

CONFIDENTIAL

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Standards of Personal Behaviour in the Foreign Service

The Government and indeed Canadians in general have ample reason to believe that its foreign service as a whole well and truly represents the country, by its professionalism, dedication and the personal standards of behaviour of its individual members. The purpose of this Circular is to discuss in more detail standards of personal behaviour, to supplement those set out in the "Code of Conduct and Conflict of Interest Guidelines", and to explain how behaviour which contravenes these standards is dealt with in the Department of External Affairs.

What is expected of the foreign service in this latter respect? What sort of standards should apply to members personally? The answer can be found in a general sense in the Departmental "Code of Conduct and Conflict of Interest Guidelines". It says:

"...Canadians have a right to expect from all public servants, whether serving in Canada or abroad, a wholehearted and scrupulous commitment to the highest standards of personal honesty and responsibility. In recent years there have been significant changes in certain of the standards of personal behaviour. Although these shifts in patterns of behaviour are considerable, they do not appear to reflect any fundamental change in general levels of personal honesty and integrity, nor in the public's expectations of how officials should conduct themselves in respect of basic and significant areas of behaviour."

The Code of Conduct emphasizes certain unique responsibilities faced by members of the foreign service.

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"Employees of foreign service departments often assume obligations additional to those commonly shared with other public servants: they frequently work in areas of considerable confidentiality; they may be rotational and, as a result, exposed at times to unusual and often unexpected hardships; and, while outside Canada they are, in a real sense, the representatives of Canada in the eyes of those they encounter."

"While serving abroad, employees have a particular responsibility to ensure that their behaviour ... at the post does not discredit or adversely affect the image of Canada or of the post."

In the section of the Code dealing with security, it stipulates, inter alia:

"... personnel both at home and especially abroad, must be alert to the very real possibility that hostile intelligence agencies may attempt to exploit ... personal behaviour that offends against local laws or customs and/or broadly accepted standards of conduct."

To summarize the foregoing, members of the foreign service are subject to certain unique constraints, deriving both from local laws and customs and from a perception by the Canadian Government and public that extremely high standards are expected of all those who represent Canada abroad in an official capacity, notwithstanding their occupational group.

A moment's reflection is enough to bring home the realization that very high standards of behaviour apply to a variety of other groups in Canada. Lawyers who misappropriate a client's funds are normally disbarred, in most circumstances a more severe penalty than that provided by the Criminal Code. A judge recently was required to leave the bench as a result of a conviction for impaired driving. A well known journalist was obliged to quit a Toronto newspaper, in view of his responsibility for a subordinate who fabricated a news story. In brief,

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persons in a position of particular trust, and this includes all those who serve Canada abroad, are expected to observe a standard of conduct which may be higher than that which applies to other Canadians.

This Circular deals primarily with questionable and unacceptable behaviour caused by what is usually called a character defect. The problem of behaviour patterns caused by character defects has to be considered from three angles:

- (i) how the Canadian public would view such behaviour when exhibited by a public servant representing Canada abroad;
- (ii) the effect of such behaviour on other members of the Canadian mission and their families, and on other diplomatic missions; and
- (iii) the attitude of the host country and government.

The following is a representative list of character defects with which the Department has had some experience and which have caused management problems, security problems, or brought discredit to Canada and a post;

addiction to alcohol or drugs

homosexuality

deviant forms of sexual behaviour

avarice

habitual deceitfulness

psychological disturbances leading to aberrant behaviour

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Some Problems

Two problems which are apparent in society generally, alcohol and drug abuse, are reflected at relatively very low levels in the foreign service. The high degree of social acceptance of liquor in foreign service life, the isolation and strains brought on by living in a foreign environment and the availability of inexpensive drink and drugs abroad have, however, led to abuse in some cases. It will not surprise anyone to be told that excessive drinking has caused a variety of problems over the years, including death and injury, serious security breaches, poor job performance, family discord and others.

The matter of personal sexual preference can and sometimes does pose necessary if not compromising problems in posts where the level of tolerance of special preference is not as evolved as in Canada. It goes without saying that even in Canada there are varying views on "deviant" sexual behaviour. On the one hand, there are those who vigorously oppose the proposition that the Foreign Service recruit individuals with patterns of deviant sexual activity, in the context that such behaviour is considered a criminal offense. On the other hand, many Canadians believe that a policy which sought to exclude admitted homosexuals from the Foreign Service would be outdated in the light of current attitudes which have become more tolerant; they believe in fact that professionally speaking, homosexuals are no different from anyone else and should not be subject to discrimination.

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The Department does not wish to enter into such a debate nor offer arbitration in either direction. It is however incumbent upon the Department to make clear its concerns about homosexuality and the possibilities of security implications in certain types of environments.

Although it is difficult to generalize on the subject, since homosexuals are as diverse in their behaviour as non-homosexuals, there are several factors which can be stated with certainty. First and foremost are the unique constraints posed by foreign service life. Put bluntly, homosexual acts are an offence under the laws of the majority of countries where Canada has diplomatic posts. Furthermore, in many societies abroad, homosexuality carries a social stigma, whether or not it is illegal. Secondly, in the microcosm of Canadian missions abroad where the Canadian community is small and isolated, there are likely to be as many members in our foreign service who do not approve of homosexuality as there are throughout Canada.

