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ISS/A.G.Vincent/M.Yelle/dr

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3-1-15

Date

February 24, 1992

Number / Numéro  
ISSV-659

To / À • APG

FROM / DE • ISS

REFERENCE  
RÉFÉRENCE •

Your memorandum APG-1856 dated  
November 25, 1991.

SUBJECT  
SUJET •

Posting Concurrences regarding  
Homosexual Employees.

ENCLOSURES  
ANNEXES

**DISTRIBUTION**

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APE

We are grateful that you have addressed this important issue. In principle, we support your initiative and we appreciate the opportunity to express our views on some issues and clarify others in order to come to a mutually acceptable understanding on this matter.

2. Given some of the perceptions of "Security's" views of the homosexuality factor in the past, it is perhaps worth stressing that our objective is only to assist and protect the employee while safeguarding national security interests. Many homosexuals have carried out assignments of great security sensitivity with the highest standards of skill and discretion. Furthermore, we believe strongly that the Department should maximize the contribution of employees by allowing them to serve in positions that make the most sense from career and personal standpoint. Only when there are clear and valid reasons should the factor of homosexuality affect their assignments.

3. The list of countries provided by ADA where homosexuality is illegal or may have some societal implications cannot be regarded as definitive; it is a fluid situation which, at times, may cause difficulty in making a thoroughly informed assessment. Consequently, as there is a security dimension for the welfare and personal safety of the employee (in addition to, in some cases, a national security factor), it is important that discussions between Personnel and ISSV continue to ensure that foreign assignments are considered on a case-by-case basis. All employees must be treated fairly and assessed on their own merits taking into account operational requirements. Additionally, there may be security factors beyond the usual legal considerations which should be considered before a homosexual is assigned to a specific post.

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Some Missions have indicated that homosexual activities are "illegal though the law is not (or rarely) enforced". Article 41 of the Vienna Convention on Diplomatic Relations states: "(1) Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State." Here, again, we must reach a mutual understanding whereby we consider all implications of such an assignment.

4. In order to ensure that there is a complete mutual agreement on the procedures for dealing with these cases, I believe it would be useful for the appropriate officers to meet and discuss all the implications. The following represents our views of the appropriate procedures but we are of course prepared to discuss any or all of them:

- a) in accordance with current procedures, Personnel will provide a list of proposed assignments before consulting with the employees or the Missions;
- b) if either Personnel or Security considers that in this employee's case there is a factor involving homosexuality, the matter will be mutually discussed before a final decision is reached;
- c) when there are mutually agreed valid reasons, Personnel will advise the HOM that a nominated employee is a homosexual and will copy ISSV; a copy of the Mission's response should also be forwarded to ISSV;
- d) the assignment officer may at any time discuss this matter with the employee concerned. We also reserve the right to meet with the employee for an interview and/or special briefing if we consider there is a significant security dimension.

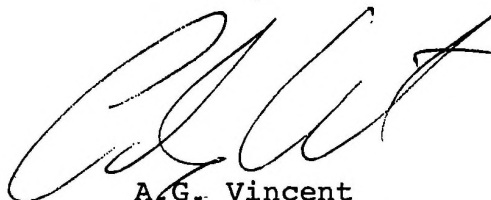
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5. We would be grateful if you could communicate with Mrs. Marie Yelle at 992-0150 to schedule a meeting at your convenience.

A handwritten signature in dark ink, appearing to read 'A.G. Vincent', with a stylized flourish at the end.

A.G. Vincent  
Senior Advisor  
for Security and  
Counter Terrorism.

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