

The Honourable Maryam Monsef  
Minister of International Development and Minister for Women and Gender Equality  
House of Commons  
Ottawa, Ontario  
K1A 0A6

March 6, 2019

**Subject: International best practice in legislating supply chain human rights due diligence**

Dear Minister Monsef,

The Canadian Network on Corporate Accountability (CNCA) welcomes the Government of Canada's recent commitment<sup>1</sup> to consult on Canadian supply chain legislation. We are writing to urge you to use this consultation process to develop comprehensive mandatory human rights due diligence legislation.

In particular, the CNCA urges the Government of Canada to refrain from addressing the serious issues of child and forced labour through replication of the "modern slavery" model, which has already proven to be both inadequate and ineffective in the jurisdictions that have introduced it.

That legislative approach has not kept pace with the rapid evolution in the business and human rights landscape over the last decade, and has failed to achieve even the limited goals it purports to meet. Instead, Canada should build on the lessons learned and best practices that have emerged from European supply chain legislative initiatives that require companies to exercise human rights due diligence.

To keep pace with current international best practice, Canadian legislation must:

- Provide for liability, and remedy, if a company fails to exercise appropriate due diligence and causes harm;
- Cover the full complement of internationally recognized human rights, including those that address environmental sustainability, and not be restricted to a limited set of rights (such as forced labour);
- Articulate that companies have a responsibility to respect internationally recognized human rights;

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<sup>1</sup> Articulated in the Government of Canada's February 2019 response to the Standing Committee on Foreign Affairs and International Development report entitled "A Call to Action: Ending the Use of all Forms of Child Labour in Supply Chains."

- Require companies to take appropriate measures to identify, prevent, mitigate and account for how they address human rights and environmental impacts;
- Articulate that a company's responsibility to undertake due diligence flows through its entire corporate structure, including its business relationships, and through its entire supply chain, and
- Refer to the human rights due diligence standards set forth in the UN Guiding Principles on Business and Human Rights, the OECD MNE Guidelines, the ILO Tripartite Declaration, and the OECD Due Diligence Guidance.

Our network will be hosting a multi-stakeholder symposium to discuss these issues on Parliament Hill on April 30, 2019, with a keynote address from Surya Deva, chair of the United Nations Working Group on Business and Human Rights. You will receive a more detailed invitation in short order.

We would welcome the opportunity to meet with you to discuss these issues further, to facilitate contact between your office and leading practitioners in relevant European jurisdictions, and to participate in the consultation process you will be rolling out in 2019. I will follow up with your office to schedule.

Best regards,



Emily Dwyer  
Coordinator, Canadian Network on Corporate Accountability

*The Canadian Network on Corporate Accountability (CNCA) unites over 35 human rights and environmental non-governmental organisations, labour unions, and faith-based and international solidarity groups from across Canada. Since its formation in 2005, the network has promoted the adoption of mechanisms in Canada to ensure that Canadian companies respect human rights in their global operations and to guarantee effective access to remedy for those who are harmed by corporate activity.*

cc: The Honourable Patricia A. Hadju, PC, MA  
The Honourable James Carr, PC, MA

### CNCA member organisations

Above Ground	Friends of the Earth Canada
Africa-Canada Forum	Inter Pares
Americas Policy Group	KAIROS: Canadian Ecumenical Justice Initiatives
Amnesty International Canada	Maritimes-Guatemala Breaking the Silence Network
Amnistie internationale Canada francophone	Maquila Solidarity Network
Asia-Pacific Working Group	Mining Injustice Solidarity Network
Association Québécoise des organismes de coopération internationale	MiningWatch Canada
British Columbia Teachers' Federation	Nobel Women's Initiative
Canada Tibet Committee	Oxfam Canada
Canadian Council for International Cooperation	Project Accompaniment Quebec Guatemala
Canadian Jesuits International	Public Service Alliance of Canada
Canadian Union of Public Employees	Steelworkers Humanity Fund
Canadian Journalists for Free Expression	Publish What You Pay Canada
Canadian Labour Congress	Social Justice Connection
CoDevelopment Canada	Solidarité Laurentides-Amérique Centrale
Committee for Human Rights in Latin America	Unifor
Development and Peace: Caritas Canada	United Church of Canada
	Victoria Mining Justice Alliance