

NDP Response: Canadian Network on Corporate Accountability

1. Will your party support comprehensive mandatory human rights due diligence legislation? Such legislation requires companies to identify, prevent and mitigate human rights abuses and provides for liability when companies cause harm in their global operations (subsidiaries and supply chains).

Absolutely. We are deeply concerned about the conduct of some Canadian companies operating abroad. Canada is in a unique position to address these concerns. Corporate social responsibility shouldn't be voluntary. Canada is in a unique position to address these concerns.

It is our belief that Canada must promote values of respect, social justice, environmental protection and respect for human rights abroad. The most recent figure quoted by Global Affairs Canada states that over 50% of the world's publicly listed exploration and mining companies were headquartered in Canada. Therefore, Canada's responsibility is that much greater since it has the obligation and duty under international law to respect, protect and fulfill human rights. Canada must ensure that Canadian corporations respect the rights of Indigenous peoples, labour, environmental and human rights abroad.

Unfortunately, the Canadian corporate social responsibility strategy does not in any way guarantee that Canadian companies that operate outside of Canada adhere to human rights, labour and environmental norms and laws. Canada has the obligation to make changes so that our institutions and our legal system protects from impunity not only Canadians but also foreign citizens whose Indigenous rights, labour, environmental or basic human rights are violated by Canadians or by Canadian companies.

NDP MP Peter Julian has championed this since 2007 with his International Promotion and Protection of Human Rights Act (IPPHRA). At present, human, labour and environmental rights are subject to few concrete, effective enforcement mechanisms. The IPPHRA fills this need for the victims of international rights violations when no forum is available to them in the country where the violations are taking place.

It is time for the Canadian government to show leadership in facilitating access to Canadian courts for the foreign victims of corporate abuses. Together we can bring about positive changes so that Canada will continue to progress, and in harmony with UN Declaration on the Rights of Indigenous Peoples, to become a real leader in the field of human and labour rights and the rights to a clean ecologically balanced environment. I hope to enlist your help in assisting us in the promotion of this bill

2. Will you make the Canadian Ombudsperson for Responsible Enterprise (CORE) independent and provide it with the power to compel documents and testimony so it can effectively investigate human rights abuse allegations linked to Canadian corporations operating overseas?

The NDP has called for the establishment of an office of an independent ombudsperson for over a decade – since the 2007 National Roundtables on Corporate Social Responsibility (CSR).

An Ombudsperson for Canadian corporate activity abroad must have real powers to conduct investigations independent of the government, and to operate free from all political interference. We want to see these powers enshrined in legislation, not just by Order in Council. We also hope whoever is appointed to this position has expertise in labour, human and environmental rights.

Civil society experts have also recommended that an Ombudsperson be able to compel testimony and the production of documents, and be empowered to recommend the withdrawal of government support, subsidy, promotion or protection by any government department or agency, including funding from Export Development Canada, for instance. This office should be a tool to challenge violations of human rights, labour rights, and environmental standards by Canadian corporations abroad, especially in extractive industries.

3. Will you introduce effective and transparent due diligence requirements for Canadian embassies and Export Development Canada to prevent these public agencies from supporting, financing and insuring business activity that is linked to human rights abuse?

Yes. New Democrats believe that Canadians must be able to trust their federal government, agencies, and Crown corporations to act in an ethical manner that is consistent with Canadian values and norms. To ensure this, we support parliament having additional oversight into the operations of these federal entities to ensure that they comply with domestic and foreign laws, and particularly that they do not facilitate economic, social, or environmental corruption on any level.

The NDP has recently called on the Liberal government to review the trade practices of Export Development Canada (EDC) after we learned that Canada had lent \$41 million to a family accused of corruption in South Africa—who used the money to buy a jet that they've recently been using to evade arrest.

The billion-dollar loan to Turquoise Hill Resources is yet another example of inappropriate spending. It was used to build a mine in Mongolia, while the company had been accused of exploiting loopholes to pay little or no corporate income tax in Canada. The Liberal government's response so far, which has consisted of defecting blame, has not been appropriate.

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NDP  **NDP**
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