

**David Lammy MP, Labour's Shadow Foreign Secretary, in a speech today at the Bingham Centre for the Rule of Law, set out how the next Labour government will enshrine its commitment to the international rule of law and 'avoid democratic backsliding'. He said:**

The rule of law is a simple, but revolutionary idea founded on two principles.

First, there should be no power beyond or above the law. Second, the law applies equally to all people.

Woman or man. Rich or poor. Black or white. Working person or Conservative Prime Minister.

For centuries, the United Kingdom helped to forge the idea of the rule of law, constraining political power, protecting civil liberties, and articulating fundamental rights.

From the Magna Carta in 1215, to the Charter of the Forest in 1217, the Petition of Right in 1628, the Bill of Rights in 1689, right up to the Human Rights Act in 1998.

Not only has our system of common law, spread around large swathes of the world but this country has been at the very forefront of the development of international law. It is a proud history.

Borne of the horrors of the Second World War this country recognised that domestic law alone was insufficient to guard against the threats of our time, and that global security was best pursued through an international rules-based order.

British lawyers helped set up the Nuremberg trials, where those responsible for history's worst crimes were held to account.

We were key to the establishment of the crimes of genocide.

Crimes against humanity and the development of International Humanitarian Law led to the Geneva Conventions of 1949.

Winston Churchill and Clement Atlee played a fundamental role in creating The United Nations, with respect for international law at the heart of its Charter.

The European Convention on Human Rights was in large part drafted by British lawyers.

We played a vital role in the creation of the International Criminal Court and human rights conventions not least the Convention Against Torture.

Today, it is easy to take the rule of law for granted. But in many parts of the world it remains a foreign concept.

Just ask Vladimir Kara-Murza - the British-Russian journalist and political activist - poisoned and imprisoned by the Russian state for his point of view.

Or ask the young women of Afghanistan - denied education and basic rights - under the totalitarian rule of the Taliban.

The rule of law was only won in this country, as a result of human persistence, struggle and sacrifice.

For years it was not applied equally to all people.

It took the great pioneers of the 20<sup>th</sup> century.

People who started the century without equal rights - women, ethnic minorities, LGBT and working people - organising, campaigning and protesting until they acquired them.

And this is not a partisan point.

As those rights were won, political consensus was forged.

The rule of law is not a Labour or Conservative value.

It is our common inheritance. No party owns it. No government should squander it.

From Edmund Burke to Margaret Thatcher – the rule of law lay at the heart of the Conservative vision of society.

As Thatcher, a leader I do not usually quote, once said:

“Being democratic is not enough, a majority cannot turn what is wrong into right. In order to be considered truly free, countries must also have a deep love of liberty and an abiding respect for the rule of law.”

So bipartisan was the British devotion to this idea that we became the global home of the law.

Businesses from around the world flocked to Britain to write contracts in English law and settle disputes in our courts.

They did this because they trusted us.

At the heart of that trust was a simple principle: whichever party was in government, the rule of law would be respected.

It brings shame on our nation that this generation of Conservatives have cast doubt upon that principle and besmirched our international reputation.

This brings me to international law today.

Lord Bingham noted the rule of law requires compliance by the state with its obligations in international law just as in national law. Labour agrees.

But today I want to address the bitter international law paradox created by this current Tory Government.

We live in a time in which the magnitude of the global challenges we face have never been greater and the need for compliance with international law more vital but inexplicably, in the face of these challenges this Government's attitude to international law has never been more cavalier.

It should be obvious to all that we face not only traditional international threats that require international law to be upheld but enormous global challenges that require international law to be *developed* – on the challenges of our future like climate change and AI.

But at this critical time in global history the United Kingdom government is not simply 'absent without leave' but consistently taking steps that undermine international law.

It was a shameful moment in the modern history of this country, when the Government announced, almost with pride, that its Internal Markets legislation would break international law "in a specific and limited way", as if that were some form of acceptable mitigation.

At a stroke the government undermined the countless years in which we have sought to occupy a leadership role in international law.

At a stroke, the Tories signalled to the world, including those contemplating entering trade agreements with us, that we might sign an agreement one day, only to disavow our legal obligations under it later if politically inconvenient.

