

# COMMUNICATION ON ENGAGEMENT



Advocates for International Development  
Lawyers Eradicating Poverty

## PERIOD COVERED BY THIS COMMUNICATION ON ENGAGEMENT

From: 1 September 2018

To: 31 August 2020

## PART I. STATEMENT OF CONTINUED SUPPORT BY THE CHIEF EXECUTIVE OR EQUIVALENT

Please use the box below to include the statement of continued support signed by your organization's Chief Executive or equivalent.

16 October 2020

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I am pleased to confirm that Advocates for International Development (A4ID) reaffirms its support to the United Nations Global Compact and its Ten Principles in the areas of Human Rights, Labour, Environment and Anti-Corruption.

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In this Communication of Engagement, we describe the actions that our organization has taken to support the UN Global Compact and its Principles during the past two years.

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We also commit to make a clear statement of this commitment to the UN Global Compact's Principles with our stakeholders and the general public, including through our next annual reports.

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We also pledge to participate in and engage with the UN Global Compact through supporting partnerships on corporate sustainability and working with our Legal and Development Partners to advance the ‘Business and Human Rights agenda’ and to support corporate efforts towards the achievement of the Sustainable Development Goals.

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A4ID has been a non-business member of the UN Global Compact from January 2016 to January 2019, when it has been expelled due to non-submission of the report on progress. We recognize that a key requirement for participation in the Global Compact is the submission of a Communication on Engagement (COE) that describes our organization’s efforts to support the implementation of the ten principles and to engage with the Global Compact. The failure to report in the past has been caused by staff turnover. To avoid this, we suggest having two contact persons within our organisation, responsible for the relations with the UN Global Compact, namely the CEO and the COO. We support public accountability and transparency, and therefore commit to report on progress every two years according to the Global Compact COE policy.

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This is our Communication on Engagement with the United Nations Global Compact. We welcome feedback on its contents.

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Yasmin Batliwala  
Chief Executive Officer

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## PART II. DESCRIPTION OF ACTIONS

Please use the box below to describe the actions your organization has taken in support of the Global Compact. It is strongly recommended that the actions taken are related to one or more of the specific activities suggested.

A4ID's activities fall under four key strands:

**- Connect and Coordinate:** Activities that bring together stakeholders from across A4ID's networks, facilitating links between legal and development stakeholders so that lawyers can understand and contribute to solving the challenges faced by development actors

**- Develop and Support:** Activities that improve the knowledge and capacity of both legal and development stakeholders to use the law strategically and sustainably to achieve their aims, and to form effective and meaningful partnerships for the rule of law

**- Monitor and Learn:** Activities that collect and reflect on lessons learned from international pro bono and its contribution to development

**- Communicate and Amplify:** Activities that disseminate and apply learning to improve and scale up pro bono activity

Many of the activities implemented by A4ID are related to 'supporting UN Global Compact business participants as they implement and report on their sustainability efforts'. A4ID partners and works with many of the world's leading international law firms, barristers' chambers and in-house counsel at multinational corporations ('Corporate Legal Partners') from the financial, media and professional services sectors. All our Corporate Legal Partners and many of the law firms we partner with are UN Global Compact business

participants. Furthermore, all these law firms provide legal advice to blue chip business clients, many of whom are companies participating to the UN Global Compact themselves.

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The activities described below show how A4ID guides and supports their efforts towards sustainability.

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## **1. Connect and Coordinate:**

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### ***International Pro Bono Brokerage Service***

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The International Pro Bono Brokerage Service, the very *raison d'être* of A4ID when it was established in 2006, seeks to orient the focus of the provision of pro bono support towards organised legal entities where most impact could be generated rather than individual natural persons. This flagship service, which is entirely demand-led, fields requests by our Development Partners for legal advice and assistance and matches them with volunteer lawyers from amongst A4ID's network of Legal Partners.

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A4ID manages a constant pipeline of projects in all areas of the law including corporate (e.g. restructuring, internal governance), commercial law (e.g. contract review and drafting), real property, employment, intellectual property, regulatory compliance (e.g. bribery, sanctions, anti-money laundering and anti-terrorism financing), finance (debt and equity), data protection and privacy, mergers and acquisitions, tax and dispute resolution among others. Each project request from a Development Partner is carefully reviewed and scoped by A4ID prior to circulation and their impact against the SDGs are scrutinised, identified and tracked.

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## ***Global Compact Network UK***

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A4ID directly engages and provides concrete and material support to Global Compact's local network through its brokerage service. Global Compact Network UK is a registered Development Partner of A4ID. In the past, A4ID provided it with legal support by facilitating the provision of advice to establish and register itself as a charity in England by its Legal Partner Dechert LLP.

