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# Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development

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Chair: Mr. Peter Fonseca



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• (1835)

[*English*]

**The Chair (Mr. Peter Fonseca (Mississauga East—Cooksville, Lib.)):** Colleagues, we're going to get started.

Welcome, everyone, to meeting number 14 of the Subcommittee on International Human Rights. Today we meet to hear from Minister Ng and a number of other witnesses in view of our study of the role of the Canadian ombudsperson for responsible enterprise.

To ensure an orderly meeting I would encourage all participants to mute their microphones when not speaking and address all comments through the chair. When you have 30 seconds left in your question time I'll signal you with this paper, so you can stay on track.

Interpretation is available through the globe icon on the bottom of your screen. Please note that screen captures or photos are not permitted.

I'd now like to welcome our witness for the first panel, the Honourable Mary Ng, Minister of International Trade. She is accompanied by the following officials from the Department of Foreign Affairs, Trade and Development: Sara Wilshaw, chief trade commissioner and assistant deputy minister, international business development, investment and innovation; and Chris Moran, director general, trade portfolio strategy and coordination.

Welcome to our subcommittee, Minister Ng. It's great to have you here. I am going to invite you now to give us your opening statement and then we'll move to members for questions.

**Hon. Mary Ng (Minister of International Trade):** Good afternoon to you, to the vice-chairs and to all of the members on this committee.

It is really a pleasure to be with you to assist this committee in its important work and to speak to Canadians about our government's commitment to responsible business conduct, in particular, the establishment of the office of the Canadian ombudsperson for responsible enterprise, or CORE.

Canada's reputation abroad is important. When our businesses are expanding globally, they represent Canada. Canadians and citizens around the world expect our businesses to uphold high standards for human rights, to operate with integrity and to demonstrate our strong values. Our country's international reputation is a competitive advantage. This is something Canadians take pride in and something they expect from Canadian leaders, from our institutions and from companies in all sectors.

The Government of Canada is here to help ensure Canadian companies uphold high standards of human rights and responsible business conduct. I am pleased that many companies do want our help. If companies do not meet the standards we expect from them, we have tools to help hold them accountable.

[*Translation*]

The CORE is part of the suite of supports that are available to Canadian businesses to help them expand and grow around the world.

[*English*]

In line with our other international objectives—a feminist foreign policy, ambitious climate action targets and an inclusive international trade agenda that everyone can benefit from—the CORE is a complement to the other important tools like the national contact point and amendments to the customs tariffs to prevent Canada from importing goods made with forced labour.

The CORE is a complement to a comprehensive set of policies that we have in place to address responsible business conduct for Canadian companies. It is not alone in its efforts and works in concert with other programs and supports to advance our expectations for responsible business conduct.

Our government is committed to working with Canadian companies to provide them with the guidance and the tools needed to make responsible business conduct a cornerstone of their business practices. In 2018, we announced the CORE. It was the first office of its kind in the world and part of our whole-of-government approach towards responsible business conduct.

What is so unique about the CORE is that this office is specifically built to address human rights issues through both preventative and dispute resolution approaches. The CORE promotes international guidelines and responsible business [*Technical difficulty—Editor*], advises them on their practices and policies, investigates complaints and provides dispute resolution.

For the last 18 months, the CORE has been doing the necessary work to build capacity and to hold public consultations, leading to last week when—I am pleased to share—the office officially launched its complaints intake portal and can now formally accept complaints. This is an important step to making the CORE [*Technical difficulty—Editor*].

[*Translation*]

I would like to outline the tools and resources at the CORE's disposal.

[*English*]

The CORE works with complainants and companies to find solutions through investigations, discussion and mediation. It can undertake this work either jointly or independently. Throughout the process, the CORE is empowered to report publicly.

The CORE can investigate allegations of human rights abuses arising from Canadian mining, oil and gas, and garment companies operating abroad. It has its own budget and staff and advises me directly. When it does, it can propose the imposition of trade measures, including the withdrawal of government support.

If a company refuses to work with the CORE in good faith during the review of a case, the CORE has the tools at their disposal—including the ability to report publicly—to speak directly with companies and to recommend the imposition of trade measures against that company.

Beyond this, the CORE proactively advises companies on how to uphold responsible business conduct.

This is a significant set of tools.

[*Translation*]

Our government takes human rights and responsible business conduct very seriously. We're committed to working with the CORE as she fulfills her mandate.

[*English*]

The purpose of CORE is to find solutions that help advance Canada's commitments to responsible business conduct and human rights. The outcome we are all striving towards is better human rights outcomes, and the CORE is one tool in our responsible business conduct strategy that can help all of us advance that goal.

With that, I'm very happy to answer any questions that you have for me.

Thank you so much, Mr. Chair and members of the committee.

**The Chair:** Thank you, Minister, for those comments.

We're now going to proceed to members for questions. We'll commence with Ms. Iqra Khalid from the Liberals for seven minutes.

• (1840)

**Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.):** Thank you very much, Chair.

Minister, it's wonderful to have you here today. I know that you've been very engaged with this file and with a lot of the chal-

lenges in general with respect to how Canadian corporations operate internationally and their relationships in the places where they operate.

I wonder if you can kind of guide us through where the CORE fits in within that whole framework that we as a government may have in place in terms of holding corporations to account or ensuring that labour codes and human rights, for example, are being respected in host countries where Canadian corporations operate.

**Hon. Mary Ng:** I will perhaps set a bit of a context. CORE is a very important tool, but it's a tool among a suite of policy tools that this government has deployed from day one, whether it is a feminist international policy or an inclusive approach to trade that has people at the very core of it. Companies must respect environmental protection and sustainability and good governance, and they must ensure that there is an adherence to strong labour rights. We've negotiated that into agreements, but it is how we are operating and how we are creating that right, that framework, for Canadian businesses to operate abroad.

The CORE is unique; it is the first of its kind. Its mandate is one where it reports directly to me as the minister, while the ombudsperson can do promotion and prevention, which is really important. When I take a step back and I think about all of the work that we're trying to do helping Canadian businesses operating globally, we want Canadian companies to be good actors on the international stage. We want them to respect high values and high standards for human rights. We want them to operate with integrity. We want them to operate with ethical standards, and we want them to have codified policies and procedures in their organization that include responsible business conduct. We want companies that will respect local law, companies that have good governance, good accountability, and at the very heart, companies that create lasting benefits for their employees, their customers and the society in which they operate.

This point about promotion and prevention is a very important part of the CORE's work in addition to the work that I've just already described, which is the ability to initiate and conduct independent fact-finding.

Like I said, the complaint process is now open. The CORE is empowered to report publicly and, throughout the stage of her investigation, she's able to promote and prevent, and that's what we want. We want companies to respect responsible business conduct and to carry that through where they operate around the world. We also want to give that ability to have remedy through dispute resolution and through the CORE's fact-finding and investigative capabilities.

**Ms. Iqra Khalid:** Thanks very much, Minister.

As I'm sure you may be aware, we've heard testimony from other witnesses here at this committee about concerns and criticisms around the lack of teeth, you could say, to this ombudsperson and their inability to have.... Well, they don't have judicial mechanisms to operate.

You have stated that you're confident in the CORE and that these non-judicial mechanisms can have their own benefits. Can you expand on that, please?

**Hon. Mary Ng:** Absolutely. When this office was set up, the model, as you will know, is set out in an order in council. When I was appointed minister, I took a look at that order in council, and the mandate was clear. The office was in the process of being operational. I asked the CORE to establish the office and to implement the OIC as published. I believe the CORE has the tools and the instruments she needs to be an effective mechanism for human rights abroad. Ms. Meyerhoffer herself testified before this committee and stated that she had the necessary powers and resources and tools to be effective.

I have full confidence in the work that Ms. Meyerhoffer will be doing. As I said, now that the complaints process is open, she will be able to take those in. As with any program, we want to give it the time and focus to do the very important work that the CORE is now embarking on.

• (1845)

**Ms. Iqra Khalid:** Thanks for that, Minister.

Just like in previous governments we've had the corporate social responsibility counsellor, we have the NCP. How do they differ from what the CORE is today?

**Hon. Mary Ng:** That is a very important question. This position is unique. It is unique because it is promoting international guidelines to Canadian businesses. It's advising them on practices and policies. It has a five-year term that is not "at the pleasure of" but rather "on good behaviour", and is therefore distanced in a way that allows her to freely report and investigate and then make those recommendations to me. This office is resourced. It is empowered with the resources and the mandate and the tools for her to do this job.

**Ms. Iqra Khalid:** Thank you.

**The Chair:** We will now move to the Conservatives.

Mr. Chiu, you have seven minutes, please.

**Mr. Kenny Chiu (Steveston—Richmond East, CPC):** Thank you, Chair,

Thank you for coming, Minister.

I'd like to follow up on the last question. The NCP, the national contact point, seems to have a similar mandate. Canada has an NCP, for example, under the OECD development guidelines for multinational enterprise that oversees the implementation of the guidelines by Canadian companies. The NCP is responsible for, "responding to enquiries and facilitating dialogue and mediation for all sectors and a wide range of issues, including, labour issues, human rights, environmental issues and bribery".

It seems to me that there is significant overlap. Given that the CORE also promotes such similar practices as responsible business conduct and facilitating mediation, why does Canada need a second office that does similar work?

**Hon. Mary Ng:** It's very good to see you, my honourable colleague. I hope one day that we will all be able to be together again, once we're beyond COVID.

