

# Office of the Extractive Sector Corporate Social Responsibility (CSR) Counsellor: Review Process

*Accessible, Effective, Independent, Transparent, Responsive, Predictable*

## What is the Office of the Extractive Sector CSR Counsellor?

*The Office of the CSR Counsellor is a new office, set up as part of the Government of Canada's corporate social responsibility strategy for the Canadian international mining, oil and gas sectors. The Office's Review Process supports dispute resolution, dialogue and effective problem-solving between a Canadian extractive company and people affected by the extractive project.*

### WHAT DOES THE REVIEW PROCESS DO?

The Office of the CSR Counsellor provides a new option for constructive resolution of disputes between Canadian companies and communities outside of Canada. We play a convening and facilitation role.

Our problem-solving tool, called the Review Process, emphasizes dialogue and constructive problem-solving. It is about people with different views and interests working together to find mutually acceptable solutions to resolve disputes or issues.

### WHAT KIND OF DISPUTES?

Disputes or issues must be connected with the Government of Canada's endorsed *performance guidelines*. These guidelines include the **IFC Performance Standards**, the **Voluntary Principles on Security and Human Rights** and the **Global Reporting Initiative**. The guidelines are quite broad, and cover topics such as biodiversity, resettlement, labour rights, security and environmental management.\*

\*For more information, visit: [www.ifc.org/PerformanceStandards](http://www.ifc.org/PerformanceStandards), [www.voluntaryprinciples.org](http://www.voluntaryprinciples.org) and [www.globalreporting.org](http://www.globalreporting.org).

### WHO CAN BRING A REQUEST BEFORE THE CSR COUNSELLOR?

- A Canadian mining, oil, or gas company (registered or head-quartered in Canada)
- A project-affected individual, group, or community outside of Canada (assistance of a third party is possible, but optional)

### HOW DOES THE REVIEW PROCESS WORK?

We aim to have a process that is timely and practical. Once we receive the request, we confirm it is complete. If so, the other party is informed right away. If the request meets basic intake criteria, we proceed to meet with each of the parties, by phone or in person, to let them know how the process works, what they can expect, and to begin to build understanding of the issues.

The Office will normally conduct a situational assessment in the field. The purpose of this assessment is not to find fault, but rather to help everyone involved better understand the context, the issues, and whether this problem-solving approach is appropriate and will likely be helpful in resolving the issues.

Some other tools the CSR Counsellor may use are: information-sharing, convening, facilitation, process design and joint fact-finding.

There is wide scope in the Review Process for creativity and discussion.

The CSR Counsellor's process is just one way for people to try and resolve their disputes. Participating does not prevent parties from pursuing other options.

**ADDRESSING CONFLICTS THROUGH THIS TYPE OF APPROACH CAN:**

- ✓ *Find workable and lasting solutions that allow parties to maintain control and input in a process*
- ✓ *Improve trust and working relationships*
- ✓ *Build trust in scientific information – beyond “duelling experts”*
- ✓ *Generate a better understanding of the situation and get to the root cause of conflicts or issues*
- ✓ *Help people figure out how to implement a performance standard in a way that best meets interests*

**WHAT IS THE COST FOR THE REVIEW PROCESS?**

There is no fee for using the CSR Counsellor's process. Requesters must have tried to engage with the other party in some way before making a request to the CSR Counsellor. In the case of a project-affected group, normally they are first expected to have approached the company or used the company's on-site grievance mechanism (if one exists). Requesters must express their commitment to engage in a constructive dialogue with the CSR Counsellor and eventually with the other party.

**THIS TYPE OF APPROACH WORKS BEST WHEN:**

1. Parties have the incentive and willingness to participate
2. Issues are a high priority to all parties
3. The long-term relationship matters
4. Parties cannot resolve the situation on their own
5. Parties' alternatives are unlikely to meet their objectives
6. Outcomes are genuinely in question

**WHAT KINDS OF ISSUES CANNOT BE ADDRESSED WITH THIS PROCESS?**

- The office does not deal with violations of host country or international law, only disputes connected with the voluntary standards.
- The Office does not deal with corruption or bribery because under Canadian law, it is illegal to bribe a foreign public official to obtain or retain advantage in the course of business. To report incidents of corruption or bribery, please contact the RCMP Anti-Corruption Unit at +1613 993 6884. For more information visit <http://www.rcmp-grc.gc.ca/ccb-sddc/international-corrup-eng.htm>.

**Questions? CONTACT US.**

The Office of the Extractive Sector CSR Counsellor,  
Government of Canada  
1 Front Street West, Suite 5110  
Toronto, Ontario M5J 2X5 Canada  
Tel: +14169732064 Fax: +14169732104  
Email: [csr-counsellor@international.gc.ca](mailto:csr-counsellor@international.gc.ca)  
Visit: [www.international.gc.ca/csr\\_counsellor-](http://www.international.gc.ca/csr_counsellor-)