

the Respondent is ordered to disclose the video-tape(s). The parties are reminded that the Tribunal has the authority, pursuant to s. 52 of the *Canadian Human Rights Act*, to take any measures necessary to ensure the confidentiality of the inquiry.

[6] In addition, if the Respondent is in possession of documents relating to the ethnic composition of the members of the first reserve, it must disclose these documents, as they would also be arguably relevant to the issues of this case.

[7] With regard to the other requested documents, I accept Respondent counsel's word that his client is not in possession of any such documents. The Respondent is not required under the Tribunal's *Rules of Procedure* to manufacture documents; it must simply produce those documents that are in its possession.

"Signed by"
Athanasios D. Hadjis

OTTAWA, Ontario
October 16, 2009

PARTIES OF RECORD

TRIBUNAL FILE:	T1365/9508
STYLE OF CAUSE:	Ramanan Thambiah v. Maritime Employers Association
RULING OF THE TRIBUNAL DATED:	 October 16, 2009
APPEARANCES:	
Deborah Mankovitz	For the Complainant
No one appearing	For the Canadian Human Rights Commission
Daniel Leduc	For the Respondent