You're absolutely right that the NCP is a very important tool. It does work with and complement the CORE. What the NCP cannot do that the CORE can do is initiate complaints when they are brought forward. The NCP does not make public findings on the matters they undertake in the same way the CORE does. The CORE can take on fact-finding and investigative matters and is able to report publicly at any stage. The CORE has a measure of independence and is able to conduct its work with companies and with the complainants and do the work of dispute resolution between the parties.

I'll draw us back to why it's an important tool and what it is that I believe we all want. We all want Canadian companies to be good actors globally. We want to provide them with the tools that are necessary to help them with prevention of dysfunction, under the leadership of Ms. Meyerhoffer, who was appointed after an open, transparent, and merit-based process, and who has excellent experience. I have every confidence in her background and skill set and her ability to carry out the work as the ombudsperson for responsible enterprises.

• (1850)

**Mr. Kenny Chiu:** When we heard from the ombudsperson herself the last time, she did indicate that the government had backtracked and was not fully supportive of the CORE during its formation.

Can you confirm that? Why was that the case? Was there a second thought, perhaps, because of the overlapping mandates of the NCP and the CORE?

**Hon. Mary Ng:** On the contrary, I have been supportive of the CORE and of Ms. Meyerhoffer from day one of my appointment in this role as the international trade minister.

At the time of my appointment, I did review the order in council, and the mandate for this position was clear. The office was in the process of becoming operational, so I asked her to establish the office and to implement the OIC as it was published. I believe she has the tools and the instruments she needs to be an effective mechanism for human rights.

The purpose of the CORE and the national contact point mechanisms are indeed to find solutions to bring about responsible business conduct and to bring about that change. As Ms. Meyerhoffer herself said, she believes she has the necessary powers, resources and tools to be effective.

I am very supportive of this work. This office is resourced as well. It has a mandate. It has the resources and the tools, and I'm very confident in Ms. Meyerhoffer's background and capability. Now that the complaint system is up, she is ready to also do that part of the work.

I want to thank her for the tremendous work over the last year in meeting with over 200 stakeholders from civil society groups to industry to stand up this very important office.

**Mr. Kenny Chiu:** Thank you, Minister.

You mentioned the mandate. Can you share with us whether the government currently has plans to expand this mandate for the CORE or perhaps expand the investigatory powers of the CORE, and if so, how?

**Hon. Mary Ng:** That's really important.

The focus for us right now is to ensure that the CORE takes on its work and begins that very important work. They are now able to take on complaints and they have been working with stakeholders to get input on their work. She is focused on the work of promoting, preventing, and having the tools of remedy.

I'm very encouraged and have full confidence in her work. Of course, as with any new program, we can always review it once it has had sufficient time to operate and we see the results that it is bringing in. Right now we're very focused on the CORE doing the work it is mandated to do.

**Mr. Kenny Chiu:** Thank you.

**The Chair:** We're moving now to Monsieur Brunelle-Duceppe from the Bloc, for seven minutes.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ):** Thank you, Mr. Chair.

I want to thank everyone, Minister Ng, witnesses and colleagues, for joining us this evening.

We're addressing an important topic. This topic directly affects the pride of many people. Their feelings about Canadian companies doing business abroad are normal, and we understand them.

Unfortunately, I'm sure that you'll agree that some companies bring dishonour to that sense of pride. Some troubling reports and evidence point to questionable and even criminal practices by companies that take advantage of their status without regard for the human beings who live where they do business.

Minister Ng, am I wrong in saying that some Canadian companies are committing acts right now that would be completely unacceptable here on Canadian soil?

• (1855)

[*English*]

**Hon. Mary Ng:** It's wonderful to see you, Monsieur Brunelle-Duceppe.

It is really important to note, and you've said this, that it is a pride of Canada to have our wonderful companies abroad working globally. I'm proud that we have so many of these extraordinary companies. However, at the same time, it is important that companies are held to account by the high standards of respecting human rights, operating with integrity and operating with ethical standards. Companies represent Canada when they are abroad, and Canadians expect them to embody those values while they operate. This func-

tion is another tool to hold companies to account, but also to help companies be good corporate citizens abroad.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** That's fine. Your response is politically correct, but it doesn't answer my question, Minister Ng.

Do you agree that companies are currently committing acts that would be completely unacceptable here?

The answer to my question may be a simple yes or no.

[*English*]

**Hon. Mary Ng:** We need to ensure that Canadian companies operating abroad absolutely respect human rights and that they bear the standards for good responsible business conduct. This tool will help them achieve that [*Technical difficulty—Editor*].

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Unfortunately, there was a small interpretation issue at the end, but I think that it has now been resolved.

I want to tell you, Minister Ng, that people are being murdered and activities are disappearing. There's environmental pollution and corruption. All these events have been observed around the world, in South America and the Philippines, among other places. I'll try to rephrase my question.

Do you deny that Canadian companies are currently committing acts that would be completely unacceptable here?

Do you deny that Canadian companies are currently committing crimes that would be completely unacceptable here?

[*English*]

**Hon. Mary Ng:** Canadian companies must be held accountable. Canadian companies must have high standards for human rights. They must operate with responsible business conduct. We have tools—certainly through this mechanism—to withdraw services to these companies and withhold funding from an important agency like Export Development Canada.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Okay. I don't have much time and I have a feeling that I won't be getting an answer to my question.

The ombudsperson's mandate is to “provide advice on any matter relating to [your] mandate, including issues related to the responsible business conduct of Canadian companies operating abroad.”

Is that right?

[*English*]

**Hon. Mary Ng:** Yes.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Okay.

Have you ever needed Ms. Meyerhoffer's advice?

[English]

**Hon. Mary Ng:** She has begun her work over the last 18 months. Most of it is to work with stakeholders, over 200 of them. I of course met with Ms. Meyerhoffer in the establishment of her office, and I am very confident that she will freely provide advice to me and bring any issues to my attention.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Has she spoken to you about the complaints portal? How is it working right now?

[English]

**Hon. Mary Ng:** The complaints portal has been set up and is now operational. Complainants, wherever they are in the world, are able to access her through her online portal. I know she is continuing to ensure that she is as available and as accessible as possible. She is working with partners and stakeholders in different parts of the world to make sure that she—in her role as the CORE—is available to anyone who wishes to or needs to get in touch with her and to make a complaint.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Do you speak to Ms. Meyerhoffer on a regular basis or have you not yet had time to have a real discussion with her?

• (1900)

[English]

**Hon. Mary Ng:** Yes, I met with Ms. Meyerhoffer very shortly after I was appointed to this file. In fact, when I joined the Prime Minister on a business mission to Africa at the beginning of 2020, Ms. Meyerhoffer was also present. I have had the opportunity to meet with Ms. Meyerhoffer, with respect to her budget, for example, to make sure she is well-resourced, and also in the setting up of her operation. Of course, my door is always open and she knows that. I have every confidence in her for the work she will undertake for Canadians.

**The Chair:** Thank you, that's your time.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Thank you, Minister Ng.

I look forward to the next five minutes.

[English]

**The Chair:** Now we're going to move over to Ms. McPherson from the NDP for seven minutes.

**Ms. Heather McPherson (Edmonton Strathcona, NDP):** Thank you, Mr. Chair.

I'd like to thank the minister for joining us today to answer our questions. I'm delighted that she has joined us.

You may know, Minister, that I've worked in the sector of international development for a large part of my career, so this work is very important to me. I've seen on the ground what Canadian min-

ing companies have done in countries around the world and it's quite devastating.

I was so looking forward to having the CORE ombudsperson, that was promised to us, who would have the ability to compel testimony. You can understand my disappointment with the current regulations, or the current ability that our CORE ombudsperson has.

I'd like to start with the following question. A report came out that was shared with the media after being hidden from public view for over a year and a half. The report commissioned by the Honourable James Carr made it very clear that it was vital the ombudsperson have the powers to compel witness and documents. Why did your government decide not to follow the recommendations of your own commissioned report, Minister?

**Hon. Mary Ng:** Hi there. It's really wonderful to be here and to see you as well.

I think I said this in my opening. It's really important for the government to ensure that there are the right tools available for us to ensure that businesses are not only conducting themselves responsibly, but that they also are being held to account.

As I also said, when I was appointed to this position, the office was in the process of becoming operational. I reviewed the order in council for which this position and function were created, and I do believe she has the tools and instruments needed to be an effective mechanism for human rights abroad. Ms. Meyerhoffer herself has indicated that.

Right now, we're very focused on ensuring she is able to get to this work. As with any new program, we will look at its effectiveness. As the trade minister...we're spending quite a bit of energy to ensure our businesses—increasingly, even more businesses—are operating abroad, particularly small and medium-sized businesses—

**Ms. Heather McPherson:** Sorry to interrupt, Minister, I just have such little time. You know how this goes.

My question is this. If the right tool to hold business to account, according to your own report, is the ability to compel testimony and witness, how can that not be the right tool for you to give the ombudsperson?

I just want to follow up on that a little bit. If the Canadian companies, good Canadian companies, are doing good work abroad, compelling testimony and witness wouldn't impact them. It would impact companies that are not doing a good job, so why on earth would you not listen to the report you commissioned? What would be the harm in actually holding Canadian companies to a higher standard?

**Hon. Mary Ng:** Certainly, in establishing the CORE, a range of options was considered. The order in council is the decision that was made by the government to provide effective tools and resourcing to the CORE. With the way in which this non-judicial mechanism was set up, we believe also, potentially, it leads to a longer lasting improvement in a company's behaviour because of the nature in which the ombudsperson can work with the company, the complainant and the local community in achieving the change and in achieving responsible business conduct.

