



Faculty of Law of the University of Coimbra (FDUC)

***“STATEBUILDING AND RULE OF LAW IN A POST-COVID WORLD:
CHALLENGES AND OPPORTUNITIES”***

by

His Excellency

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Your Excellency Professor Suzana Tavares da Silva

Departments and students of FDUC,

Distinguished guests,
Ladies and gentlemen,

It is a great pleasure for me to return once more to this lovely city, and in particular to its *ex-libris*, the University of Coimbra.

I am humbled to accept the invitation to address such an distinguished audience at this Faculty of Law. I want to thank you for this invitation in my name and on behalf of every member-State and people of the g7+, since this is another opportunity to give voice to the voiceless.

The g7+ has experience that makes this organisation unique in all the world. Its ability to make assessments and analysis must be put to the service of the common good.

However, we know that we cannot and should not do this by ourselves. We are living in a globalised and increasingly interdependent world.

As such, it was with great satisfaction and hope that the g7+ signed a Protocol with the Faculty of Law of the University of Coimbra, on 29 May 2017, to collaborate on research initiatives concerning peacebuilding and Statebuilding.

Thanks to this joint reflection, the commitment by the Faculty of Law and the intensification of our joint work, we have already taken action with training on “Constitutional Statebuilding” and are currently conducting research.

We are also here together again to reflect on the challenges and opportunities provided by the mightiest of ideals that is the Rule of Law – the cornerstone of our democracies.

Sadly, this takes place at a time when the Covid-19 pandemic has fuelled authoritarian trends across the world. Several countries, including g7+ state-members, have moved backwards on the path to democracy.

To its credit, the g7+ has acknowledging that the path towards Statebuilding and peacebuilding increasingly requires greater accountability by its members, their authorities and civil society. And yet, this is a time when even the bulwark of democracy, the United States of America, has left so much to be desired with regard to democratic consolidation.

It seems an obvious reaction to have less to trust in democracy as we witness increasing social and economic inequality, increasing corruption and discredited agencies of democracy.

The media, which is accessible at our fingertips, conveys this discontentment to every corner of the world. It often does so out of context, or misrepresenting the facts, and through the perspective of a narrow lens.

Democracies become hollow when citizens lose faith in the ability of State agencies to respond to social demands and to solve everyday problems. It becomes a problem of trust.

Nevertheless, as Churchill famously put it, "*Democracy is the worst form of government – except for all the others that have been tried.*"

It is indeed a demanding system, which is why it calls upon us constantly. That is why it is absolutely essential that everyone is engaged in citizenship.

Democratisation and peacebuilding are common objectives of States seeking to abide by principles of transparency, freedom, justice, human rights and solidarity. At the same time, they represent a permanent challenge, particularly in times of crisis.

The polarisation of opinions, interests and power may bring substantial new threats to the survival of democracy and even humankind itself. That is how complex and uncertain our century is.

We must all stop in time to think that if Western societies themselves are at their wits' end searching for solutions to the challenges of the world, what must it be like and what must be the actual situation in fragile and transitioning democracies whose agencies and democratic procedures are still emerging?

Ladies and gentlemen,

The g7+ has a very specific calling and an irreplaceable role with regard to the construction of a State under the rule of law. With 20 member States spread throughout Africa, Asia-Pacific, the Caribbean and the Middle East, with over 1.5 billion people, we have a complex but similar story to tell.

We are together in the implementation of the 2030 Global Agenda's Sustainable Development Goals (SDGs), particularly since our efforts influenced the drafting of these goals.

The inclusion of Goal 16 in the list of the SDGs gives us confidence that peace and its consolidation will no longer be kept outside the indispensable criteria for Statebuilding and development. On the contrary, they must be reflected in support measures and international cooperation.

This is an Agenda that was approved by every State in the UN. It is a common commitment, by and for all States, from the richest to the poorest. It is a choice in which the key goal is not leaving anyone behind.

And yet, in less than ten years, when the time period covered by this Agenda will end, it is estimated that extreme poverty will be mostly concentrated in fragile and conflict-affected countries.

If so, then the Global Agenda will have failed!

Indeed, the Covid-19 pandemic leads me to believe that we have already failed.

The economies and the very survival of the most fragile countries are at risk. The pandemic has only made even poorer the people living in countries already deprived of access to progress. The so-called international solidarity is not reaching those who need it the most.

