

The Honorable James Carr, PC, MP
Minister of International Trade Diversification
House of Commons
Ottawa, Ontario
K1A 0A6

April 3, 2019

Dear Minister Carr,

We are writing to you today as representatives from diverse sectors in Canada's labour, human rights, faith, and development communities to call for the immediate and meaningful implementation of the independent Canadian Ombudsperson for Responsible Enterprise (CORE).

It has been well over a decade since our organisations, and hundreds of thousands of individual Canadians, began to call on the Government of Canada to take serious action to respond to harms and allegations linked to Canadian mining operations overseas. We were greatly encouraged last January 2018 when the Government of Canada publicly committed to creating an independent ombudsperson's office to investigate allegations of abuse, with the mandate and tools needed to be effective.

Specifically, the Government of Canada promised that the CORE would:

- be independent and have the powers needed to investigate complaints thoroughly
- have the power to compel documents and testimony from Canadians and Canadian companies
- have an adequate budget to operate
- have a mandate to report publicly

An effective ombudsperson's office is good for everyone: Canadians, impacted communities and responsible business actors alike. An ombudsperson is sorely needed in order to investigate complaints of human rights violations and to redress harms when there is objective and verifiable evidence these are linked to Canadian corporate abuse overseas. It is also needed in order to achieve goals in other areas, including respect for women's and Indigenous rights, environmental protection, responsible resource exploitation, and the achievement of even the most modest development goals.

It has been over one year since the government's announcement - and the ombudsperson has yet to be named. We are gravely concerned that the Government of Canada has not yet fulfilled this commitment and may be succumbing to pressure that it significantly water down the investigatory powers this office needs.

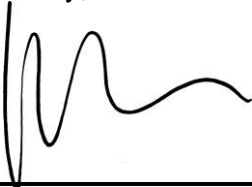
We expect for the government's public announcement naming the ombudsperson to reiterate the government's commitment to robust investigatory powers, and for the appointment to be made under the Inquiries Act. We do not support any alternative two stage process which might appoint the ombudsperson under another authority (such as the Public Service Employment Act) and which fails to give immediate effect to the January 2018 promise of an independent office with investigatory powers, including the power to compel documents and testimony.

In the 14 months since the original announcement was made there has been ample opportunity for the Government of Canada to seek any further legal review or advice required to give effect to the commitments made. Nevertheless, if you have a need for further legal advice on whether the Inquiries Act is the appropriate means to give the CORE the power to compel documents and testimony, we urge you to seek such advice expeditiously, so as to ensure you appoint a CORE with the required powers before the end of this electoral mandate. An announcement of the CORE without such powers would be deemed to be only a rebranded CSR Counsellor.

The communities, workers, Indigenous peoples and human rights defenders with whom we collaborate around the world often face great risk in defending their rights. They will expect and pray that their allegations of harm against Canadian companies will be properly investigated and that a credible public report will follow. They deserve no less.

We represent the voices of millions of Canadians from diverse sectors of society, from coast to coast to coast. Our organisations also have international partnerships and collaborate with individuals, civil society groups and organisations around the world. We are calling on the Government of Canada to implement its commitment to an effective ombudsperson with the urgency it merits and demonstrate its international leadership in human rights, international development, environmental protection and corporate accountability. When it comes to serious human rights abuses and environmental degradation, talk is not enough.

Sincerely,



Hassan Yussuff
President, Canadian Labour Congress



Alex Neve
Secretary General, Amnesty International
Canada



Jennifer Henry
Executive Director, KAIROS: Canadian
Ecumenical Justice Initiatives



Nicolas Moyer
President-CEO, Canadian Council for
International Cooperation

cc: The Right Honourable Prime Minister Justin Trudeau, PC, MP