The way it was set up also provides greater accessibility for complainants to come forward to access the CORE and enable the CORE to do that important investigative work.

• (1905)

**Ms. Heather McPherson:** Madam Minister, you have not put anything in place that will actually hold companies that don't want to act appropriately to account. Do you feel Canada's reputation will suffer? We do know there are companies abroad that are flying the Canadian flag that are perpetrating atrocities on populations around the world. Could you speak to the fact that Canada's reputation will be impacted, and this conceivably impacts our ability to be on the Security Council, and impacts our trade negotiations, because we have not played a good global character on the world stage? Can you talk about the impacts you could see on that?

**Hon. Mary Ng:** I would say that our impact on the global stage has to do with our commitment to a feminist international policy. I would say our impact is on negotiating and carrying through with inclusive trade practices that have at their core inclusivity for women, for small and medium-sized businesses, a respect for climate change—

**Ms. Heather McPherson:** But our companies are actually attacking women and girls around the world. Our foreign policy is butting up against the mining interests of Canadian corporations that we are not holding to account. How do we say we have a FIAP on one hand and we're perpetrating human rights abuses on the other?

**Hon. Mary Ng:** We're taking a very serious approach around human rights. We have high standards for human rights, and I expect Canadian companies that operate globally to operate with that respect for human rights, operate with integrity and operate with ethical standards. I expect companies that go into communities to work in a manner where they are respecting and providing fairness for their workers and for the communities they operate in, so they really are leaving positive and lasting benefits to those communities. I've certainly talked—

**Ms. Heather McPherson:** With respect, though, Minister, your expectations are not being met.

**The Chair:** Thank you, Minister. Thank you, member.

We're now moving to our second round. These will be five-minute segments.

We're going to start with the Honourable John McKay, from the Liberals, for five minutes.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Thank you, Chair.

Thank you, Minister, for being here.

I don't know who's more surprised by this happy accident, you or me. Nevertheless, we are where we are.

As you well know, you and I have exchanged correspondence and had quite a number of conversations about this issue. To put it delicately, we don't agree. When I started this process many decades ago it seems now, a friend of mine said something that I thought was quite profound. It was that these guys don't play to lose. That's proved true over the last number of years.

Notwithstanding the significant improvements in human rights and corporate social responsibility, particularly in the mining sector, we are still playing with some pretty bad actors, as Madam McPherson said.

The issue is quite clear to me. The issue is the power to compel documents, witnesses and other key testimony. Clearly you've made the decision that you do not think this is a necessary power for the ombudsperson. Both you and I agree, by the way, that Sheri Meyerhoffer is an excellent choice. There's no issue about that.

Let me give you a clear example. I believe Ms. Meyerhoffer is not empowered to compel anything. Currently before Canadian courts is a case called Nevsun. Nevsun is accused of using slave labour to build its mine in Africa.

Minister, does the ombudsperson have the power to compel the executives of Nevsun or documents from Nevsun to be able to review and conduct an investigation of that company?

• (1910)

**Hon. Mary Ng:** Thank you very much.

It's terrific to be here on the committee with you. You and I are colleagues, and colleagues do our work as we do.

The process that governs the court does not preclude additional actions to be taken in a court of law. In that example, there is an action in the court of law, but the CORE can certainly initiate an investigation, make her findings public, provide her findings to me and advise the withdrawal of services.

The companies I have talked to find those services tremendously useful when you're operating globally. You're looking for the services of our trade commissioner in our missions abroad. In many instances you also are looking for the export insurance that is underwritten by a Crown corporation like Export Development Canada.

Is she able to initiate an investigation? The answer is yes.

**Hon. John McKay:** But you would have to agree that it's going to be a limited investigation because the key people, the key documents and the key executives cannot be compelled to come before the ombudsperson to explain their situation. We are in the unhappy situation of having the Canadian courts protect human rights abroad, and to date, notwithstanding some of the reluctance on the part of Canadian courts, they are doing a more aggressive job of protecting human rights where Canadian companies do not wish to disclose what's been happening.

Again, how is it that the ombudsperson could produce a report that would be useful to you if she's not able to talk to the key people?

**The Chair:** I'm sorry, but the time is up.

We're moving to Mr. Reid, from the Conservatives.

**Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC):** Thank you, Mr. Chair.

Can we have the minister respond to Mr. McKay's question in the first part of my time?

**Hon. Mary Ng:** Thank you very much, Mr. Reid.

The ombudsperson does have the tools she needs to operate. She said so here, when she testified before all of you at committee not that long ago. If a company does not act in good faith during her process, the CORE can recommend trade measures to me. She can also report publicly at various stages, at any stage, of her review.

That provides a reputational issue for the company. We can decline future financial support to the company, and we can absolutely withdraw trade advocacy. For the many companies that the international trade team and I work with, these are services that are incredibly valuable to businesses that are operating abroad.

Let me take a step back here—

• (1915)

**Mr. Scott Reid:** I'm sorry, if you don't mind. I wanted to give you a chance to answer that question, not to take up all the time I have.

With regard to withdrawing tools, it seems to me the fundamental tools that a company has that it could potentially use, in a situation where it might be causing ongoing harm, are those that come through the securities commissions. There's a forensic exploration we could get into of previous practices, but presumably our goal is to prevent new practices that represent some form of human rights abuse.

If you're a company, like Nevsun, for example, and you want to float a new bond issue to support an expansion to your mining operation, you have to pass certain hurdles in terms of demonstrating that you have taken appropriate actions with regard to human rights, environmental stewardship and so on.

Wouldn't it make more sense to focus our attention on tightening up those restrictions, making sure they're more inclusive, and with that mechanism, you can't go ahead and get more funding from the private sector unless you have passed those scorecards?

Would that not be a more effective way of ensuring that no ongoing human rights abuses can take place at a mine site, textile factory or wherever?

**Hon. Mary Ng:** I would agree with you that it's important that Canadian companies have a respect for human rights, and operate at those highest ethical standards. We really want CORE—and I believe the ombudsperson is well on her way and well resourced to do this—to absolutely do that work, helping Canadian companies be those good actors on the world stage.

There is quite a lot of work to be done here. My job, as international trade minister, is to help Canadian companies get out there and be global, grow the Canadian economy, create jobs, and in doing so, help them understand how to conduct business responsibly in that capacity.

**Mr. Scott Reid:** Wouldn't the best way of doing that be by putting conditions in place, so that the private sector has to have higher standards?

If you don't like what the securities commissions have in place now in terms of the restrictions they place on companies getting increased funding through bond issues, then why not work to get those standards increased, rather than taking the approach of having a parallel bureaucracy? Would that not make more sense?

As opposed to dealing with some kind of forensic issue, as to what might have happened in the first year that Nevsun was set up—to use that example again—in terms of ongoing practices and ongoing potential for future problems, would that not be the best way of doing it?

**Hon. Mary Ng:** Responsible business conduct is codified in many great companies, particularly those that have a high standard for responsible business conduct codified in their policies and procedures. This is exactly what CORE will be doing, working with companies to make sure they have really strong good governance, strong respect for sustainability and strong respect for human rights.

In fact, I met a really terrific company not that long ago that's actually winning awards all over the place for its high standards for responsible business conduct. The aim is to create lasting benefits for employees, customers, societies and the communities in which they operate.

Do you know why doing that is actually good for the company? It's good, because it attracts high quality investors. This role is very important.

**The Chair:** Thank you, Minister.

We're going to move over now to Monsieur Brunelle-Duceppe for another five minutes, after which we'll have one more questioner and then we will be done.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Thank you, Mr. Chair.

I'll follow up on Mr. Reid's point. The ombudsperson's mandate refers to the need to "advise Canadian companies on their policies and practices with respect to responsible business conduct."

We just spoke a little bit about this. However, Minister Ng, do you really think that a company that employs mercenaries to shoot down activists will call the ombudsperson?

[English]

**Hon. Mary Ng:** The ombudsperson will be doing that outreach and that considered work with our Canadian companies. Building that capacity for companies, helping them understand what good, responsible business practice is [Technical difficulty—Editor] de-risk any risk that might come from not having such good practices in their companies is what she will be doing. She will be doing that with Canadian companies.

• (1920)

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Perhaps the issue lies elsewhere, Minister Ng.

Ms. Meyerhoffer admitted to us that she has fewer than 10 people on her team, and she couldn't clarify her budget when she came here.

Am I crazy to think that 10 employees don't amount to many resources for the number of Canadian mining companies abroad?

[English]

**Hon. Mary Ng:** Well, I'm very pleased that in the creation of this office our government has committed to providing it with resources, certainly more resources than the function that existed before. In the budget of 2018, we committed \$6.8 million over a six-year period, and then \$1.26 million thereafter. This year, I have approved in-year increases for her to increase her staff—

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Sorry, Minister Ng. I really don't have much time, unfortunately. I don't mean to be disrespectful by interrupting you. I just want to ask my questions.

Do you know how many Canadian mining companies there are solely in Mexico, one of our largest economic partners?

I can tell you. There are 200 Canadian mining companies in Mexico alone. When I look at this quickly, what stands out is that there aren't many people for such a large number of companies. Right now, given the number of Canadian companies abroad, the ombudsperson's reach really isn't broad enough. We can see that the ombudsperson doesn't have any coercive power, which was promised a few years ago.

