

CNCA STATEMENT ON BILL S-211ⁱ

June 1, 2022

Canadian human rights and labour groups do not support the modern slavery reporting bill S-211. Why not? Because it's not strong enough to fight corporate abuse. There's a better bill before Parliament: Bill C-262.

In April 2022, Bill S-211, the *Fighting Against Forced Labour and Child Labour in Supply Chains Bill* (“the modern slavery reporting bill”), finished its path through the Senate and is now being considered by Canadian members of Parliament.

By its title, one would expect that Canadian civil society organizations and labour unions would be at the forefront helping to mobilize support for the bill. So why aren't they?

The reason is simple: Bill S-211 is a diversion.ⁱⁱ It wouldn't make even a dent in fighting forced labour and child labour in Canadian supply chains; it wouldn't touch the other serious human rights abuses, including harassment, killings and gang-rape that are linked to Canadian business activity outside of Canada, nor does it address associated serious environmental damage and water contamination; and it wouldn't help people who are harmed by Canadian businesses to access remedy. Bill S-211 would only require that companies report if they took any steps to identify and address forced labour in their operations.

Moreover, by giving the appearance that the government is taking action, Bill S-211 might dampen the growing momentum in Canada to finally do something to address corporate abuse abroad. Canadians are increasingly concerned about serious harms linked to the products we buy and are demanding that the Government of Canada act.

Other leading jurisdictions are passing or considering laws that

- require companies to prevent human rights violations,
- require companies to implement adequate human rights due diligence procedures,
- include meaningful consequences for companies behaving badly, and
- help people who are harmed to access remedy.ⁱⁱⁱ

Canada must join these leading jurisdictions and work towards comprehensive and robust legislation to fight forced labour, child labour and other serious human rights abuses currently plaguing the products on Canadian shelves.

Fortunately, there is another bill currently before Parliament that could be the game changer. Bill C-262, the *Corporate Responsibility to Protect Human Rights Act* (“the human rights and accountability bill”) would

- require companies to prevent harm in their global operations and supply chains,
- require companies to put in place adequate due diligence procedures,
- include strong enforcement measures for those obligations, and
- provide impacted people and workers the statutory right to sue negligent or harm-causing companies in Canadian courts.

This is the law that Canada needs in order to stop corporate abuse and respond to the right to remedy of affected people. This is the legislation that Canadian civil society and labour unions support. Bill C-262 is the law members of Parliament should support and vote for.

ⁱ The Canadian Network on Corporate Accountability (CNCA) brings together 40 civil society organizations and unions. Our member list is available here: https://cnca-rcrce.ca/site/wp-content/uploads/2022/04/List_MemberOrganizations_april-2022.pdf

ⁱⁱ For a more fulsome examination of the S-211's shortcomings, see CNCA's submission to the Senate: <https://cnca-rcrce.ca/site/wp-content/uploads/2022/04/CNCA-submission-to-the-Senate-Standing-Committee-on-Human-Rights-study-of-Bill-S-211.-March-31-2022.pdf> and a summary of the 3 reasons why this bill (previously called S-216) misses the mark: <https://cnca-rcrce.ca/site/wp-content/uploads/2021/06/Appendix-Top-Three-Reasons-Why-Bill-S-216-Misses-the-Mark.pdf>

ⁱⁱⁱ For some of these examples, see the European Coalition on Corporate Justice's comparative chart here: <https://corporatejustice.org/publications/comparative-table-corporate-due-diligence-laws-and-legislative-proposals-in-europe-2/>