

Sexual Orientation

Recommendations

10. We recommend that the *Canadian Human Rights Act* be amended to add sexual orientation as a prohibited ground of discrimination to the other grounds, which are race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability, and conviction for an offence for which a pardon has been granted.
11. We recommend that the Canadian Armed Forces and the RCMP bring their employment practices into conformity with the *Canadian Human Rights Act* as amended to prohibit discrimination on the basis of sexual orientation.

Response

The Government recognizes that the issue of sexual orientation addresses some of the most difficult moral and religious concerns of Canadians. There is no simple manner of reconciling deeply felt views.

Though fully cognizant of the social dilemmas that the issue raises, the Government is committed to the principle that all Canadians have an equal opportunity to participate as fully as they can in our society; no one should be denied opportunities for reasons that are arbitrary or irrelevant. In particular, persons should not be excluded from employment opportunities for reasons that are irrelevant to their capacity and ability to do the job.

The Government believes that one's sexual orientation is irrelevant to whether one can perform a job or use a service or facility. The Department of Justice is of the view that the courts will find that sexual orientation is encompassed by the guarantees in section 15 of the *Charter*. The Government will take whatever measures are necessary to ensure that sexual orientation is a prohibited ground of discrimination in relation to all areas of federal jurisdiction.

Recommendation

12. We recommend that the federal Government security clearance guidelines covering employees and contractors not discriminate on the basis of sexual orientation.