

EXTRACT FROM THE DRAFT MINUTES OF PROCEEDINGS AND EVIDENCE
OF THE STANDING COMMITTEE ON HUMAN RIGHTS DATED 17 JUN 86"

uman - 6 PAGE 3
issue 5 - 170636 - lys

> >*90Mr. Robinson: Now, assuming that that 48
includes the Canadian Armed Forces, is it General 49
Theriault's position that the same criteria of 50
operational effectiveness which are referred to in the 51
response of the government on women in the Armed 52
Forces, should also apply with respect to the question 53
of discrimination on the basis of sexual orientation? 54

> >*90Gen Theriault: The question of operational 56
effectiveness, Mr. Chairman, has to be a constant 57
criterion that would pertain to the employment of all 58
persons in the Canadian Forces in every respect indeed. 59
And Mr. Robinson posed that question to the Associate 60
Minister, at the standing committee of the House on 61
defence, some weeks ago, and Mr. Andre replied to that 62
question at the time. 63

> >*90Mr. Robinson: I would like to ask, Mr. 65
Chairman, General Theriault then a couple of factual 66
questions on this matter. 67

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uman - 6 PAGE 4
issue 5 - 170686 - lys

> >Is it General Theriault's position that CFAO 69
19.(20) (xxx--verify throughout) which is the policy 70
headed, "Homosexuality, Sexual Abnormality 71
Investigation, Medical Examination, and Disposal", 72
that that policy remains in full force and effect 73
within the Canadian Armed Forces? 74

> >*BOGen Theriault: Clearly, Mr. Chairman, CFAO 76
19.(2) is going to have to be revised. 77

> >*BOMr. Robinson: It will have to be revised, 79
but my question is, at the present time, is this policy 80
in full force and effect? 81

> >*BOGen Theriault: It is in effect. It is in 83
force, Mr. Chairman, to the extent that a substitute 84
policy has not yet...there has not yet been time to, 85
develop in detail a substitute policy. 86

> >Quite clearly, given that new position taken 88
by the government, homosexuals will not be eliminated 89
from the Armed Forces strictly and simply because they 90

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uman - 6 PAGE 5
issue 5 - 170686 - lys

might be labelled as homosexuals. 91

> >*30Mr. Robinson: Well of course, under CFAO 93
19.(20) that is not the case. Under CFAO 19.(20) there 94
is a requirement that there be a report and 95
investigation, and if in fact the investigation comes 96
to the conclusion that an individual member is a 97
homosexual, then that member must be released. Now, is 98
it then General Theriault's position that this policy 99
is not in effect? 100

> >*30Gen Theriault: I have already said, Mr. 102
Chairman, that that policy is still in force in the 103
absence of our having had time to substitute the new 104
policy for it. 105

> >There are some 85,000 people involved. There 107
are hundreds of units, and supervisors that have to be 108
given direction, given the withdrawal of a particular 109
policy. It is something that cannot be done overnight. 110

> >*30Mr. Robinson: That is right, Mr. Chairman, 111

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uman - 6 PAGE 5
issue 5 - 170636 - lys

but General Theriault was present when Associate 113
Defence Minister, Harvie Andre, stated that in fact, an 114
individual would not be released solely on the basis of 115
his homosexuality. General Theriault has indicated 116
that that is the case. 117

> >That is not the policy in CFAC 19.(20). And I 119
wonder what direction has been given within the Armed 120
Forces to ensure that the new policy, enunciated both 121
by the Minister and by General Theriault, has been 122
communicated to people in the field.

> >*30Gen Theriault: Well, that is correct, Mr. 125
Chairman. At interim, until such time as the new 126
policy is enunciated, clearly in all applicable 127
orders, cases of the nature, direction has been given 128
that cases of this nature would not be disposed of, 129
short 130

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