



Kevin Sorenson
Chair, Standing Committee on Foreign Affairs and International Development
House of Commons
Ottawa, Ontario K1A 0A6
Canada

October 26, 2009

Dear Mr. Sorenson,

I am writing on behalf of EarthRights International (ERI) to express my organization's support for Bill C-300, an *Act respecting Corporate Accountability for the Activities of Mining, Oil and Gas Corporations in Developing Countries*. ERI is a nonprofit, non-governmental organization that focuses on the intersection between human rights and the environment, using a combination of strategies, including litigation, documentation, training, and public campaigning, to achieve our goals. We are counsel on several lawsuits against oil, gas, and mining companies for human rights abuses abroad, and also document human rights abuses worldwide.

We at ERI believe that countries have an obligation to oversee the activities of their transnational corporations abroad. This is not only a mandate of international law and a moral imperative; it also provides companies with the backing they may need to implement ethical practices in difficult environments without losing their competitiveness. ERI uses litigation and public campaigns to hold corporations accountable after abuses occur, but we strongly support the development of regulatory regimes to prevent violations of international human rights law and provide incentives for companies to adopt best practices in security, environmental, and social policy. In our investigation of the environmental and human rights impacts of the Canadian mining company Ivanhoe Mines Ltd. in Burma (Myanmar), for example, we have concluded that local populations face formidable obstacles to seeking justice and accountability. In such cases, proactive home country regulation is perhaps their only hope for effective redress. Moreover, we believe that litigation in response to abuses is a regrettable but necessary approach in the absence of effective home country regulation, which could avert such abuses in the first place. The C-300 bill could help to prevent human rights abuses against inhabitants of weak governance zones, including loss of lives and livelihoods – and, by avoiding such tragedies, it would save companies millions of dollars in legal fees, reputational costs, and lost goodwill.

C-300 conditions government financial support on compliance with internationally-recognized standards, including the Voluntary Principles on Security and Human Rights and the IFC's Performance Standards. Both of these regimes were developed in cooperation with business and are routinely encountered by multinational corporations already, and responsible companies will already be in compliance. Because it creates incentives to encourage companies

to comply with universal standards, we consider C-300 to be a promising step and urge the Committee to recommend the bill.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ka Hsaw Wa', with a long horizontal flourish extending to the right.

Ka Hsaw Wa

Executive Director

EarthRights International

Cc: Francine Lalonde , Vice Chair, SCFAID
Bernard Patry, Vice Chair, SCFAID
Jim Abbott, Member, SCFAID
Lois Brown, Member, SCFAID
Paul Dewar, Member, SCFAID
Peter Goldring, Member, SCFAID
James Lunney, Member, SCFAID
Deepak Obhrai, Member, SCFAID
Glen Douglas Pearson, Member, SCFAID
Bob Rae, Member, SCFAID
Carmen DePape, Clerk, SCFAID