The pattern has been repeated in the Northern Ireland Protocol Bill, the Nationality and Borders Bill, the Illegal Immigration Bill and last week the Economic Activity of Public Bodies Bill. And it was only concerted campaigning from Labour that ensured that the Overseas Operations Act passed without original clauses that breached the Geneva Convention.

For years the government ignored the opinions of the ICJ, the International Tribunal for the Law of the Sea and the UN General Assembly about the Chagos Islands.

Only belatedly has the government sought what we have long called for: a new settlement that brings the UK into compliance with international law, redresses the historical injustice done to the Chagossians, maintains the marine protected environment around the islands, and meets strategic security concerns.

All of this at the same time as threatening to repeal the Human Rights Act and the European Convention on Human Rights.

This would be a total abdication of our international law responsibilities putting us in the company of Russia and Belarus as the only European countries outside

of it, and sending precisely the wrong message to those countries in which the rule of law is proving fragile. None of this will do.

International law is often the quiet miracle supporting modern economic and political life.

It underpins the millions of tonnes of cargo that cross the globe every day and the thousands of planes that criss-cross the airspace of countries safely.

It articulates universal rights. It sets universal standards. It enables diplomacy and prevents conflict.

It settles disputes peacefully – from international fishing rights to even financial fair play in football.

It contributes to the prosperity and security of our country every day.

We consistently proclaim the importance of complying with international law to other nations.

We stress, for example, their solemn obligation to comply with treaties such as the Convention Against Torture and demand support for the International Criminal Court.

We tell Iran to comply with the JCPOA, we tell China to comply with the Sino-British Joint Declaration in Hong Kong.

We are right to do so. Agreements must be kept.

Yet our ability to protect and promote international law has been fundamentally undermined by the dangerous attitude of the present government.

It has weakened our foreign policy, while strengthening that of our rivals.

It has provided ammunition to countries such as Russia and China, who use allegations of hypocrisy as a tool in the UN.

International law is not just vital to human rights.

It is essential for international trade.

For giving our British companies the security they need to trade overseas.

For reassuring foreign companies that they can do business here safe in the knowledge that their legal rights will be respected and upheld.

International law provides the framework for international commerce to flourish, essential as we seek to rebuild the British economy after so many years of neglect.

Of course, our international reputation for upholding the rule of law has hardly been helped by the flagrant domestic law breaking at the heart of government.

I don't just mean the attacks on lawyers and judges, pitting courts against the people, rather than treating them as the protectors of the people.

I don't just mean threats to restrict judicial review but actual law breaking.

In office, Boris Johnson made history by becoming the first Prime Minister found to have broken the law. Then he lied about it. And let's not forget the current Prime Minister, Rishi Sunak, broke the very same laws.

So, how will the next Labour government be different?

A central principle that will underpin the next Labour government's foreign policy is unwavering respect for the rule of law both in domestic law and international law.

Because it is the right thing to do.

Because it is in our interests in a newly dangerous and divided world.

And frankly because it is fundamental to this Shadow Cabinet's DNA.

I first heard the name Keir Starmer from mutual friends when, as a young law student, I spent time in the Caribbean working to end the death penalty.

Keir dedicated much of his young life to this noble purpose.

He was a hugely respected defender of people's rights before becoming Britain's top prosecutor.

Holding those who break the law to account, defending victims, fighting terrorism, and standing up for justice.

It's why with his leadership, Labour has pushed the government to go further on holding Vladimir Putin to account for his crimes in Ukraine.

Pushing for a special tribunal to prosecute Putin and his cronies since March last year.

While I moved from law to politics much earlier than Keir, I too was and always will be a lawyer first.

My life changed when I was given the chance to become the first Black Briton to study at Harvard Law School.

Today I am proud to be a member of the same chambers as Keir.

We both followed the law first because of a fundamental belief in its rule.

A belief that will be central to how the next Labour Party will govern, at home and abroad.

Today, I will set out how we will put the rule of law at the centre of our foreign policy – addressing the challenges of tomorrow as well as today.

First, we will repair Britain's legal reputation and influence.

We will update the Ministerial Code.

Reinstating the duty of Ministers to comply with international law and the treaty obligations Britain has signed up to.

David Cameron's decision to remove it in 2015 showed contempt.

And it foreshadowed the reckless abandonment of this principle by his successors.

With Keir Starmer in Number 10, the rules will be clear.

Ministers will be bound to comply with international law.