Let's say that I'm a person who lives in an area where a Canadian mining company operates a mine. If I'm tired of seeing protesters being beaten up by the police, or if I want to complain about the only source of water being polluted, how do I go about contacting the ombudsperson?

[English]

**Hon. Mary Ng:** Of course, the ombudsperson works on her own, but she also works with an incredible collection of others, whether

it's industry associations or NGOs. In the last year, a little over a year, she has spent her time consulting with over 200 external stakeholders so that she can create those very important partnerships to complement and to work with her. That same network—

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Sorry, but I'll repeat my question.

If I live in Mexico, for example, and I'm being harmed by a mining company, what should I do? What steps should I take?

[English]

**Hon. Mary Ng:** She is exactly working on that right now. Of course, the portal for complaints is open. Her creation of this network, the promotion of the CORE's existence, working with the collection of non-governmental organizations as well as associations and industry associations really to be able to promote the efforts of the CORE and the existence of the CORE is what she is doing. She is very committed to that accessibility.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Once the complaint is submitted through the portal, what happens?

[English]

**Hon. Mary Ng:** She will assess it and undertake her work, which would include opening a file and undertaking the work.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** I imagine that she'll advise you—

[English]

**The Chair:** Thank you.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Does the legislation require you to follow her advice?

[English]

**The Chair:** Monsieur Brunelle-Duceppe, your time is up.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Okay. We could talk about this for a long time.

Thank you.

[English]

**The Chair:** Minister, this will be the last questioner.

We have Ms. McPherson for five minutes.

**Ms. Heather McPherson:** Thank you, Mr. Chair.

Madam Minister, I'm just going to quote from the McIsaac report very quickly for you. It says, "it is fair to say that without a way to compel the cooperation of entities against which a complaint is made or others who may hold relevant information, the CORE's effectiveness may be compromised."

We've also heard from the CORE, Ms. Meyerhoffer, on Global News. She does feel she could be more effective if she had extended powers. She has said that publicly.

I'm interested in knowing what the rationale would be for not giving the CORE the ability to compel testimony and witnesses. We know that Canadian companies that are adhering to good practice wouldn't care because they would not be compelled or complained against, but bad companies would care.

Why are you sticking up for bad Canadian companies that are not adhering to human rights? Why not give that power to compel testimony and witnesses? What is the rationale for that?

• (1925)

**Hon. Mary Ng:** Let me be clear. I expect Canadian companies to uphold human rights. I expect companies to be good actors on the global stage. I believe that the CORE has the tools and the resources that she needs.

It is also new. I've said already that with any new program, we will be absolutely open to review this, given the sufficient time for it to do its work.

I am very confident in the work that Ms. Meyerhoffer is going to do. I am looking forward to her starting and accelerating this work. This office is an important one. It's an important one in the context of the suite of work that this government is doing around the world. Inclusive trade is one; feminist international policy is another.

**Ms. Heather McPherson:** I still don't understand why you wouldn't add that in. It does feel like you have a whole bunch of reasons why the CORE is good the way it is currently set up, but no real answer for why you wouldn't want to give them further powers to compel witness and testimony.

Minister Ng, have you ever spoken to somebody from a community that's been detrimentally impacted by Canadian mining?

**Hon. Mary Ng:** I spent some time last year on a mission to Africa. While there, I had an opportunity to speak with non-governmental organizations and the Canadian organizations that are doing some terrific and challenging work on the ground.

I fully appreciate the responsibility that our Canadian companies need to bear and bring to bear when they operate globally [*Technical difficulty—Editor*] that we uphold those values that are absolutely core to our Canadian values, which are upholding human rights and ethical behaviour.

**Ms. Heather McPherson:** I guess that means probably you haven't actually spoken to somebody on the ground.

One of my concerns about this particular role is that it seems to me like.... Why isn't it any different than under Harper? Why isn't it any different than "Harper light", basically?

We had a position. We had an ability. We had an expectation. I'm sure the minister under Stephen Harper also expected Canadian

companies to act appropriately. They don't act appropriately. We have facts about that. Your expectations that this will happen don't seem to be based in a historical, factual sort of climate.

I'm just wondering why you would say this is any different. Without the power to compel testimony and witnesses, how is this any different from what Harper put in place? We still had companies that were perpetrating human rights abuses. We still had somebody who couldn't compel documents and witnesses. It seems very similar to me. This seems like "Harper light".

Show me why it's not.

**Hon. Mary Ng:** I totally disagree. The CORE operates at a distance from me. She has a longer term. She is able to initiate investigations. She is absolutely able to in fact do the dispute resolution work with the complainant and with the companies with the view and an objective to create more sustainable, positive behaviour.

**Ms. Heather McPherson:** Give her the power to compel. That would make it easier for her to do that work.

**Hon. Mary Ng:** As I said, I believe that the CORE has the tools and the instruments she needs. Ms. Meyerhoffer has indicated that. I'm looking forward to her beginning her work. Like any new program, I'm happy to review this, but she is focused on beginning that work. I'm looking forward to and I have every confidence in the work she will be doing.

**The Chair:** Minister, thank you very much. That's going to conclude our time.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I have a point of order, Mr. Chair.

[*English*]

**The Chair:** We thank you for appearing before our committee.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Sorry to interrupt you.

[*English*]

**The Chair:** Yes, Mr. Brunelle-Duceppe.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Since we started eight minutes late, I propose that we divide up the speaking time and give two minutes to each party. We don't often meet with a minister in the committee—

• (1930)

[English]

**The Chair:** I think we are about three minutes late, so we're going to move on to our second panel, Mr. Brunelle-Duceppe.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** I counted eight minutes.

[English]

**The Chair:** It was a very short time. There's very little time.

We thank the minister on behalf of all the members. Thank you also to the officials who were here for taking the time to appear.

[Translation]

**Hon. Mary Ng:** Thank you.

[English]

**The Chair:** Members, now we are going to suspend, and within a few minutes we'll start up with our next panel.

• (1930)

(Pause)

• (1930)

**The Chair:** We will get started.

Welcome, everybody, to our second panel on the role of the Canadian ombudsperson for responsible enterprise.

Again, for the benefit of our new witnesses, I'd encourage all participants to mute their microphones when they're not speaking and address all comments through the chair.

For our witnesses, interpretation is available on the globe icon at the bottom of your screen in either English or French.

Also, just to make everybody aware, there are no screen captures or photos permitted during the meeting.

With that, in our second hour we have the following witnesses. From the United Nations Human Rights Office of the High Commissioner, we have Surya Deva, vice-chairperson, working group on business and human rights. Welcome. From Export Development Canada, we have Ms. Lavery, president and chief executive officer. Welcome, Ms. Lavery.

We're going to commence with Mr. Deva. Please proceed with your opening statement. Then we will follow with Ms. Lavery.

• (1935)

**Mr. Surya Deva (Vice-Chairperson, Working Group on Business and Human Rights, United Nations Human Rights Office of the High Commissioner):** Mr. Chair, good evening.

Thank you very much for inviting the UN working group on business and human rights to share views about the role and powers of the Canadian ombudsperson for responsible enterprise, CORE.

The working group has a mandate to promote the effective dissemination and implementation of the UN guiding principles on business and human rights. We work with the states and other stakeholders to discharge this mandate. If requested, we can provide advice and recommendations regarding the development of

domestic legislation and policies relating to business and human rights.

Access to remedy for business-related human rights abuses is an important component of the UN guiding principles. As the working group clarified in its 2017 report to the UN General Assembly, affected rights holders should be able to secure an effective remedy. That means a tangible outcome, not merely access to a remedial mechanism.

While effective judicial mechanisms are at the core of ensuring access to remedy, state-based, non-judicial grievance mechanisms such as the CORE also have an important role to play. However, several conditions should be satisfied to allow the CORE to fulfill this role effectively. The CORE should meet the effectiveness criteria stipulated in principle 31 of the UN guiding principles.

In addition, I will reiterate our recommendation made in the 2018 report on the country visit to Canada. We had recommended that the Canadian government ensure that the CORE:

... is well resourced...so that it can provide effective and timely remedies for and recommendations about complaints... have total independence from government, undertake meaningful investigations and have investigatory powers to summon witnesses and compel stakeholders to produce documents...to fully address human rights abuses.

That recommendation, made three years back, is very much relevant even today. Moreover, the mandate of the CORE should not overlap significantly with other non-judicial grievance mechanisms such as Canada's national contact point.

For example, if the CORE mostly adopted collaborative approaches of facilitating dialogue and mediation, it might end up duplicating what the national contact point should be doing.

I also think the CORE should not have the mandate to advise Canadian companies, because this may create a potential conflict of interest if it were to deal with complaints against these very same companies. In short, if a core objective of the CORE were to provide effective remedies and hold Canadian companies accountable for their overseas human rights abuses, it would need more powers to fulfill this objective. The CORE should have the power to investigate, power to compel documents and testimony, and the power to enforce its recommendations against companies. With such powers, the CORE would not only be able to remediate, but also prevent human rights abuses linked to overseas operations of Canadian companies.

I will also take this opportunity to encourage the Canadian government to develop a national action plan on business and human rights similar to the regulatory initiatives unfolding in Europe. It should enact a comprehensive, mandatory human rights due diligence legislation governing business activities, both inside and outside Canada. Only then would Canada be able to claim rightfully global leadership in promoting business respect for human rights.

I look forward to our dialogue today. The working group also welcomes further opportunities to engage the Government of Canada, as well as the CORE, in promoting responsible business conduct in line with the UN guiding principles.

