

**Honourable James Gordon Carr, MP**  
Minister of International Trade Diversification  
House of Commons  
Ottawa, Ontario  
Canada K1A 0A6

June 10, 2019

Dear Minister Carr,

On behalf of Mennonite Central Committee (MCC), I am writing to express my deep concerns about the recent Order in Council mandate for the Canadian Ombudsperson for Responsible Enterprise (CORE). This version of the CORE is very different from the government's promise last year and betrays Canada's commitment to take abuse allegations connected with Canada's extractive industry seriously.

MCC is a worldwide ministry of Anabaptist-Mennonite churches, engaged in emergency response, community development, and peacebuilding initiatives in more than fifty countries. Over the years, we have heard repeated stories from grassroots partners in places such as Guatemala, Honduras, Haiti, and the Democratic Republic of the Congo about how Canadian mining operations are destroying agricultural land, contaminating water supplies, threatening Indigenous traditions, increasing threats faced by human rights defenders, and contributing to conflict and violence, particularly against women.

In 2009, in response to calls from these partners, MCC embarked on a multi-year Mining Justice Campaign through which we joined civil society organizations calling for the establishment of mandatory corporate accountability mechanisms for the Canadian extractive sector. In recent years, this has included supporting policy reforms called for by the Open for Justice Campaign—an initiative driven by MCC coalition partners such as KAIROS: Canadian Ecumenical Justice Initiatives and the Canadian Council for International Cooperation.

We welcomed the government's announcement of the creation of the CORE in January 2018, [but stressed the need](#) to ensure that the office was equipped with the proper tools needed to address allegations of human rights abuse. To undertake thorough investigations with credibility, the CORE must be fully independent of both business and government; be properly funded and staffed; maintain transparency at every stage of the investigation and recommendation process; and, most importantly, have the authority to summon witnesses and compel the disclosure of corporate documents.

As expressed above, MCC is therefore disappointed and concerned about the April 8<sup>th</sup> order in council for the appointment of the special adviser to the Minister of International Trade Diversification. The current CORE position as announced does not have the power to investigate but is limited to reviewing complaints. It is not an independent body but rather situated within a government department. Additionally, the Cabinet order precludes the review of most complaints, including those harms that took place before April 2019. The CORE does not have the power to examine risks of harm, only already occurred harm, another serious gap in the position's mandate. The CORE also has the ability to dismiss any received complaints and has no mandate to follow-up with other agencies around possible referred complaints.

We are also deeply concerned about the clause in the cabinet order that allows corporations to submit complaints around what they perceive as unfounded human rights abuse allegations. This clause shows a failure of understanding of the conditions which require the creation of an independent Ombudsperson. Accepting such complaints may serve to further endanger human and environmental rights defenders around the world. This runs directly counter to Canada's commitments to protecting human rights defenders and what we hear from partners around the world regarding the serious safety risks they face when they raise complaints.

The details of the CORE's mandate are a major setback for what could have been an ideal moment for Canada to demonstrate strong leadership in addressing the human rights concerns present in the extractive sector. On behalf of MCC, I urge the minister to reconsider this mandate before Parliament dissolves for the summer and work to ensure that the CORE has independent investigative powers and does not serve to place human rights defenders at greater risk.

Sincerely,



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CC:

The Honourable Chrystia Freeland – Minister of Foreign Affairs  
Omar Alghabra, Parliamentary Secretary for the Minister of International Trade Diversification  
Dean Allison, Official Opposition Critic for International Trade, Conservative Party of Canada  
Tracey Ramsey, Opposition Critic for International Trade, New Democratic Party  
Gabriel Ste-Marie, Opposition Critic for International Trade, Bloc Québécois  
Elizabeth May, Leader of the Green Party of Canada