Finally, in some types of posts (e.g. scheduled countries and sensitive NATO Capitals) homosexuality as with other human weaknesses such as alcoholism, drug abuse and avarice, still can render the individuals a security risk, more open to attempts of coercion, blackmail and other forms of pressure, primarily because they are priority targets for hostile intelligence services.

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How are Sexual Preferences Related to Security?

In its report to the British Government dated May, 1982, the Security Commission chaired by Lord Diplock reported that "character defects rather than disloyalty for ideological reasons or subversive tendencies have been the cause of all known cases of disclosure of information to hostile intelligence services that occurred (in Britain) since 1962." In so far as External Affairs has been concerned, the same assertion could be made of our own experience over the past twenty years. Some of the "character defects" referred to in the Diplock report have been connected to homosexuality so this factor cannot be ignored from a security point of view.

How problems are dealt with

There are two obvious steps which may be pursued:

- A) Preventative: Recruitment teams participating in the hiring process for the Foreign Service should pay rigorous attention to the assignment of points to "Foreign Service suitability" factors in the assessment of candidates. Presumably, all forms of deviant behaviour on the part of candidates will yield a low score of Foreign Service suitability, simply on the basis of eliminating future potential problems. This recruitment exercise is of course backed up by a thorough security clearance mechanism.
- B) Corrective: Should a Foreign Service Officer currently serving with the Department, be found to have any character weakness, it should be underlined that this is not an automatic cause for dismissal. However, it is a legitimate cause for

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concern by management, who must decide whether there have been or are likely to be any associated behavioural patterns that could cause a security risk or seriously limit rotationality.

With regard to alcoholism and psychological defects, individuals with a history in those areas are normally dealt with as a medical problem, after post management and the Security Division have dealt with any possible security breaches. That is to say, the Employee Assistance Programme takes on those with alcohol problems; their rotationality is curtailed or denied until there is evidence of successful rehabilitation. In like manner, the Department, on the advice of Health and Welfare and other expert professional resources, deals with an employee having a psychological problem as it does with a person with any other clinical condition.

Where a real or potential security problem arises as a result of an individual's behaviour which can not be dealt with as outlined above, the Security Division deals with it in accordance with and following the procedures laid down in Cabinet Directive 35, the Government's policy document on personnel security in the Public Service. CD35 outlines a series of steps to be followed and options to be considered where evidence comes to light about the loyalty or reliability of an individual. The Department can, under CD 35, conduct an investigation or request the RCMP Security Service to conduct one to ~~help~~ establish the facts; it can (indeed must) interview the employee concerned to give him or her the

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opportunity to discuss the case. If it remains unresolved, the matter is presented to the Deputy Head, who is responsible under CD 35, normally with options and recommendations. The options are:

- (i) transfer to a less sensitive position in the Department, or elsewhere in the Public Service;
- (ii) invite the individual's resignation;
- (iii) dismissal (under Sec. 7(7) of the Financial Administration Act in the interests of safety or security of Canada).

In recent years, there have been no outright dismissals from External Affairs on security grounds; those relatively small number of cases which have arisen were settled by resolving the case in favour of the individual, by transfer elsewhere or by voluntary resignation from the Department.

It is obvious that the more responsibility the individual has with respect to representational functions, the more severely he or she is judged in terms of personal behaviour. An individual act or behaviour problem on the part of a very junior member of the staff or a mission might be dealt with by a simple reprimand; the same act or behaviour pattern on the part of a Head of Post could bring a much heavier penalty, since the representational responsibilities of the latter are of critical importance.

An additional consideration is the equitable operation of the rotational system. It would obviously be intolerable if a very small number of individuals who by their actions or

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behaviour must be considered of limited rotationality (which usually means a selection of posts in the Western Hemisphere and Western Europe) were kept on to serve in such areas, while the majority are required to serve anywhere in the world.

Finally, it must be stressed that all those in the Department who are responsible for dealing with problems of the sort described herein should be fully conscious that the Department's aim is to identify and deal with such problems at as early a stage as possible, so as to avoid, if possible, damage to individual careers. They should do this in strict confidence, by discussing matters honestly and candidly with individuals and hope to be met with equal candour. The philosophy is one of counselling and of seeking solutions, not confrontation.

Supervisors and managers are obviously of key importance in this connection. Others who may be called upon for assistance or advice, either by management or by the individual concerned, are assignment officers, the Welfare Counsellor, Employee Assistance Programme Counsellors, medical advisers, financial management advisers, etc.

Conclusion

It should be noted that the policy and procedures outlined herein are a reaffirmation and clarification of governmental and departmental structure of the Department of External Affairs and the need to deal with the subject openly, and not from any perceived lowering of behaviour standards or rise of problem cases. Departmental Management will continue to deal with each and every individual case on its own merits, since no two cases are identical in every respect, fully

weighing both the interests and requirements of the foreign service and those of the individual. This will be done sympathetically and in confidence.

Under-Secretary of State
for External Affairs

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