Thank you very much.

**The Chair:** Thank you, Mr. Deva.

Ms. Lavery.

[*Translation*]

**Ms. Mairead Lavery (President and Chief Executive Officer, Export Development Canada):** Good evening, Mr. Chair and honourable members of the committee. Thank you for your invitation.

[*English*]

The focus of your conversation concerns the role and powers of the Canadian ombudsperson for responsible enterprise. I welcome this opportunity to provide additional context for the larger discussion that is the intersection between the promotion of Canadian international business and the protection of global human rights.

For the last several years, the company I lead, Export Development Canada, EDC, has been guided by an agenda that puts the pursuit of sustainable, responsible, progressive and inclusive trade at the centre of its business operations. This agenda is built on a foundation of policies that deliver clarity and accountability in three key areas: environmental sustainability, business ethics and transparency, and, of course, the protection of human rights wherever EDC's customers do business. This foundation is aligned with the best practices and highest standards of business today, but more importantly, I believe, it is aligned with the expectations of Canadians everywhere. It is also, of course, the right thing to do.

Before I go too deeply into EDC's history and approach on human rights, it may be useful to provide committee members with a brief primer on EDC's role and mandate. EDC is a Crown corporation dedicated to helping Canadian companies succeed on the world stage. As international risk experts, we equip companies of all sizes and in all sectors of the economy with the tools they need to grow their businesses with confidence, using a wide variety of solutions from advisory services to financing and insurance offerings.

In 2020, EDC facilitated over \$102 billion in business for more than 24,000 Canadian companies, about 70% of which were small and medium-sized businesses. Along with these activities, in 2020, EDC took on an additional domestic role, helping with the Government of Canada's pandemic economic relief efforts.

This is not the place, nor is there time, to go into all our activities in these extraordinary circumstances last year. I will simply say that, pandemic or not, underlying all of EDC's solutions and sup-

port is a belief in sustainable and responsible business practices. Central to this is our commitment to human rights.

Getting to this point has not been a straightforward journey. There have been many important and sometimes difficult lessons about the kind of impact that international business can have when not managed with appropriate oversight and due diligence, but straightforward or not, it is a journey EDC is committed to and one that continues today.

Our first statement on human rights was released in 2008, and since then, we have made consistent efforts to improve our performance in lockstep with evolving best practices and the highest of international standards, including those of the United Nations guiding principles on business and human rights.

By 2019, EDC had become Canada's first commercial financial institution to release a dedicated, board-approved human rights policy. This policy outlines the principles that guide our internal decision-making related to our customer relationships and our transactions. It also underscores our intention to use our leverage for the purposes of influencing our customers and enabling remediation in those instances where there is evidence of severe human rights risks and impacts. Today we continue to work to develop the due diligence tools that will help us implement these leverage and remedy commitments.

The intersection between human rights and international business is an area of tremendous complexity and increasing public scrutiny. EDC understands the complexity and welcomes the scrutiny. When and where we have fallen short, we believe in accepting responsibility and finding ways to do better. That is our promise.

Given the nature of our mandate, there will always be risks. The key is being alert to these risks and addressing [*Technical difficulty—Editor*]. Any initiative that supports this objective is one that EDC welcomes. I believe the Canadian ombudsperson for responsible business is such an initiative.

Indeed, embedded within our 2019 human rights policy there is already a commitment to take steps to co-operate with the efforts of CORE, and while it is still early days, we look forward to working with the office. I am hopeful that this new body can contribute to our shared goal of managing the risks and challenges of international trade both for the sake and success of Canadian companies and for better outcomes for people and markets around the world where those companies do business.

• (1940)

[*Translation*]

Thank you for your attention.

I'll be pleased to answer your questions.

[*English*]

**The Chair:** Thank you, Ms. Lavery and Mr. Deva.

Now we are going to proceed to the members for questions. We are going to start off with seven minutes with the Honourable John McKay from the Liberal Party.

**Hon. John McKay:** Thank you, Chair.

I have two questions, the first is to Mr. Deva.

I take it your evidence is that you can't have the ability to both compel testimony and evidence, impose sanctions, and simultaneously be an adviser, facilitator, mediator and do, if you will, the softer functions. Essentially it's the difference between a judge and a person who is a mediator.

Am I interpreting your evidence correctly?

• (1945)

**Mr. Surya Deva:** Mr. Chair, I have two points of clarification.

First of all, I was suggesting that the CORE should not duplicate what the NCP does in Canada, which is mediation. There is not much purpose in giving the mediation power to CORE, because that function is already done by the national contact point in Canada.

My second point is that one of the mandates of the CORE is advising companies. If the CORE advises, let us say company X, to do A, B, C, and then the CORE receives a complaint against the same company, this may raise a potential conflict of interest. That advising should be differentiated from CORE providing generic guidance to businesses on how they should respect human rights. That is different. If they are advising specific companies to do A, B, C, that will definitely raise, in my view, a potential conflict of interest.

Thank you, Mr. Chair.

**Hon. John McKay:** Thank you.

I'd now like to turn to EDC.

When I started with Bill C-300, I remember distinctly an interview with your predecessors. The core point they were making—not to pun that—is that EDC had a robust corporate social responsibility approach and that this was a redundancy that was unnecessary and we were already doing it. Apparently the views have changed over time and now you're looking forward to working with the CORE person.

The question I have is with respect to the extent of your examination of supply chain slavery. In particular, you lend a lot of money to a lot of very high-profile companies. I would like to know what certification EDC obtains from those potential recipients of government-backed funding that they have examined their supply

chain and they are satisfied that the supply chain is free of slave elements.

**Ms. Mairead Lavery:** If I were to reframe your question, it's really around the due diligence practices of EDC, perhaps with a specific focus on supply chains.

This is a framework and approach that EDC has continued to evolve over the years. As I mentioned in my opening remarks, it's one that has been enhanced since 2008 with respect to human rights.

I would say that it is a risk-based approach. We start by looking at the nature of the relationship with the customer. We're looking for risk indicators to indicate if they are in a sector, operating in a specific country, and whether there are specific activities we are aware of in supply chains that we should be watching for.

We would start our due diligence. We would know that we have those flags. Should any of those be found to be the case in our discussions with our client, we would then move into an enhanced due diligence situation that would require us to have a much deeper dive and understanding of the supply chain of the company.

We then discuss it with them. We ask them for evidence. We ask them for copies of their processes. We're really trying to understand their management system for identifying any risks they might have in their supply chain. We would also ask them for any evidence that they are able to produce with respect to any risks that they can prevent or mitigate with respect to supply chains.

**Hon. John McKay:** Is that a certification process? Do you get them to sign, in the same way that an audit would, that the companies you lend to are free of supply chain slavery?

• (1950)

**Ms. Mairead Lavery:** Under our environmental and social risk management framework, we arrive with an environmental and social action plan. We would have included those items in the loan documentation, very specifically in our financing operations, and then it's a commitment. We continue with enhanced monitoring throughout the term of the loan to ensure they are living up to any commitments the company has made.

**Hon. John McKay:** Enhanced moderating is not a certification process. A number of stories have been run by The Globe and Mail, the Toronto Star, the CBC about companies you lend to potentially, particularly in China, but elsewhere, that have dubious supply chains.

Do any of those companies fall within your mandate of people you've lent to, and are you concerned about any of the companies that were identified in the press recently?

**The Chair:** You have 20 seconds.

**Ms. Mairead Lavery:** I don't have the specific names to comment on, Minister McKay, but we consistently apply our due diligence processes, and if we had concerns of that nature we would not be entering into the transactions.

**Hon. John McKay:** Thank you.

**The Chair:** Now we'll move over to Mr. Reid from the Conservatives, for seven minutes.

**Mr. Scott Reid:** Thank you.

Let's stay with Ms. Lavery, if we could.

How often do you find yourself in the position to reject a request for financing on human rights grounds?

**Ms. Mairead Lavery:** Mr. Reid, I should perhaps start by distinguishing the nature of the work we do. A number of our customers are repeat customers, so we have an ongoing relationship with them. Then we have customers who are coming to us for the first time. It's quite a different process for us. We would go through the process and, yes, there are times when we have said no with respect to human rights. We did publish a transparency and disclosure policy in 2020, and we will now be disclosing in our annual report the number of times we turned down transactions, so that's part of our enhanced disclosure activities.

As it relates to—

**Mr. Scott Reid:** Just before you get to that, when is that report coming out?

**Ms. Mairead Lavery:** It should be becoming public around the end of April or the start of May.

**Mr. Scott Reid:** Okay, thank you.

**Ms. Mairead Lavery:** As it relates to existing customers, that's a very different type of relationship, and that's what I was speaking about with respect to monitoring. Then it's a very different situation and that gets us into the discussion that the professor was mentioning around leverage and remedy. As a financial institution—and our human rights policy is very clear on this point—we want to understand, is there an item.... If we are made aware of a situation, of course we're going to reach out to the company and start a dialogue with them. We're immediately going to understand if we can use leverage if there is a severe human rights impact to ensure the company is addressing it. It's not an immediate withdrawal of support because that may not help the impacted parties the most. It is an assessment at that point as to whether EDC has enough leverage to make a difference to the remedy.

**Mr. Scott Reid:** Thank you.

Mr. Deva, were you here for the first part of the discussion with the minister, or did you not hear that?