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Earlier this year, at the Global Compact Network UK's request, A4ID linked it with another Legal Partner, Latham & Watkins LLP, to conduct a comprehensive [Legal Health Check](#) over its operations. Covering 15 areas of law, this legal review will assess and analyse the state of health of the organisation from a legal perspective. A report will be prepared that will identify any gaps or weaknesses and A4ID will work closely with Global Compact Network UK towards addressing any of those shortfalls resulting in a more robust organisation that is in fit and ready state to apply for further funding.

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## ***Indian National Action Plan on Business and Human Rights***

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A4ID is also actively engaged in supporting the development of the Indian National Action Plan on Business and Human Rights in line with the Government's commitments under the UN General Principles on Business and Human Rights, both from the perspective of civil society (through its partners Partners in Change and Praxis) and from the perspective of business (through its partner Centre for Responsible

Business). A4ID participated in a roundtable of civil society organisations in New Delhi and later brokered a project to support it in making submissions to the Ministry for Corporate Affairs on remedies addressing human rights violations.

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### ***Global Development Legal Clinic***

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While the brokerage remains a core activity of the organisation it continues to innovate and go from strength to strength resulting in spin-off services such as a recently devised and highly effective [Global Development Legal Clinic](#). These events provide the opportunity for NGOs, international development charities, humanitarian relief organisations and human rights or development focused social enterprises to sit down with a dedicated team of lawyers to address specific legal questions or identify and discuss any areas of potential concern.

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### ***Coordinating events***

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A4ID regularly organises events in which the legal profession, development profession and academia come together to discuss how the law can be used to address specific development challenges.

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For instance, in 2018, as part of Global Pro Bono Week, A4ID and Clifford Chance LLP partnered to host an event on "Developing an SDG-centric Pro Bono Programme: Opportunities and Challenges". 23 representatives from global law firms, businesses, NGOs and government, discussed how their organisations have integrated the SDGs into their pro bono practices, the benefits and limitations of doing so, and

how this fits into a wider framework of uptake of the SDG agenda.

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## **2. Develop and Support**

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### ***A4ID's ROLE UK Programme:***

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A4ID's Rule of Law Expertise UK ("ROLE UK") Programme is an integral part of the UK Government's Partnerships for Development (P4D) initiative and is funded by the UK's Foreign, Commonwealth and Development Office.

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The Programme works to strengthen the rule of law in developing countries by supporting long-term and strategic peer-to-peer partnerships between the UK legal sector and their counterparts in developing countries. The core focus on long-term, strategic relationships is key to strengthening genuinely sustainable developmental impact.

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Improving the rule of law in developing countries is both a development end in itself (reflected in Sustainable Development Goal 16, "peace, justice and secure institutions"), and a prerequisite for gains in many other areas, including creating an environment conducive to sustainable growth and investment and supporting the creation of jobs and improvement of working and living standards for citizens.

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Under the aegis of A4ID, between April 2018 – March 2019, 12% of the ROLE UK Programme's supported activity portfolio was thematically relevant to growth and investment as a rule of law pathway and included interventions in both East and West Africa (The Gambia, Ghana, Kenya, Rwanda, Sierra Leone, Tanzania and Uganda), as well as some support

to Iraq and Sri Lanka.

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An example of this work is [the support provided to the Standing International Forum of Commercial Courts \(SIFoCC\)](#), facilitating an incoming observation visit from judges from three jurisdictions to the UK, and subsequently their participation at the second SIFoCC conference in New York in September 2018. The partners involved were the Judiciaries of Uganda, The Gambia, Sri Lanka and SIFoCC. At the first meeting of SIFoCC in May 2017, member judges from developing countries called for increased support from countries with established commercial courts to build capacity. Three SIFoCC member judges from The Gambia, Uganda and Sri Lanka visited the Commercial Court and other Business and Property Courts in London for a week of judicial observation and knowledge sharing opportunities. Following on from this, the judges reported on their learning and actions taken since the London observation week at SIFoCC's second meeting in New York.

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In the current phase of the ROLE UK Programme (April 2019 – March 2022), 34% of supported partnerships contribute to growth and investment rule of law activities in East Africa, Sierra Leone, Nigeria, Sri Lanka, Ethiopia and India, including the partnership between A4ID and EALS outlined below.

