

constituents some of their concerns and my concerns with respect to the future of this country.

This evening I want to take the opportunity to speak not as the member of Parliament for Burnaby—Kingsway but to speak on behalf, if I may, of another constituency in this country, perhaps a broader national constituency which I have both the honour and the privilege of speaking on behalf of as the only openly gay member of this House.

In the years that I have had the privilege of representing Burnaby—Kingsway in this House, I have tried to give effect to the concerns and the aspirations of my constituents.

Tonight, I want to speak on behalf of the community of lesbians, of gay men and bisexuals in Canada who have deep concerns about our exclusion from the Constitution of Canada, our exclusion from a very fundamental element of the Constitution of Canada, the Canada clause.

[*Translation*]

I speak on behalf of the gay and lesbian community in Canada which represents about 10 per cent of the population: our children, brothers, sisters, parents, employees, friends and neighbours. We are everywhere in Canadian society. We have made a tremendous contribution which, sad to say, has gained recognition only now, during the AIDS epidemic. Many Canadians appreciated that contribution after hearing about artists, dancers, actors, musicians, choreographers and so many other men and women who died as a result of this epidemic.

[*English*]

I say on behalf of this community that I remember all too vividly what I proposed back in 1981 as a member of the Constitution committee, the inclusion of the words "sexual orientation" as a prohibited ground of discrimination in article 15 of the Charter of Rights and Freedoms. I was told by members of the committee at that time—I will never forget these words—that we cannot include every barnacle and eavestrough in the Constitution of Canada. My amendment was defeated by a vote of 23 to 2.

I am not a barnacle, I am not an eavestrough and fortunately, in the intervening years, the courts of

Canada have ruled that section 15 of the charter of rights must be implicitly read to include sexual orientation.

We are still waiting for the Government of Canada to finally show some leadership, to keep the promise that it made in 1986 to amend the Canadian Human Rights Act to similarly include a prohibition of discrimination based on sexual orientation.

I want to take this opportunity to draw to the attention of the House and through the House to the members of the special joint committee on the Constitution of Canada a profound and glaring weakness in the proposals which are before that committee. I speak of the proposals with respect to the Canada clause. In the Canada clause proposals the government has stated that the purpose of the Canada clause is to "affirm the identity and aspirations of the people of Canada".

In its present form, the Canada clause refers to a commitment to fairness, openness and full participation in Canada's citizenship by all people without regard to race, colour, creed, physical or mental disability or cultural background. Those are all very important grounds which should be included in the Canada clause. Those grounds exclude sexual orientation. They exclude my community and they exclude hundreds of thousands of Canadians who happen to be lesbian, gay or bisexual.

By excluding us, by rendering us once again invisible, we are denied our role in the formation of Canadian identity. As Professor Cynthia Petersen of the Faculty of Law at the University of Ottawa has pointed out in her brief, which I will be tabling shortly: "The proposed Canada clause does not constitute a full description of Canadians as a people because it ignores the participation of an important segment of the country's population".

I would urge the committee to recognize this injustice, to recognize what I hope is an oversight and to amend the Canada clause to include the words "sexual orientation". There have been many similar representations which have been made to the committee.

I am going to be tabling briefs which have been submitted by the University of Ottawa Faculty of Law, by the Association of Lesbians and Gays of Ottawa, by the group Parents and Friends of Lesbians and Gays, the AIDS Committee of Ottawa, a school trustee in Toronto,