**Mr. Surya Deva:** I heard the last 20 minutes or so.

**Mr. Scott Reid:** Okay.

There was a discussion of a Canadian company, a Canadian-owned mining company operating in Eritrea, in Africa, called Nevsun. They run a mine in a place called Bisha. The accusation has been made and is currently working its way through the Canadian courts that forced labour was used not by the company itself but by a government-owned contractor when the company was being set up.

I went on behalf of this committee to that mine site and took a look around, along with the Canadian ambassador. One of the things that has been on my mind in thinking of that experience is that when we talk about things like giving the ombudsman power to compel testimony or documentary evidence, I don't see how it would get to a supply chain issue, where all of the documentary ev-

idence is in another country, beyond the power of any apparatus the Canadian government could set up.

For a situation like that one, or any other one where there's a supply chain issue—someone has done something in supplying you with a product, and it's outside of Canada—what kind of remedies, realistically, do you think are available?

• (1955)

**Mr. Surya Deva:** I will try to answer this question in two parts. The first is what are the possibilities of seeking the evidence from the ground if it is in some other jurisdiction outside of Canada. The second is the remedy part of it.

In terms of how to get it, there are several practices. One possibility could be that the court could request those documents through the Canadian company because these companies have a contract with the suppliers abroad, and in those contracts, it is quite possible for the Canadian company to stipulate human rights clauses and conditions. That would allow this Canadian company based in Canada, over which the court has jurisdiction, to indirectly get these documents, even if it is happening in Africa, Asia or Latin America—anywhere. That is one possibility.

The second possibility is that we can draw from the experience of national human rights institutions that have done some informal collaboration with peers in other jurisdictions. Let's say that the court would like to corroborate with a national human rights institution elsewhere. Then, they can collaborate together, and through that institution, they can get some evidence and facts from the ground, from the victims in those particular situations.

The third possibility is that there could be bilateral agreements between Canada and that particular country, and those agreements should be used by courts to get that sort of information.

I think that is where this dynamic power becomes quite relevant. If the court does not have those powers, it cannot use those multiple options. Having the power is different from using the powers. I should stress this point, because if you have the powers—let us say a stick—then the collaborative approach works more effectively because companies know that if they do not collaborate and co-operate with the court, the stick can be used, but if the court has no stick, then the collaboration does not really work in many hard cases in which companies are not willing to collaborate.

**Mr. Scott Reid:** Before you go on, the chair is giving me a signal that I have only 30 seconds left. I did have one further question I wanted to ask you that relates back to your first response.

You indicated that for a Canadian company, for example, we could require them to stipulate certain conditions. That will only work—I think I'm right in saying this—on a go-forward basis. That is to say, it can only work for the creation of future contracts as opposed to reaching back into the past, as would have been the case with the mining company we discussed.

Do you think I'm correct in saying that it only works for the future? That doesn't mean it's not valuable. It just means that it will only work on a go-forward basis to prevent future abuses as opposed to allowing us to reach into past abuses.

**Mr. Surya Deva:** I think, even in the past cases, either the contracts can be revised, or the Canadian company could use its leverage to get those documents. It's not impossible to get this information even about the old contracts or the continuing contracts.

**The Chair:** Now we are going to be moving to Mr. Brunelle-Duceppe for seven minutes.

**Mr. Scott Reid:** Thank you.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Thank you, Mr. Chair.

I want to thank the witnesses for their presentations and for joining us today for this important study.

Mr. Deva, many Canadians believe that Canada is a leader in human rights. We certainly aren't the worst in the world, but I'm not sure that we're as good as people think.

In terms of Canadian companies operating abroad, can you tell us how Canada measures up to other countries?

• (2000)

[English]

**Mr. Surya Deva:** I will confine my remarks to business and human rights, which is a subset of human rights.

I think leadership is about what a country or a company is doing, not what they are saying. In the field of business and human rights, there are significant developments taking place in Europe, where mandatory human rights due diligence legislation is being enacted or access to remedies is being improved. I think Canada is lagging behind on those two elements, in my view, at this point in time, because Canada has not yet enacted anything. I see there is some discussion going on about mandatory human rights due diligence legislation, and the CORE, in my view, is a good step. However, without any powers, the CORE will not be a viable institution to provide access to remedies in a non-judicial setting. There is no point in creating another NCP. When we visited Canada in 2017, we recommended that the CSR counsellor be replaced with something more robust.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Mr. Deva, does the current structure of the Canadian ombudsperson for responsible enterprise, or CORE, comply with the recommendations of the United Nations working group on the issue of human rights and transnational corporations and other business enterprises?

[English]

**Mr. Surya Deva:** I think the UN guiding principles provide general guidance, but as I reminded subcommittee members, we visited Canada in 2017 and issued a report in 2018 to the Human Rights Council. In this report we made very specific recommendations on what powers the CORE should have, and I don't think the current mandate and the powers tick the boxes we recommended as independent experts.

Based on my knowledge and engagement of Canadian mining companies operating elsewhere—I will not name these companies—I can say with confidence that many companies are not willing to co-operate with remedial mechanisms. This is not unique to Canadian companies, so I don't want to say that only Canadian companies behave like this. Many companies from all over the world are not willing to co-operate, and that is where states have an obligation. It's an obligation under international human rights law to ensure that Canadian companies respect human rights, both within Canada and outside Canada, and this is non-negotiable. Promoting trade should not be done at the cost of undermining human rights.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Logically, in your view, the Canadian government should consider adopting human rights due diligence legislation.

[English]

**Mr. Surya Deva:** Yes. My position, as I recommended in my opening statement, is that the government should adopt comprehensive human rights due diligence legislation that covers labour rights, human rights and environmental rights.

These companies are operating anywhere in the world, and Crown corporations like EDC have a higher responsibility under the UN guiding principles. As such, the mandatory human rights due diligence legislation should apply to all these companies, and if they do not follow those practices, there should be consequences, with effective remedies as well. This legislation would make the CORE more effective because otherwise it would not have those bases.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Let's take the example of the Uighurs in China. Based on your previous answer, we can't really count on companies to look at their supply chain and help us with all this. The companies won't co-operate.

[English]

**Mr. Surya Deva:** I'm not fully sure if I understood the entire question. Maybe something was lost in translation.

Were you talking about a Uighur issue in the supply chain?

**The Chair:** That's correct.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** We were talking about the supply chain. You said that most companies don't want to co-operate. You're telling us that we can't count on, for example, companies in Xinjiang, China. Right now, we're trying to look at the supply chains that reportedly use forced Uighur labour. You're telling us that we can't count on companies to do this. We need government legislation.

• (2005)

[English]

**Mr. Surya Deva:** I was not saying that in reference to the Uighur situation in Xinjiang, but I think my response would be that if a company is unable to conduct meaningful human rights due diligence, whether it is Xinjiang or Myanmar or anywhere else, then that company has to stop doing business there. I think the UN guiding principles are very clear on that.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** I think that there was a slight misinterpretation between you and me, but it doesn't matter.

Ms. Lavery, what's wrong with the due diligence process at EDC, which continues to support companies involved in serious abuses?

There's definitely something wrong.

[English]

**The Chair:** You have about 15 seconds, please.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** If you add the interpretation time and the time that Mr. Reid had earlier, I think that a good 45-second answer is possible.

[English]

**Ms. Mairead Lavery:** At EDC the due diligence process is working as planned. It is highlighting where there may be issues and where there may be the potential for severe risks. That is leading us to have conversations with the customers before we support them or we support a transaction, to ensure that they can mitigate that risk or they can provide appropriate remedy thereafter.

I can't speak in general for companies, but at EDC it's working.

**The Chair:** Thank you.

You got your 45 seconds, Mr. Brunelle-Duceppe.

Now we will move to Ms. McPherson from the NDP.

You have seven minutes, please.

**Ms. Heather McPherson:** Thank you, Mr. Chair.

Thank you to the witnesses for joining us today. It's an important conversation to be having. I appreciate your insight and your input.

Ms. Lavery, you just spoke about the fact that the EDC is working as planned. Your response to my colleague from the Bloc is that it is working as planned. Unfortunately, we have seen examples, as I think my colleague Mr. McKay has also pointed out, of where companies that are acting in very bad faith, that are not acting envi-

ronmentally and socially responsibly, have received large sums of money from the EDC.

You know, just last month Oxfam Canada released a feminist scorecard. It noted that Export Development Canada provides billions of dollars to support the oil, gas and mining industries [*Technical difficulty—Editor*]. Will the EDC call for changes to the Export Development Act to include the prohibition of business activity that violates human rights or exacerbates gender equality?

You say that it's working as planned. We have all of these examples where we're actually funding some pretty bad actors. What will you do to make sure that stops? How will we make sure that doesn't continue?

**Ms. Mairead Lavery:** Perhaps I could break it down into a couple of different components. There is the component with respect to the gender element to your question. We absolutely agree; in our due diligence with respect to human rights, we are very clear that our due diligence covers vulnerable people, those sections of the community who are either protected or who are at greater risk of severe human rights risks. Women and children are included in protected communities, as are human rights defenders who may be subject to severe risks. Those are categories that we do cover in our due diligence activities.

As it relates to our support for the oil and gas industry and the mining industry, they are absolutely industries that EDC does support. They are very significant contributors to the Canadian economy. I would suggest that not all members of those industries are bad actors. That's what our due diligence process is out to identify.

Now, we also have to recognize that when EDC does enter into relationships, particularly financing relationships, they can be very long-term financing relationships. We have seen instances whereby in financing we have done in the past, our due diligence procedures have changed over time. There is a time element to this, as we continue to augment our procedures in line with international best practices. Whether that's the OECD with respect to their due diligence practices on supply chains, or whether it's clearer principles forward, which have brought in the concept of free, prior and informed consent, we continually add to that, yet there are some transactions that we did many years ago, when those pieces of legislation did not exist.