The inequality in the distribution of vaccines is appalling. While some Western countries are lining up for their third vaccine dose, there are so many millions of people around the world, including Africans, who have yet to receive a single dose.

I understand that the provision of most vaccines donated to Africa has been 'ad hoc', provided with little notice and with short shelf lives. Knowing how the distribution and management of vaccines has been complex even in developed countries, one can only imagine what it has been like for countries with fragile health systems.

Further, as soon as we heard about the Omicron variant, the first reaction was to close borders to African countries, countries already tragically isolated to begin with. The

Secretary-General of the United Nations immediately reacted and properly classified these measures as 'apartheid travel'. The ambition of a world of solidarity which is fair and developed will remain but an illusion while we continue to be divided between strong and weak, rich and poor.

Rather than pre-emptively ensuring everyone's safety, we act by impulse to safeguard the position of a very limited number of people and their vested interests – people who are only interested in containing the fear of repercussions in their own States and in their own citizens.

Anxiety is global. Indigence, however, is limited to some. The usual suspects, in fact.

The world is in disarray because we still lack a culture of solidarity, tolerance and mutual respect, where we at least try to understand the circumstances of others.

Three decades after the fall of the Berlin wall, everything leads us to believe that the world has taken a turn... for the worse. New walls are being put up, whether they are real or intangible, by closing borders and by putting obstacles in front of the entry of migrants. These walls can separate States from other States; States from their citizens; and even people from other people.

The recent visit of Pope Francis to Cyprus and Greece, calling for greater humanism, illustrates in a small way the great moral problem facing the world.

Walls are put up against the progress and wellbeing of humans as a whole, while the International System displays its most intimate weaknesses. Although we want to return to multilateralism, the barriers are insurmountable.

The crisis of the global pandemic is exacerbating trends that were veiled in some societies, such as the growth of xenophobia, nationalism, populism, the temptation to curb individual liberties, and even ethnic and religious rivalries.

Even in recent weeks in France, there has been much discussion about an individual, identified as being from the extreme right, racist and ultra-nationalist, who intends to run for President of the Republic in the next election, with the fundamental objective of 'saving France', by banning the entry of more foreigners, refugees and Muslims.

The political, economic and social constructs in which we lived are no longer the same. What might have been a time of opportunity became a time for opportunism, as some seize the chaos to lay even more sinuous paths that seek to protect vested interests, rather than protect the people.

We need to see the law in the rule of law. I believe that States under the rule of law must primarily seek to promote the "unconditional human asset" as a supreme goal

for EVERYONE, with no exceptions!

One may get the impression that, in many countries, there is only the illusion of living under the rule of law. It is for this very reason that we feel that our “rights” end, where the “rights” of others begin. Or, to put it a better way, that they don't exist at all, as most conflicts in fragile countries are the result of hegemonic policies of powerful nations and/or their multinationals. Many fragile countries are used as a battleground, for wars fought between others.

We praise the virtues of the rule of law in one country, one or another Western country, while at the same time neglecting others. This is short-sighted, since the only lesson we can learn from this pandemic is that no nation should believe it can stand alone against the changes the planet is facing. Global threats that cross borders will also dilute those borders, necessitating collective responses.

We were not prepared as a whole to face a pandemic, in the same way that we continue not to be prepared as a whole to face environmental issues, climate change, migrant crises or the consequences of conflict, poverty and suffering experienced by millions of human beings.

We share a common challenge. The Coronavirus pandemic and the Omicron variant are not the only things that cross borders – there is also terrorism, unemployment, corruption and even authoritarianism.

Maybe it is time to realise that no one is safe until everyone is safe.

Your Excellencies

Ladies and gentlemen,

The suffering experienced in countries, such as those of the g7+, can be seen as a cause as well as a consequence of the worldwide disorder.

It is not easy, on our part, to accept that “civilizing missions” from Western countries can come to take care of our destinies, through the use of cloned processes and the imposition of a 'one size fits all' system, when the realities of these countries is that they themselves are not true examples of the implementation of such values and principles.

We would be hard pressed to find a single g7+ country or LDC that is yet to host a nation-building, statebuilding or capacity-building operation, participate in workshops on democracy and human rights, or be assessed at donor conferences. And yet, the PowerPoint worksheets and Excel spreadsheets of the experts on the best practices for managing public accounts and long-term sustainable investments hide their own weaknesses and fail to correct ours.

