

**United Nations Human Rights Council
24th Regular Session, 9 – 27 September 2013
Agenda Item 6**

**ICJ Oral Statement in the Interactive Dialogue on the adoption of the UPR
Outcome Document on Canada**

**CANADA: LEGAL FRAMEWORK NEEDED FOR ACCOUNTABILITY OF CANADIAN
EXTRACTIVE INDUSTRIES FOR HUMAN RIGHTS IMPACTS OVERSEAS**

19 September 2013

Check against delivery

Mr President,

The International Commission of Jurists (ICJ) regrets that Canada's written response to the Report of the Working Group on the Universal Periodic Review was publicly available only one day before its consideration in the Human Rights Council, limiting the time and capacity of stakeholders to comment on it (Annex to Resolution 5/1, Section 3(m)).

The ICJ reiterates its concern regarding the human rights impacts of Canadian business enterprises, in particular mining, gas and oil companies, in countries where they operate. The ICJ regrets that while Canada accepts recommendation 151 "in principle", it states only that it will "encourage responsible business conduct" and does not commit specifically to establish and implement "an effective regulatory framework" for "holding companies... accountable" for their human rights impacts abroad, as the recommendation calls for. In order for Canada to "protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises" as contemplated by Principle 1 of the Guiding Principles on business and human rights (endorsed by the Council in resolution 17/4 of 16 June 2011), Canada needs not merely to give its extractive industry encouragement, but provide for effective and transparent monitoring and accountability mechanisms.

The ICJ welcomes the ratification by Canada of the Convention on the Rights of Persons with Disabilities (CRPD) in 2010. The ICJ regrets however, that Canada does not accept recommendations to become party to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Third Optional Protocol to the Convention on the Rights of Child, the International Convention for the Protection of the Rights of all Migrants Workers and Members of Their Families, and the International Convention for the Protection of All Persons from Enforced Disappearances (UPR recommendations 1, 2, 4, 3, 6 and 8). The ICJ calls on Canada to reconsider its position.

I thank you.

Statement delivered by:

Mr Matt Pollard, ICJ Representative to the Human Rights Council (matt.pollard@icj.org)

+41 79 246 5475

For further Contact:

Mr Carlos Lopez, ICJ Business and Human Rights Programme (carlos.lopez@icj.org)