

chapter C-12, r. 1

Updated to 1 May 2017

## **Code of ethics of the members of the Human Rights Tribunal**

### **Charter of human rights and freedoms**

(chapter C-12, s. 106)

#### **PREAMBLE**

Whereas the Charter of human rights and freedoms confers on the Human Rights Tribunal, composed of judges and assessors, the responsibility of hearing and deciding matters regarding discrimination, harassment, exploitation of the elderly or handicapped and affirmative action programs;

Whereas the members of the Human Rights Tribunal must have notable experience and expertise in, sensitivity to and interest for matters of human rights and freedoms;

Whereas the Human Rights Tribunal, in keeping with general principles of justice, must give a broad and liberal interpretation to the Charter of human rights and freedoms that is conducive to the furtherance of the Charter's general objectives;

Whereas the president of the Human Rights Tribunal prescribes this Code of ethics:

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Decision 2007-09-05.

#### **DIVISION 1**

##### **RULES OF CONDUCT AND DUTIES OF THE MEMBERS**

**1.** Members must exercise their functions with integrity, honour, dignity and complete independence.

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Decision 2007-09-05, s. 1.

**2.** Members must be, and be seen to be, impartial and objective.

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Decision 2007-09-05, s. 2.

**3.** Members must exercise their functions with diligence, in keeping with the Tribunal's principles of accessibility and timeliness.

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Decision 2007-09-05, s. 3.

**4.** Members must respect the secrecy of deliberations. Members are bound to confidentiality regarding any information they obtain and to discretion regarding any matter brought to their knowledge in the performance of their functions.

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Decision 2007-09-05, s. 4.

**5.** Members must refrain from any intervention regarding an application before the Tribunal.

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Decision 2007-09-05, s. 5.

**6.** Members must act with reserve and prudence in public representations, avoiding any comment liable to undermine the integrity of the Tribunal or discredit the administration of justice.

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Decision 2007-09-05, s. 6.

**7.** Members must conduct themselves and proceedings before them so as to ensure that all are treated equally and according to the law.

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Decision 2007-09-05, s. 7.

**8.** Members must maintain their knowledge up to date, specifically regarding matters of human rights and freedoms, in particular by participating in the Tribunal's professional development activities. They must take appropriate measures to improve the skills necessary to the exercise of their functions.

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Decision 2007-09-05, s. 8.

**9.** Members must comply with the president's administrative directives in the performance of their duties.

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Decision 2007-09-05, s. 9.

## **DIVISION 2**

### **INCOMPATIBLE SITUATIONS AND ACTIVITIES**

**10.** Members must avoid placing themselves in a situation of conflict between their personal interest and their duties as members.

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Decision 2007-09-05, s. 10.

**11.** Members must refrain from engaging in any activity or placing themselves in any situation that could affect the dignity of their duties or discredit the Tribunal.

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Decision 2007-09-05, s. 11.

**12.** Members must refrain from engaging in any activity that is incompatible with the exercise of their functions. In particular, members must refrain from becoming involved in any cause or participating in any organization or pressure group having objectives that deal with matters falling within the jurisdiction of the Tribunal and from engaging in a political activity.

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Decision 2007-09-05, s. 12.

**13.** Members must refrain from engaging in any activity that could constitute a ground of recusation. A member who is aware of a valid ground of recusation to which the member is liable must abstain from sitting.

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Decision 2007-09-05, s. 13.

## **DIVISION 3**

### **FINAL**

**14.** This Code replaces the Code of ethics of the members of the Human Rights Tribunal (M.O. 92-08-10).

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Decision 2007-09-05, s. 14.

**15.** *(Omitted).*

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Decision 2007-09-05, s. 15.

## **REFERENCES**

Decision 2007-09-05, 2007 G.O. 2, 2949