



**Government of the Northwest Territories Response to Committee  
Report 5-20(1): Report on the Review of the 2022-2023 Annual  
Report of the Northwest Territories Human Rights Commission**

Background

The Standing Committee on Government Operations conducted a review of the Human Rights Commission 2022-2023 annual report. The report summarizing their review was tabled in the Legislative Assembly on June 7, 2024. It included four recommendations.

The following is the Government of the Northwest Territories (GNWT) response to the recommendations contained in Committee Report 5-20(1): *Report on the Review of the 2022-2023 Annual Report of the Northwest Territories Human Rights Commission*.

Recommendation 1

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories enact accessibility legislation to facilitate the implementation of accessibility standards and regulations to help ensure people with disabilities can fully participate in their communities.

*GNWT Response:*

The GNWT continues to show leadership on this topic through the planning, design and construction of GNWT-owned infrastructure incorporating accessibility requirements. The GNWT Good Building Practices for Northern Facilities also incorporates guidelines for accessibility in the built environment.

**Building Standards Framework**

The Department of Infrastructure is advancing development of a Building Standards Framework for the Northwest Territories. This is a large, multi-departmental initiative requiring dedicated funding, resources, coordination, and a substantive engagement process. The Departments of Infrastructure, Municipal and Community Affairs, and Housing NWT will continue to work together to develop the scope, resource plan and a schedule in 2024-2025. It is anticipated that this Framework would include requirements related to accessibility as it relates to the built environment.

## Recommendation 2

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories develop a grant or contribution program to support businesses and/or not-for-profit organizations in becoming more accessible for persons with disabilities.

### *GNWT Response:*

The GNWT is committed to policy solutions centred around the needs and safety of NWT residents. The Department of Infrastructure will explore options in this regard. Any new funding for programs or grants must be considered within the broader context of the Fiscal Sustainability Strategy.

## Recommendation 3

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories take immediate action to add genetic discrimination to the NWT *Human Rights Act* or provide rationale and justification for why the Government is not proceeding with this recommendation.

### *GNWT Response:*

The GNWT is committed to enhance the protection of human rights in the NWT. Genetic testing has become an increasingly common diagnostic tool for determining a person's pre-disposition to certain diseases or conditions. As science advances rapidly, it is increasingly important to consider the protection of the privacy interest in one's genetic information.

The issue of protection from genetic discrimination was previously raised in the NWT when amendments to the NWT *Human Rights Act* were considered by the 19<sup>th</sup> Legislative Assembly. In 2020, the Supreme Court of Canada upheld the new federal *Genetic Non-Discrimination Act (2017)*, which prevents third parties, such as employers and insurance companies under federal jurisdiction, from demanding genetic information from individuals and using that information against them. The ruling has implications for insurance companies and employers as both may face prosecution if convicted of using information from genetic tests for insurance or employment purposes. Insurers must also ensure that they have appropriate practices, policies and procedures in place to provide the opportunity for applicants to give meaningful consent. At the same time, apart from disclosure of genetic test results, applicants for life insurance coverage are still expected to provide full disclosure of facts material to the coverage.

At present, no other province or territory has amended its human rights legislation to include the prohibition of discrimination on genetic grounds. As a small jurisdiction, the GNWT will continue to monitor developments in this area to inform future direction as implications for insurance companies, employers and privacy considerations are further clarified.

#### Recommendation 4

The Standing Committee on Government Operations recommends that the Government of the Northwest Territories provide a response to the recommendations contained in this report within 120 days.

#### *GNWT Response:*

The GNWT is pleased to provide this response to the Standing Committee on Government Operations.