It would be interesting to know whether these “experts” were recruited in accordance with moral principles or rather under the “humanitarian rhetoric” of powers with a voracious appetite for geo-strategic resources.

This is an urgent reflection, which must encompass not only States and their international organisations and agencies, but civil society as well, including non-governmental organisations, academia, the private sector and individual citizens.

We often ask what is going to change after the pandemic. Instead, I believe we should ask what is going to change inside each one of us! Under the rule of law we are free to, in a way, impose our choices and demand peace, reconciliation and development for every human being.

Only by having a true alliance between nations – built around collaboration, trust and mutual respect – can we hope to overcome humanitarian and security crises, the climate emergency and the global pandemic, as well as to stop the increasing social and economic disparities in the world.

Long-term challenges that affect all of humankind require open dialogue, which in turn needs focus, negotiation and diplomacy.

The United Nations Secretary-General was already advocating crisis prevention and talking about preventive diplomacy back in the 1950’s. That means we should have started acting more than six decades ago.

And yet, armed interventions, with the loss of human lives, continue to be the instrument adopted, rather than dialogue and diplomacy.

Much has been said about the war on terror. However, all that this war has been doing is to create and disseminate new terrorists everywhere.

The West intervened in Iraq and Afghanistan in the name of democracy and human rights. After decades of investment to restore order and progress, the results are plain to see. More people flee these countries, joining an ever-growing list of refugees for which the International Community has not been able to find an answer.

This is a tragedy that we are witnessing without flinching, as if we have become desensitised to pain.

In my opinion, the primitive policy of "an eye for an eye, a tooth for a tooth," adopted by the world's most distinguished dignitaries, only created greater antagonism and a desire for vengeance and destruction, instead of creating the necessary space for dialogue towards peace and cooperation towards global security.

Democracy and peace cannot be achieved by people who do not take responsibility for their own fate and who do not earn this right themselves. While the International Community cannot replace these efforts, the International Community's lack of a common objective and inconsistency of action, not only does not help but, even worse, makes it more difficult.

Your Excellencies

Ladies and gentlemen,

I am amazed when I hear people talk about opportunities in the post-Covid world: there is talk about distance learning, which has potential to improve the development of young people; remote work, which can maintain productivity in some sectors; new ways to access culture; new ways to combat emotional diseases and stress; and of course the great digital transformation, which has become a cure for every ill in the public and private arenas.

However, I cannot free myself from the burden of thinking that, if fragile countries were previously unable to keep up with the speed with which the more 'civilized' world was moving, now they will inevitably be left behind!

This ought to be the first lesson of the pandemic: in order for humankind to be healthy, no one can be left behind. Otherwise, the future looks very bleak, a future where the decay of humanity becomes something inevitable!

Our hope of deliverance lies in universities and in academia. Education is a tool of peace and sustainable development. I want to believe it is still possible to change the course of history, through the participation of young people.

As such, I cannot fail to mention the legacy of my dear friend President Jorge Sampaio, a unique figure in the shared history of Portugal and Timor-Leste. We are bound to honour his memory and continue pursuing the loftiest of ideals and values that he always advocated throughout his life.

The Global Platform for Higher Education established by Jorge Sampaio was initially meant to assist Syrian students. It was recently expanded to also include Afghan students and all students who have refugee status or who have been affected by humanitarian emergencies or crises. This is a project that must be encouraged and supported.

We must respond to the academic emergency of thousands of young people who are forced to flee their countries of origin and are therefore deprived of precious access to education.

As President Jorge Sampaio put it, "*Solidarity is not optional, but rather a duty resulting*

from article 1 of the Universal Declaration of Human Rights. (...) Let us prove once more that we can rise to our responsibilities.”

I would like to conclude by acknowledging the Faculty of Law of the University of Coimbra, Professor João Carlos Loureiro and all those who put this event together. Thank you.

We want to build on the work done by the g7+ and we hope that the Faculty of Law of the University of Coimbra will always be a key partner in our mission.

This invitation is extended to all of you in attendance here today. We are never enough to respond to all those throughout the world who desperately need help.

Thank you very much.

Kay Rala Xanana Gusmão