I do believe it is working properly. We will continue to support all Canadian companies with respect to the sectors of Canadian GDP.

• (2010)

**Ms. Heather McPherson:** Thank you.

Just to clarify, for some of these examples I have in front of me, it was in fact not very long ago. There are examples as recent as 2018 of Canadian companies not acting ethically abroad. It is not something that happened far in the past.

I just want to clarify, as well, that the process would then be that you will ask for documents, evidence and risks. If the companies don't give those to you, that's where that review ends. You can implement enhanced monitoring but, for the most part, if you ask a bad actor to give you documents they don't want to give you, is that the end of that?

**Ms. Mairead Lavery:** No, I would not say that. That is one of the points we use as a point of reference. Of course, that would be the person we're transacting with, so we want to get his or her perspective and details on it.

We will also continue to scan the media. We will work with some of our civil society organizations to understand. I would say we also watch for risk flags.

We're very conscious that there are areas EDC and Canadian exporters participate in that are more susceptible to human rights, whether it is with respect to oil and gas, mining or the garment industry.

I would say one of the emerging sectors is with respect to telecommunications and technology and the ability there to deal with privacy matters or withholding of information or subversion of populations using communication technology. My team is continually looking at those things.

**Ms. Heather McPherson:** Thank you.

I'm sorry to interrupt; we have such limited time.

I have one last thing. We have examples of companies, such as the oil company where 190 workers and contractors were killed in accidents. We have massive hydro dams that have almost ruptured. We have really serious human rights abuses happening around the world with Canadian companies.

I wonder if you could talk about the impact you feel these bad actors are having, these companies that do not adhere to human rights law or to environmental law. What is the impact on Canada's international reputation, and how does that impact companies that are following the rules and acting in good faith?

**Ms. Mairead Lavery:** In my opinion it does affect the brand. Certainly in my discussions at international fora, the question is often raised to me with respect to the legacy that some Canadian companies have left around the world. Therefore, they're asking me what is different and what is EDC doing to ensure that the companies they support today are not participating in those practices.

If I were to give you a general response, I do believe it impacts negatively the Canadian brand.

**Ms. Heather McPherson:** Thank you.

**The Chair:** Members, we're going to be moving into our second round. Just based on the time and splitting it up, I'm looking at about three minutes per questioner. We'll commence with Ms. Khalid, from the Liberals, for three minutes.

**Ms. Iqra Khalid:** Thank you, Mr. Chair.

To our witnesses, I do have two questions, so I hope you'll answer them as succinctly as possible.

I'll go to Mr. Deva first, if that's okay.

Mr. Deva, the CORE appeared before our committee a couple of weeks ago. She stated that there is no office like the CORE in the world and that this office was the first of its kind.

With your vast experience, do you know of any other oversight body that has a similar function? If you do, what's the difference?

• (2015)

**Mr. Surya Deva:** I think the CORE is in some ways a unique institution, but it is not unprecedented to have an institution like this. There are national human rights institutions that have the power to investigate and the power to compel witnesses and evidence. I can give concrete examples. If the committee would like, I can send some documents. There are countries—

**Ms. Iqra Khalid:** Do they not have the same mandate?

**Mr. Surya Deva:** They have a wider mandate. They can deal with human rights abuses, including by businesses. They can compel evidence and witnesses. They can also enforce their recommendations.

We can draw inspiration from those institutions that are there. The CORE is somewhat unique, but it is not unprecedented such that this has never happened. There are institutions that are already doing something like this.

**Ms. Iqra Khalid:** One of the arguments that's made for the CORE and why it may not have powers to compel, etc., is that there are concerns that Canadian companies may begin to take a very legalistic approach to the ombudsperson investigations instead of co-operating.

You mentioned having a stick to enforce co-operation. What is your response to claims like these?

How do court powers—which exist for companies or for issues to go through that court process for obtaining documents, etc.—play into your recommendations for how the CORE can be improved and in building that collaborative relationship?

**Mr. Surya Deva:** Mr. Chair, in fact I met Ms. Meyerhoffer on her very first day in office, and we agreed that having more powers would be more effective.

I don't know what her current position is and what evidence she gave to the subcommittee, but I have been in touch with her, and she agrees that more powers will be necessary. Whether those powers need to be used in a particular case or not is a separate issue.

I would like to repeat that having the powers, as is the case with due process, is needed. Companies also have due process rights, but they sometimes do not co-operate. If they do not co-operate, then those powers have to be used to provide effective remedies.

**Ms. Iqra Khalid:** Thank you very much.

**The Chair:** That concludes your time.

Now we're moving to Mr. Chiu, from the Conservatives, for three minutes.

**Mr. Kenny Chiu:** Mr. Deva, I will just follow up on what MP Khalid was asking. Compared against the world, Canada does not, by far, have the largest number of overseas investments and operations around the world.

You mentioned that there are definitely things Canada could do better in terms of mandating the CORE. I wonder how Canada, and also western countries, compare with some of the up-and-comers such as, for example, companies from the People's Republic of China, in terms of respecting and being in compliance with local environmental regulations, mediation of labour conflicts, and following the human rights guidelines of the UN.

What would you say on that?

**Mr. Surya Deva:** Every country is different, Mr. Chair. I think it's difficult to compare apples with oranges, but of course Chinese companies operating globally are facing significant challenges, and it is of great concern for the working group on business and human rights that these companies, in many situations, are not respecting human rights, whether they are operating inside or outside China.

I think we should not be looking at those examples; rather, Canada should be leading, should it not? If, as a global leader, it would like to lead on human rights, Canada should look at the countries and companies that are leading, rather than at countries and companies that are not leading on this particular front.

At the same time, I should clarify that we should not be making sweeping statements, such as that all Chinese companies are this, and all Canadian companies are that. I think there are good companies and bad companies operating from different jurisdictions, different countries. We should be taking an evidence-based, objective approach.

I think the road map for Canada is very clear. It must enact—

**Mr. Kenny Chiu:** Thank you. I appreciate that.

I would like to take on your offer to table for the committee the list of countries that in a previous question MP Khalid asked you for.

Also, in the remaining 30 seconds I'd like you to comment on the working group on business and human rights. What kind of oversight does it have of global international companies investing in other operations?

• (2020)

**The Chair:** You have 20 seconds, Mr. Deva.

**Mr. Surya Deva:** Thank you, Mr. Chair.

I'll be happy to provide additional information on what powers these national human rights institutions have in different jurisdic-

tions and how the CORE can be inspired by those powers in discharging their mandate and jurisdiction.

Regarding your second point, the working group on business and human rights does not have the power of investigation. We have the power to accept complaints, but then what happens is that we write to the governments and companies saying that they should respect human rights. We have, then, the power of persuasion. That is the point I am hammering again and again.

**The Chair:** Thank you.

**Mr. Surya Deva:** We should create institutions—

**The Chair:** Thank you, Mr. Deva. We appreciate that you will forward those documents.

Now we're moving to Mr. Brunelle-Duceppe for three minutes.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Thank you, Mr. Chair.

Since these are my last comments, I want to thank the witnesses for joining us this evening.

Ms. Lavery, I have one last question for you. Do you believe that the companies that you funded are guilty of human rights violations?

It's a fairly simple and straightforward question.

[*English*]

**Ms. Mairead Lavery:** As I said at the outset, we support more than 24,000 Canadian companies and a number of international companies as well. We rely on our due diligence processes to ensure that the companies have made human rights impacts around the world.

We can [*Technical difficulty—Editor*] to ensure that they haven't. That being said, if something were to happen, we would then have to enter into a discussion with the company and use our leverage to affect the way they're going to remedy that situation.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Do you think that you may be funding companies that violate human rights?

[*English*]

**Ms. Mairead Lavery:** I am personally not aware of any company that EDC is supporting that is violating human rights.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Thank you, Ms. Lavery.

Mr. Deva, the ombudsperson and the minister seem to think that a website where victims of human rights violations can submit complaints is sufficient.

However, in your opinion, can an activist who wants to take on a multinational corporation, which is probably colluding with local authorities and possibly monitoring their Internet communications, feel at ease approaching the CORE?

[English]

**Mr. Surya Deva:** The website is a good starting point. There are a number of ways in which a complaint could be made to the CORE. Going forward, the CORE has to go to those different countries where Canadian companies are operating, especially if there are a significant number of Canadian footprints in those countries.

You would have to go to the local jurisdictions, work with the Canadian embassies and consulates in those jurisdictions, create tools that are in the local language, and create tools by which people could report in confidence, because a state business nexus is also a big issue. There is corporate capture. Sometimes government officials leak information to the companies, and this is problematic. We have to safeguard against those risks to the defenders and the victims.

[Translation]

**Mr. Alexis Brunelle-Duceppe:** Thank you for being here.

[English]

**The Chair:** We're moving to our last questioner, Ms. McPherson, for three minutes.

**Ms. Heather McPherson:** I would also like to thank all of our witnesses for joining us today. It has been a very interesting conversation.

I have some questions for Mr. Deva.

First, I would like to follow up on my colleague, Mr. Chiu, and encourage you to submit documents and share some of the concrete examples. If you wouldn't mind tabling the most recent UN working group recommendations to Canada to be part of this study, that would be very useful.