We will commit to staying a part of the European Convention on Human Rights – stopping it being used as a political football by the Tory right.

And as Yvette Cooper, Labour's next Home Secretary, has said we will end the gimmick of the unworkable Rwanda scheme the money saved to set up a new cross-border police unit to crackdown on smuggling gangs.

Second, we will stand up for human rights and challenge impunity.

Too many international crimes go unpunished. Too many dictators never face justice.

We welcome the recent action by Canada and the Netherlands to bring a torture case against Bashar Assad to the ICJ for his crimes against the people of Syria and urge the UK government to support it.

And we wholeheartedly support efforts to document Putin's crimes in Ukraine so he can one day face justice.

At the UN we will partner with like-minded countries to build a coalition who support the suspension of the veto in cases of mass atrocities.

And we will work to strengthen protections for humanitarian access, and document and hold to account those responsible for the denial of aid. And we will use trade policy to support human rights, helping to tackle abuses like forced labour and modern slavery.

A Labour government will consistently challenge clear breaches of international law.

Third, we will put the UK at the forefront of international legal debates, and we will lead on the challenges of the future.

Establishing the new rules of the road for the frontiers that will shape the next century.

On climate, the greatest challenge we face, alongside making the investments necessary to deliver the net zero transition, we will take a leading role in proposing new international legal frameworks.

Pushing for climate action to become a fourth pillar of the UN and working with international partners at the ICC to agree a new international law of ecocide.

Because the climate crisis can only be solved at a global level and today, as the International Seabed Authority meets to discuss deep sea mining, Labour will join France, Germany, Switzerland, New Zealand, Spain, Chile, Ecuador, Vanuatu and Costa Rica. As well as businesses including BMW, Renault, Google, Samsung and Philips in taking action.

By calling for a precautionary pause on this practice until and unless there is clear scientific evidence it can be done safely and the marine environment can be effectively protected by new regulation.

Artificial intelligence offers incredible opportunities for growth, but this potential will be derailed if governments fail to act together to prevent the highest risks it poses.

Alongside domestic regulation, we should be leading global diplomatic efforts to stop AI from being exploited by terrorists, criminals and autocrats hoping to use it to suppress freedom, disseminate misinformation and undermine democratic processes.

We should work with the widest possible coalition of countries on AI development and governance, including in areas of the impact of technology on nuclear weapons. It is in Britain's interests that this includes China. Because it makes no sense to exclude one of the largest markets of AI from these rules.

Fourth, we will use the rule of law to position the UK as a leader on economic statecraft.

Dirty money from Russia and other authoritarian states like Iran has been infiltrating London for more than a decade.

Money laundering has seen London homes become the bitcoins of kleptocrats, pricing out our frontline workers from their homes.

Leading to corruption, bribery, and even the financing of terrorists.

Labour has a plan to tackle kleptocracy on the international stage.

We back calls for a new Transatlantic Anti-Corruption Council to be established to coordinate the fight against corruption.

And in Labour's first year in office, we will invite foreign ministers from Five Eyes, the EU and the US to London to develop a common strategy to coordinate the fight against kleptocracy.

And today I can announce that Labour will join calls for the establishment of an international anti-corruption court.

Designed to prosecute the most egregious acts of corruption. The kleptocrats, the most corrupt business people and those who enable them.

Labour is determined to clean up the London Laundromat at home and defeat kleptocracy around the world.

Labour's vision for foreign policy is to reconnect Britain for our security and prosperity at home.

We believe in Britain. But we are frustrated by the Conservative-manufactured decline in our influence.

We can restore Britain's standing and realise our potential by using the international rule of law as the connective tissue which binds us to other nations.

Creating consensus around the laws that will shape the world's future.

Protecting our world's precarious climate and environment.

Shaping the rules on new technologies in our interests. And ending the age of impunity that allows authoritarians to hide their stolen cash in our capital.

This future fills me with hope. It will allow Britain to flourish once again.

Keeping our scientists at the cutting edge of future technologies. Ensuring our country remains a global centre for service sectors and the law. And maintaining the respect for our cultural industries to shape the global conversation.

I end with the words of the Preamble of the Charter of the United Nations:

"We the people of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom."

When the next Labour government makes foreign policy, all of our choices will be underpinned by a fundamental belief in the rule of law.



Thank you.

Ends

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