



How To File a Human Rights Complaint: Nunavut



Nunavut Human Rights Commission:

<https://nhrt.ca/>

Empowering Community and Removal of Barriers (ECRoB) Project

Navigating the intricacies of the Nunavut Human Rights Commission's complaint process can seem daunting, especially if you feel your rights have been violated. This guide offers an overview of how to file a Human Rights claim in Nunavut, detailing the steps of the process from determining eligibility to the possibility of a judicial review. Whether you're looking to educate yourself or actively seeking justice, the information provided here can serve as a valuable roadmap in your pursuit of equity and justice in Nunavut.

Please note: *This guide is for informational purposes only and does not constitute legal advice or representation. Always consult with a legal professional regarding your specific situation.*

Eligibility Criteria for Filing a Complaint:

1. The incident must have occurred within the last two years.
2. It must involve a prohibited ground or personal characteristic recognized under the Act, such as disability.
3. The event must be related to one of the following domains:
 - Employment or job search
 - Membership in an organization or association
 - Acquisition of goods, services, facilities, or contracts
 - Housing rentals (homes, apartments) or business space leasing
 - Publications (magazines, newspapers, signs, pamphlets)

You should be prepared to provide details about:

- The involved parties
- The nature of the incident
- The specific prohibited grounds of discrimination
- The ongoing status of the issue
- Witnesses or those knowledgeable about the event
- The impact on you
- Proposed remedies or resolutions

Understanding the Human Rights Tribunal:

The Tribunal, anchored by the Act's directives, operates as a quasi-judicial body overseeing human rights concerns in Nunavut. Initially, it promotes mediation for dispute resolution. If consensus is elusive, a formal hearing is scheduled.



Procedure Overview:

1. **Filing a Notification:** Initiate the process by completing a Notification form and submitting it to the Human Rights Tribunal Office. This form conveys the essence of your grievance to both the Tribunal and the alleged discriminator (Respondent). For assistance, refer to the [form guide](#). You can access the Notification Form [here](#). Supporting documents should not exceed 20 pages.
2. **Review of Notification:** Tribunal staff will review the Notification Form to make sure that all necessary information has been provided.
3. **Respondent's Reply:** Upon receiving your Notification Form, the Respondent gets a 60-day window to furnish a response.
4. **Decision on Proceeding:** A Tribunal member evaluates both the Notification Form and Reply to decide on the claim's progression or dismissal. All parties are informed in writing.
5. **Mediation or Public Hearing:** Parties are encouraged to engage in mediation—an informal and voluntary process aimed at mutual agreement. If unresolved, the case advances to a public hearing.
 - The objective of mediation is amicable resolution, not fault-finding. Mediation embraces Inuit societal values, emphasizing mutual resolution rather than « winners » or « losers. » A Tribunal representative or a designated mediator facilitates this process, ensuring it's not prescriptive but collaborative. For an in-depth understanding, consult the [mediation guide](#).
6. **Final Written Decision:** If mediation does not work, parties proceed in front of the Tribunal. After hearing evidence and the arguments from the Applicant and the Respondent(s), the Tribunal will decide whether the Applicant was discriminated against or harassed, and what should be done to correct the situation.