide range of countries and multilateral organizations, including Canada. In the ongoing consultations for the post-2015 development agenda, consideration is being given to the importance of the rule of law in

development. Rule of law both contributes to an environment for development and is an important outcome itself. Literature and practical experience show that rule of law contributes to:

- enabling economic development;
- creating safe and secure communities through prevention and deterrence of conflict, crime and violence;
- strengthening accountability and reducing corruption;
- enhancing equitable access to services; improving access to justice for individuals; and
- protection of human rights.¹

Historically, governance has been viewed as a cross-cutting issue in the global development agenda. Recognizing the rule of law as one of the post-2015 development goals will ensure that participating countries commit to strengthening the rule of law and that support for developing transparent, accountable and effective justice systems will be given priority in development initiatives. Strengthening the rule of law internationally will contribute to addressing matters of pressing concern to Canadians and the Government of Canada, including:

- global security threats from terrorism and other sources;
- the volatility of fragile or emerging states such as Ukraine;
- human rights abuses in countries such as Syria, Iraq and around the world, including those against women and children;
- strengthened legal frameworks for promotion of trade and protection of Canadian investments internationally.

Rule of law is also fundamental in ensuring child and maternal health, for example, through:

- creation of necessary regulatory systems, such as birth registration and vital statistics;
- ensuring the right to access healthcare services;
- access to legal assistance for children in need of protection;
- women's rights related to their ability to provide for their children (e.g. property rights, the right to housing, economic rights); and
- accountability.

The CBA urges the Government of Canada to demonstrate its commitment to freedom, democracy, human rights and the rule of law by supporting the inclusion of strengthening the rule of law as one of the goals for the post-2015 development agenda and as an essential cross-cutting tool to enable the better realization of other development goals. Canadian interests would be well served by the Canadian government's support for this goal.

We would welcome the opportunity to work with you and your officials to achieve this important goal.

Yours truly,

(original letter signed by Michele H. Hollins)

Michele H. Hollins, Q.C.

¹ *Global Dialogue on Rule of Law and the Post-2015 Development Agenda Report*, December 2013: www.worldwewant2015.org/node/417693