

ANNEX "B"

Proposed Canadian Forces Administration Order  
(CFAO) on Inappropriate Sexual Conduct:  
Elements of the "Best Case" to Defend the Order

I - PRIVACY

Argument

Members are required to share sleeping accommodations, ablution facilities, shower facilities etc. therefore, there is a necessary reduction in personal privacy in training and operational circumstances because of the limitation of the available resources. The protection of the dignity of individuals has been recognized in law as a valid factor to be considered. Compulsorily placing homosexuals and heterosexuals in situations where bodily privacy is invaded is a violation of the members' privacy rights and dignity and is likely to have a negative impact on cohesion and morale as well as decrease the trust in the military leadership for permitting this to occur.

II - MEDICAL

Argument

Certain diseases transmitted by blood such as HIV, syphilis and hepatitis B are prevalent in approximately 85% of the male homosexual population, which means that in a battlefield situation where blood transfusions from members to member is necessary, this type of situation would represent a high risk to the member receiving the blood. The figure of 85% of the male homosexual population who cannot give blood is as opposed to 5% of the general population.

III - COHESION AND MORALE

Argument

The confidence and determination developed from cohesion and morale make the military unit into a much more effective fighting force that can overcome advantages of opposing forces that would otherwise lead to the unit's defeat. The admission or retention of homosexuals would have a negative impact on cohesion and morale and, therefore, operational effectiveness.

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