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### ***Responsible Business in East Africa: trainings on the UN Guiding Principles on Business and Human Rights***

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A4ID has established strong links with the legal and business communities in East Africa. A4ID and the East Africa Law Society (EALS) have, since 2016, worked together to deliver



a number of [trainings on Business and Human Rights \(BHR\) for Lawyers in East Africa](#). Activities have included engagement with the EALS annual meetings in 2018 and 2019 and a joint training series in several jurisdictions of East Africa. The trainings have covered topics from the impact of COVID-19 on human rights compliance, to access to remedy for victims of business and human rights violations. It has also provided a forum for participants to share best practices, as well as the challenges they have faced advising their companies and organisations to adopt responsible business practices. For the period between 1 September 2018 to 31 August 2020, the following in-person trainings and webinars have been delivered:

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- November 2018: Delivery of five BHR trainings at the EALS annual meeting in Rwanda

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- November 2018: Training for the Tanganyika Law Society on Business and Human Rights

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- February 2019: BHR training in conjunction with the Rwanda Bar Association for legal practitioners in Kigali.

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- March 2019: BHR training in partnership with the Uganda Law Society for legal practitioners in Kampala, Uganda.

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- November 2019: Business and Human Rights sessions and roundtable on promoting a culture of pro bono at the EALS Annual Conference in Kigali, Rwanda.

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- June 2020: Responsible Business Practices Webinar for advocates and in-house counsel in Kenya

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- July 2020: Responsible Business Practices Webinar for advocates and in-house counsel in Uganda

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These trainings were delivered by expert lawyers from A4ID Legal Partners (Allen and Overy, Clifford Chance, Morrison and Foerster, and Norton Rose Fulbright) and local BHR

specialists. The in-person trainings were followed by meetings and roundtables with representatives of the business sector about the relevance of responsible business practices and the role of in-house counsel.

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### ***Anti-Corruption Trainings***

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A4ID also runs trainings on areas relevant to the Global Compact Network's anti-corruption stream. This includes trainings on bribery and corruption. The trainings organised in September 2019 were open to attendance by the general public, however we also broker bespoke trainings for select Development Partners. One such training was provided to the Ethical Tea Partnership – a membership organisation of over forty international tea companies and retailers.

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### ***Law and Development Training Programme***

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A4ID's flagship [law and development training programme](#) provides lawyers and development professionals with an in-depth understanding of the latest issues at the nexus of law and sustainable development, and how these relate to their everyday work. Our 2020 programme covers topics spanning the different Sustainable Development Goals (SDGs) and explores how the law can be harnessed to reduce poverty, promote equality and protect the environment.

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Many topics are directly related with aligning businesses' strategies and operations with universal principles on human rights, labour, environment and anti-corruption. For instance, the following sessions are offered to participants: Responsible Project Financing for Sustainable Growth, The UN Guiding Principles on Business & Human Rights: Examining Key

Developments and Advising Responsibly, Towards a Circular Economy: Legal Opportunities, Tax Revenue: A Challenge for Development, Technology and the Private Sector: Blockchain for Development, etc.

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### **3. Monitor and Learn**

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#### ***Resources***

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A4ID partners with law firms, academic institutions and development organisations to conduct research and policy work, particularly in relation to the fast-evolving areas of business and human rights and the nexus of law and sustainable development.

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A4ID has published a [law firm-specific guide on the UN's Guiding Principles on Business and Human Rights](#), which was the first reference of its type specific to the legal profession. It is designed to help law firms consider how they can balance the responsibility to respect human rights with their unique professional ethical duties.

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In support of the partnership with EALS, A4ID's ROLE UK Programme commissioned [a mapping report](#) to better understand and disseminate learning on the landscape of business and human rights in East Africa, and therefore, better support partnerships involved in this area.

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To accompany the training workshops on anti-bribery and corruption, A4ID published a [Bribery Legal Guide](#). A legal guide to Anti-Money Laundering is forthcoming.

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Through A4ID's ROLE UK Programme, A4ID has published

[a guide for law firms on how to articulate, monitor and report on the ways in which their pro bono support is contributing to international development and the Sustainable Development Goals](#), with the aim of assisting firms in maximising this contribution. This [mini-report](#) reflects upon, summarises, and develops some of the key discussion points arising out of the ‘Developing an SDG-centric Pro Bono Programme: Opportunities and Challenges’ event.

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A4ID is soon to publish the world’s first [Legal Guide to the SDGs](#), a unique resource that provides a foundational analysis of the role the law can and should play in the achievement of the SDGs. Developed in collaboration with lawyers and development practitioners, this Guide is made up of 17 chapters specific to each of the 17 goals. Each chapter provides an overview of the relevant regional, national and international legal frameworks that highlight how the law can be applied to promote implementation of the SDGs. The Guide also offers key insights into the legal challenges and opportunities that lawyers may encounter, and clear examples of the actions they can take to help achieve the goals. The Legal Guide to the SDGs is an essential practical resource for the legal community when advising clients about sustainability efforts.