I would also like to follow up on the question that Ms. Khalid asked earlier. The minister talked about this being very groundbreaking for a very new office, the first of its kind in the world, but if I understand correctly, you're saying this version of the CORE is replicating what the NCP has already done.

Would you see that as correct? Could you comment on that?

• (2025)

**Mr. Surya Deva:** I'll be happy to provide those reports that are relevant for the subcommittee's mandate regarding this particular issue.

In addition to the CORE, let me be very clear, it's not an either/or situation. The CORE is an important step. Let us get this right. At the same time, to make it effective, it needs those powers that it lacks at this particular point in time. We made the recommendation very clearly before it was established. We made that clear in 2018, when it was not even established.

Those boxes have not been ticked. My understanding is that the government promised that those powers would be conferred on the CORE, and they have not been conferred.

Mediation is done by the initial contact point already. What is the purpose of the CORE investing its resources in mediation, because that function is already done by the NCP? That is duplication.

We should create the CORE somewhere between the NCP on the one hand, and the courts on the other hand. It should be able to function like a non-judicial body that is not doing what the courts do, and not doing what the NCP does. It can do that if it has those powers that we recommended in the 2018 report.

**Ms. Heather McPherson:** I have one last question for you, Mr. Deva, and I ask this of other witnesses as well.

What are the impacts on Canada's international reputation when we see what companies are doing around the world? It's not every Canadian company. It's a small number, but what are the implications for our reputation?

**Mr. Surya Deva:** The reputation of any country is at stake if it cannot ensure that its international human rights obligations are respected.

The UN guiding principles expect all states to lay down expectations of their businesses, operating inside or outside. It is an obligation of the Canadian government to lay down those expectations through mandatory human rights due diligence legislation, and provide access to effective remedy through the courts and non-judicial mechanisms like the CORE.

**Ms. Heather McPherson:** Thank you so much.

**The Chair:** That brings us to the end of the time available for us this evening.

We want to thank Mr. Deva and Ms. Lavery, our witnesses, for appearing before us today.

That will conclude your appearance here at our committee, and we thank you very much.

I am going to ask the members to hold on for a little bit so that we can just go over some committee business.

Subcommittee members, in the interest of allowing the clerk and analysts the break weeks to proofread the report and send it to FAAE as soon as possible, I'm asking you if there's any appetite to finish consideration of the displaced persons draft report by agreeing to the title in the next five minutes or so that we have here. I'm just looking for a show of hands. Can I get a thumbs-up from everybody? Okay, great.

Mr. Clerk, do we have the different titles?

**The Clerk of the Committee (Mr. Naaman Sugrue):** Yes. I just redistributed the earlier email with those three suggested titles in it in both languages.

**The Chair:** Could we have them read out by the clerk or the analyst?

**Mr. Jean-Philippe Duguay (Committee Researcher):** The first one is “Pouring Fuel on the Fire: The Impact of the Global COVID-19 Pandemic on Displaced Populations”.

Do you want me to read them in French as well?

• (2030)

**The Chair:** Yes, please.

**Mr. Jean-Philippe Duguay:** The second title is “Igniting a Crisis: The Devastating Impacts of COVID-19 on Displaced Populations Globally”.

The third title is “The Impact of the Global COVID-19 Pandemic on Displaced Populations: Case Studies of Venezuela and Myanmar”.

**The Chair:** Thank you for reading those out.

Yes, Heather.

**Ms. Heather McPherson:** The only thing I would say is that they seem to go, from one to three, from the most exciting or dynamic to the least, I guess, and I'm not sure that dynamic is what parliamentarians are supposed to be, so I think number two is a nice centre of the road. That would be what I would propose.

**The Chair:** Okay.

Mr. Chiu.

**Mr. Kenny Chiu:** Thank you, Mr. Chair.

I totally concur with MP McPherson.

**The Chair:** Okay. That's two votes for number two.

Monsieur Brunelle-Duceppe.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I thought that it was Mr. Reid's turn since he's ahead of me, but I like number two as well.

[*English*]

**The Chair:** I apologize, Scott.

It's number two for Monsieur Brunelle-Duceppe.

Scott.

**Mr. Scott Reid:** You know what? Let's make it a consensus. I like number two as well.

**Hon. John McKay:** Very liberal.

**The Chair:** Okay.

I don't think I see any more hands. I think we're all good with number two, right? Number two is the title. Terrific.

Go ahead, Heather.

**Ms. Heather McPherson:** I'm just wondering whether or not this would be a time I could bring forward the motion that I shared with the committee. Since we only meet once a week, I am hoping that we could look at that very quickly if that's possible.

**The Chair:** If it will get us into a debate....

We're at 8:32. I was thinking we would just—

**Ms. Heather McPherson:** Why don't we do a vote and see if it could pass if there's consensus?

**The Chair:** Why don't we just finish this in terms of the motion to adopt the report? Then we'll see if members have any appetite to get into that.

The motion is that the draft report as amended be adopted.

(Motion agreed to)

That the report be entitled “Igniting a Crisis: the Devastating Impacts of COVID-19 on Displaced Populations Globally”.

That the Chair, Clerk and analysts be authorized to make such grammatical and editorial changes as may be necessary without changing the substance of the report.

That, pursuant to Standing Order 109, the Subcommittee request that the Government table a comprehensive response to the report.

(Motion agreed to)

Okay.

Heather.

**Ms. Heather McPherson:** I was going to suggest a very short motion. I sent it out some time ago. Of course, we have very tight timelines because we meet only once a week. It isn't something that is particularly controversial, but we would have to start planning for it. It would go after some of the studies that we've already initiated, so it wouldn't come for some time. Considering that the vaccine rollout is probably going to be one of the most important issues of COVID-19, I think it's important that we look at the human rights implications of the vaccine rollout around the world.

It gives us an opportunity to talk about making sure countries around the world have access, the implications if that access is not given, and how we can ensure that it is equitably given to people in marginalized or vulnerable populations. I think that it aligns incredibly well with the work that this subcommittee does.

I understand that the subcommittee needs consensus. This is not in any way supposed to be partisan, and it is not in any way supposed to be an attack on anyone. It is supposed to be a close look by the international human rights subcommittee at the human rights aspects of vaccine access. It's about how we can make sure that all people around the world from all vulnerable populations and refugee populations can access the vaccine in an equitable way.

• (2035)

**The Chair:** Thanks, Heather.

Anita.

**Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.):** As much as I think this is an important topic, I'm looking at some of the ways in which authoritarian countries around the world are really clamping down.

I know we had a whole list of countries. For instance, Uganda was one that I put forward. With what's happening in Myanmar, it might be worth revisiting there. We have only so many meetings left. We also have a number of studies before us.

One of my worries is that with anything we do, there's always a time lag between when we do it and when we report. With things going so quickly on the vaccines, I just think that—

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I have a point of order. Sorry, I don't understand why, but unfortunately, I no longer have access to the interpretation services.

[*English*]

**The Chair:** I'm sorry.

Did we lose interpretation?

[*Translation*]

**Ms. Anita Vandenberg:** I think that there are many other cases, such as Uganda, Myanmar—

[*English*]

**The Clerk:** Mr. Chair, if I may say so, I think the issue is that Ms. Vandenberg is no longer using her headset. Regardless of what language she speaks, there won't be any interpretation.

**Ms. Anita Vandenberg:** I apologize. I wasn't expecting to speak, so I took it off.

I'll very quickly recap. I don't want to keep everybody.

I really think right now we have a very particular committee—

Is it still not working?

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** I think that you need to connect your microphone.

[*English*]

**Ms. Anita Vandenberg:** My apologies.

We are a very particular committee. When we have a one-off meeting and we shed light on something that's happening in a particular country, it has a massive impact in that country. What we've done on Cameroon and some of the other countries has actually had an impact on what their congress has done.

There are a lot of places in the world right now where there are no international eyes. With COVID-19 everyone has turned inward. We have a unique role as a committee. I had proposed Uganda at one point. I think we should go back to Myanmar, because when we did that study the coup hadn't happened there yet.

I think we have a very particular niche as a committee in that we can shed light where no one else is doing that. We have so few meetings left and so many countries in the world in crisis at the moment....

It's not that what you're raising, Heather, isn't important, but it may not be the number one priority.

I'd rather focus on, for want of a better word, our core issues.

**The Chair:** I see Iqra's hand up, and then I see Alexis's hand up. I don't want to keep going for 20 minutes.

**Ms. Heather McPherson:** I have a point of order, Chair. Very quickly, did we not have extra time allocated to do committee business? Was that not included in today's schedule?

**The Chair:** I tried to build in five minutes. I ended up with only two minutes at the end, and I've gone over. Now we're at 8:38. We only had time to get consensus to work through the title and move the report. That's what I wanted to do.

I think we have to move this to our next meeting, members.

**Ms. Iqra Khalid:** Yes, please, Mr. Chair. I'm completely late for another engagement I had committed to.

**The Chair:** Okay.

We'll move to Mr. Brunelle-Duceppe.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Mr. Chair, I want to add something.

**The Chair:** Yes. You have the floor for 30 seconds.

**Mr. Alexis Brunelle-Duceppe:** We can pass the motion and do the study later. We don't need to do it right afterwards. At that point, it will be—

[*English*]

**The Chair:** I don't hear consensus right now.

No, there's no consensus.

[*Translation*]

**Mr. Alexis Brunelle-Duceppe:** Okay.

[*English*]

**The Chair:** I think we're going to adjourn at this time.

Thank you very much everyone.







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