

1 3 041700Z MAR 86 0000 CCRCC CDS 041

NDHQ OTTAWA  
AIRCOM WINNIPEG  
FMCHQ ST HUBERT  
MARCOMHQ HALIFAX  
HQCFE LAHR  
CFCCHQ OTTAWA  
CFTSHQ TRENTON  
NRHQ YELLOWKNIFE  
CANMILCON ZIOUZNI  
CANMILREP NATO  
CANIMR SHAPE  
CDLS LONDON  
CDLS WASHINGTON  
DCINCNORAD



C O N F I D E N T I A L CDS 041

SUB: EQUALITY RIGHTS

1. A STATEMENT WILL BE MADE ON BEHALF OF GOVERNMENT BY  
MINISTER OF JUSTICE IN HOUSE OF COMMONS AM 4 MAR IN RESPONSE  
TO RECOMMENDATIONS OF STANDING COMMITTEE ON LEGAL AFFAIRS AND

CONFIDENTIAL

001876

CDS  
041

JUSTICE PERTAINING TO ITS CONSIDERATION OF EQUALITY RIGHTS AS EMBODIED IN FEDERAL STATUTES AND POLICIES, PERSUANT TO CHARTER OF RIGHTS AND CANADIAN HUMAN RIGHTS ACT. STATEMENT WILL HAVE DIRECT AND IMMEDIATE IMPLICATIONS FOR CF ON THREE COUNTS NAMELY EMPLOYMENT OF WOMEN IN CF, SEXUAL ORIENTATION, AND MANDATORY RETIREMENT. THE WORDING OF STATEMENT IS OPEN TO CONSIDERABLE MISINTERPRETATION IN CERTAIN AREAS. IT IS PARTICULARLY IMPORTANT THAT SUCH MISUNDERSTANDING SHOULD NOT OCCUR AND THAT FURTHER DEVELOPMENTS BE AWAITED WHICH WILL LEAD TO A FULLER UNDERSTANDING OF INTENDED EFFECT AND APPLICATION OF GOVERNMENT'S POSITION ON THESE MATTERS.

2. I CAN PROVIDE ONLY BRIEFEST OF EXPLANATION AT THIS TIME WHICH IS AS FOLLOWS:

(A) AS TO EMPLOYMENT OF WOMEN, CRITERIA WILL BE ESTABLISHED BY CF WITH A VIEW TO MAXIMIZING THEIR EMPLOYMENT CONSISTENT WITH THE NEEDS OF OPERATIONAL EFFECTIVENESS;

(B) CONCERNING SEXUAL ORIENTATION, THE CRITERION FOR DEALING WITH SAME WILL NOT BE THE NATURE OF THE ORIENTATION AS SUCH BUT THE CONSEQUENTIAL IMPLICATIONS OF INDIVIDUALS CASES FOR

CONFIDENTIAL

001877

CDS 041

FROM - DE  
OPERATIONAL EFFECTIVENESS;  
TE - A

(C) AS TO MANDATORY RETIREMENT, FURTHER STUDY IS REQUIRED IN ORDER TO DETERMINE HOW QUOTE POSSIBLE CASES SUCH AS THE CANADIAN FORCES WHERE MANDATORY RETIREMENT COULD BE JUSTIFIED UNDER THE CHARTER UNQUOTE WILL BE HANDLED.

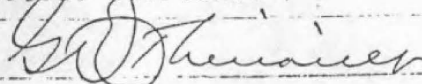
3. CONSIDERABLE WORK WILL BE REQUIRED IN AFTERMATH OF GOVERNMENT STATEMENT TO TRANSLATE INTENDED APPROACH INTO CF POLICIES AND ADMINISTRATIVE DIRECTION AND PROCEDURES TO DEAL WITH SPECIFIC REQUIREMENTS AND SITUATIONS AFFECTING THE FORCES. THESE WILL BE MADE KNOWN AS SOON AS POSSIBLE.

4. THERE WILL BE ONLY ONE GOVERNMENT SPOKESMAN ON ENTIRE RANGE OF QUESTIONS RAISED AND THAT WILL BE MINISTER OF JUSTICE. NO COMMENT IS TO EMANATE FROM CF CHAIN OF COMMAND AT ANY LEVEL, OR ON PART OF INDIVIDUAL CF MEMBERS. OWING TO TIME COMPRESSION AND DEARTH OF SPECIFIC DETAIL I BELIEVE YOU SHOULD SIMPLY COPY MY MESSAGE TO YOUR SUBORDINATE COMMANDERS.

VCDS DCDS ADM(POL) ADM(PERS) ADM(MAT) ADM(POL) DG INFO

Gen G.C.E. Thériault CDS 992-5054

Gen G.C.E. Thériault



CONFIDENTIAL

001878