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#### **4. Communicate and amplify**

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##### ***SDG Legal Initiative***

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A4ID’s SDG Legal Initiative aims to reach every lawyer in the world over the next 10 years, providing them with the knowledge and opportunities to take practical action to end poverty, protect the planet and ensure that all people enjoy

peace and prosperity. The upcoming launch of A4ID's Legal Guide to the SDGs will be the springboard to kickstart this Initiative.

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### ***International offices***

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A4ID is in the process of registering two offices in Nairobi, Kenya, and New Delhi, India, to expand its work internationally and, in particular, to further promote the Business and Human Rights agenda in East Africa and South Asia.

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## **PART III. MEASUREMENT OF OUTCOMES**

Please use the box below to include the most relevant qualitative and/or quantitative indicators to measure the outcome of the activities described in Part II above.

### **1. Connect and Coordinate**

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#### ***Pro Bono Brokerage Service***

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Demand for the International Pro Bono Brokerage service continues apace and unabated. Currently standing at over 850 Development Partners and steadily rising, their needs are serviced by around 50 Legal Partners providing a potential pool of approximately 50,000 lawyers globally. Last year witnessed over 430 projects circulated in over 101 jurisdictions. This represented a highly significant 42% increase in projects from the previous year. In the year prior,

A4ID grew the brokerage service from 249 to 393 projects representing an even greater increase of 58% growth. This unheralded expansion and growth of the brokerage is a healthy sign of increasing engagement by Development Partners and the continued relevance and utility of the service.

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### ***Global Compact Network UK***

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Following the legal support facilitated by A4ID for the Global Compact Network UK, its Executive fed back that: *"It has benefited the director and Secretariat to be more assured regarding this recommendation [of registering as a charity]. Once the charitable status is achieved, the organisation will benefit from a potential surplus in funding and will provide potential for new funding possibilities."*

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### ***Global Legal Clinic***

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All development organisations having participated to the Global Legal Clinic in September 2019 agreed that the event helped them to identify potential areas of concern (78% strongly agree, 22% agree) and that they received useful information on their legal queries (73% strongly agree, 27% agree). Many indicated that they would implement the key recommendations made by the lawyers and follow the advice that was given. Most confirmed that they would be following up after the clinic by submitting a project request to A4ID's brokerage service so that they could receive further assistance on the issues that they raised at the clinic as well as the issues the lawyers found when reviewing their legal queries. The Global Legal Clinic organised via a virtual setting in September 2020 resulted in similar positive feedback.

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## **2. Develop and Support**

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### ***ROLE UK Programme: Observation and Knowledge Sharing at the 2018 Meetings of the Standing International Forum of Commercial Courts(SIFoCC)***

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Addressing the Forum, the judges outlined what they had gained from the London observation visit and how they have implemented and shared lessons learned upon returning to The Gambia, Uganda and Sri Lanka. Following the assignment in London, all three judges made recommendations to their chief justices, which have been welcomed. The judges raised, in particular, the value of developing a Commercial Court Guides similar to that used by the Judiciary of England and Wales, and of progressing the use of technology. The report delivered by the judges in New York was well received by the Forum and inspired other jurisdictions to offer to host similar programmes. In 2020, SIFoCC was to facilitate another observation programme hosted by the Singapore Commercial Court. Due to COVID-19 this in-person observation couldn't happen. However, a [Virtual meeting of the SIFoCC Judicial Observation Programme](#) took place in June 2020. 'Alumni' participants of the programme have started to develop a supportive network and have an active WhatsApp group.

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### ***Responsible Business in East Africa: trainings on the UN Guiding Principles on Business and Human Rights***

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The relationship between A4ID and EALS is very strong, with the A4ID Project Lead based in Nairobi and frequently visiting EALS Secretariat. Having worked together for more than five years, and the partnership having been formalised

with a Memorandum of Understanding, there is high level of trust and growing confidence in the partnership. Both partners participated in agreeing on the partnership goals, strategies, structures and activities, and all partnership activities are developed and implemented jointly. The partnership believes that is great unmet and growing demand for BHR work in all countries in East Africa. This is especially true with capacity building demands by commercial lawyers, in-house counsel and business leaders on responsible business practices in view of changing policy requirements.

