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Mr. Beatty's Appearance at the Human Rights Committee

Background

- ° In October 1985, The Parliamentary Committee on Equality Rights recommended that the Canadian Human Rights Act (CHRA) be amended to add sexual orientation as a prohibited ground of discrimination and that the Canadian Armed Forces and the RCMP bring their employment practices into conformity with the CHRA as amended.
- ° The Government responded to the Report in Toward Equality, tabled in March 1986, and committed itself to "take whatever measures are necessary to ensure that sexual orientation is a prohibited ground of discrimination in relation to all areas of federal jurisdiction."
- ° On February 11, Mr. Hnatyshyn will bring to CCSD proposed amendments to the CHRA that will implement the government's commitment by adding sexual orientation as a ground of discrimination.
- ° An internal task force was established by DND following the tabling of Toward Equality to study Charter of Rights issues. The task force recommended that homosexuals not be permitted to enrol in the Canadian Forces, and we understand that the Chief of the Defence Staff supports this recommendation.
- ° Mr. Beatty is scheduled to appear before the Standing Committee on Human Rights on February 11, at 3:30 p.m. and will table the Report of the DND Charter Task Force. We understand Mr. Beatty will tell the Committee that he supports the recommendation of the Task Force.
- ° Mr. Hnatyshyn and Mr. Beatty have met to discuss this issue. Mr. Beatty has asked for an exemption in the Act to permit exclusion of homosexuals from the Armed Forces.

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- ° Mr. Hnatyshyn did not agree to such an exemption. We do not know, however, [REDACTED]

PCO Comments

- ° We do not know whether Mr. Beatty will suggest before the Parliamentary Committee that an exemption should be provided under the CHRA, or [REDACTED]

- ° In any case, Mr. Beatty's approach is not consistent with the spirit of announced government policy on sexual orientation. Also, it would be premature for Mr. Beatty to announce DND's reaction to the implementation of the policy before it has been discussed by Cabinet. The government would be seen to be giving conflicting signals on its position on sexual orientation.

Conclusion

- ° At CCSD on Wednesday, Ministers will discuss Mr. Beatty's proposed approach towards homosexuals in the Armed Forces.
- ° Regardless of the outcome of this discussion, Mr. Beatty's proposed announcement would appear to be premature. You might discuss whether he should be asked to delay his appearance before the Committee.

L. Lafontaine/mj