

CANADIAN FORCES POLICY ON SEXUAL ORIENTATION (HOMOSEXUALITY)

REGULATIONS AND ORDERS

1. Canadian Forces Administrative Order 19-20 (Homosexuality - Sexual Abnormality Investigations, Medical Examinations and Disposal).

POLICY

2. The Canadian Forces enrol, and retain, only such persons as are capable of performing all military tasks that are assigned to them, and whose life-styles are compatible with a military environment. In the case of homosexuals, it is the considered view of authorities in both the Department and the Canadian Forces, that such persons, because of their sexual orientation, create a number of serious problems for the Canadian Forces which militate against their employment. Canadian Forces policy in respect of homosexuals is, and remains, that they are not knowingly enrolled or retained in the Canadian Forces. This policy, in respect of serving members, is set out in Canadian Forces Administrative Order 19-20. A member who is to be released from the Canadian Forces as a result of the application of this Order will normally be honourably released under Item 5(d) of the Table to Article 15.01 of the Queen's Regulations and Orders for the Canadian Forces.

REASONS FOR POLICY

3. The policy is maintained for the following bona fide occupational requirements:
  - a. Employability. A substantial number of military personnel serve outside the country under the United Nations, North American Aerospace Defence and North Atlantic Treaty Organization auspices, or in Canadian military missions throughout the world. In a great many cases, homosexuals would be ineligible for such service because of the laws or the social mores of the host country. Such limitations on the employment of homosexuals are a fact of life and the presence of homosexuals in the Forces would seriously reduce the operational flexibility of the Canadian Forces.

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- b. Operational Efficiency. Experience has shown that the presence of homosexuals at isolated postings, in communal life in barracks, on board ship, in the field and other situations where personal privacy is most difficult or impossible, is most disruptive and at times results in physical attacks on the homosexual(s) concerned. To permit homosexuals in the Forces would adversely affect the operational efficiency of the Canadian Forces.
- c. Discipline. Discipline is essential in a standing armed force in any democracy and a strict and hierarchical rank structure is essential to the maintenance of discipline in an organization capable of applying force on direction. This requirement for a highly disciplined and structured Force, and for the maintenance within a closed society of a life-style acceptable to the vast majority of its members, inevitably results in some restriction of personal freedoms. Certain practices which may be tolerated in civilian society may have to be barred in order to meet military requirements. Homosexuality falls within this category and is one such practice.
- d. Morale.
- e. Public Image and Recruitment.
- f. Self-Image.
- g. Security.

- etc -

#### ADDITIONAL CONSIDERATIONS

4. The Canadian Charter of Rights and Freedoms. The Canadian Charter of Rights and Freedoms and The Canadian Human Rights Act does not specifically proscribe sexual orientation as a prohibited ground of discrimination. Even

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APPENDIX 1  
TO ANNEX B  
TO 1460-45-3 (DJAG/L)  
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if it did prohibit discrimination on the ground of sexual orientation, it is the Canadian Forces view that such a prohibition would not apply to the Canadian Forces, in light of the Canadian Forces bona fide occupational requirements which can be demonstrably justified in a free and democratic society.

5. Allied Armed Forces Position on Homosexuals.

a. United Kingdom.

- etc -

6. Detection.

7. Rehabilitation of Homosexuals.

OPI: Col R.L. Martin, DPLS, 5-3445  
OPI: LCol J.W. Stow, DPCAOR 5, 2-5416

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