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Over 700 lawyers (advocates, in-house counsel, and other legal experts) and business professionals across four countries (Kenya, Uganda, Rwanda, Tanzania) have been trained on BHR through this programme, with almost all of the attendees reporting that they gained an understanding of the UNGPs and the tools needed to implement them.

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This has had the practical effect of equipping these lawyers with the knowledge to develop domestic versions of human rights policies and grievance mechanisms, and also sparked crucial discussions about legal professional ethics. Attendees who are in management roles reported plans to develop internal policies that comply with UNGPs in their own workplaces. For instance, one attendee reported: “*We shall adopt [these practices] as senior management and carry out trainings to educate the employees.*” For attendees in private practice, the training was, as one lawyer described it, “*a real eye-opener as to the legal work possibilities of promoting human rights in business.*” A large number of attendees reported that they planned to implement what they learned in the training to draft human rights policies and develop trainings and human rights audits for their corporate clients.



For instance, one attendee noted a plan to “*implement these practices in my work as ‘a consultant lawyer’ for companies by pushing the management team to elaborate policies that meet human rights of employees.*”

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In follow-up surveys conducted by Advocates for International Development six weeks after the trainings, attendees reported that they had shared the training materials with colleagues, with some respondents providing examples of how they had already used the knowledge gained from attending the training. One respondent reported that he had referred to the training materials during an environmental rights matter stemming from mining exploration. Other attendees reported that, since the training, “*[they had] shared some knowledge with [their] colleague by giving them advise how they can resolve some issues when conflicts come between big companies and population. For example, in case of expropriation when company need to build on land of villages, how they should consider both interests.*”

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### ***Anti-Corruption Trainings***

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All respondents to the feedback survey reported that, as a result of the Anti-Corruption and Bribery training (September 2019), their knowledge and skills improved. A participant shared that ‘*understanding the effect of the extra-territorial reach of the UK Bribery Act is particularly important to organisations working internationally, as well as understanding the differences and what constitutes bribery and improper performance*’.

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### ***Law and Development Training Programme***

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Each year, around 70 to 80 people attend at least one module of the Law and Development Training Programme (LDTP), the large majority of which are practising lawyers. Feedback from the different sessions is overwhelmingly positive. For instance, for the final survey after the LDTP 2019, the percentage of respondents describing their knowledge of development issues as ‘excellent’ or ‘good’ significantly increased (respectively, from 2% before the training to 25% after the training and from 17% before the training to 44% after).

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### **3. Monitor and Learn**

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#### ***Resources***

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Data collected about the consultation of the our websites ([www.a4id.org](http://www.a4id.org) and [www.roleuk.org.uk](http://www.roleuk.org.uk)) and the download of our resources show the relevance of and interest for the papers and guides developed. For instance, ‘Improving Business and Human Rights: Mapping the East African BHR Sector’ has been downloaded 125 times since its publication; ‘Pro bono and the Sustainable Development Goals: A guide for international law firms working with NGOs’ has been downloaded by 88 users.

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Qualitative data collected through a stakeholders survey confirmed the usefulness of the resources developed by A4ID and its ROLE UK Programme and their applicability to its stakeholders’ work: *“I have used knowledge gained and ROLE UK materials not only for projects developed in partnership with ROLE UK but also more broadly in my pro bono practice. I have shared the materials with my colleagues and encouraged their application in other projects.”*

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## **4. Communicate and Amplify**

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### ***SDG Legal Initiative***

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A4ID conducted a series of online focus group discussions during August 2020. A4ID invited 15 individuals from among our Corporate and Legal Partners to participate in the discussions. The groups consisted of lawyers working in a range of jurisdictions, including Bangladesh, the Czech Republic, Switzerland, the UK and the US. Here are some key findings:

- Participants demonstrated knowledge of the SDGs' existence, but a general lack of in-depth understanding of the different goals and targets.
- Most participants identified a clear relevance of the SDGs to their pro bono work. While some participants did not consider the SDGs as relevant to their firm's profit-driven work, a few did note some emerging areas of relevance, such as the increasing prominence of the environmental, social and corporate governance (ESG) framework and implementation of connected legislation and a rising trend among corporate clients to align their business strategies with the SDGs.
- Participants expressed the need for a guide to break down the SDGs into more actionable targets and provide concrete ideas on what their role as a lawyer could be to further these goals.

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A4ID is a registered charity in England and Wales no. 1118565, and a registered company limited by guarantee in England and Wales no. 05907641. Registered address: The Green House, 244-254 Cambridge Heath Rd, London E2 9DA; Tel: 0203 559 6244; E: [info@a4id.org](mailto:info@a4id.org)

