

DEMOCRATIC VALUES AND QUÉBEC VALUES AS EXPRESSED IN THE *CHARTER OF HUMAN RIGHTS AND FREEDOMS*

Practical Guide

Ministère de l'Immigration,
de la Francisation et de l'Intégration

LES VALEURS DÉMOCRATIQUES ET LES VALEURS QUÉBÉCOISES EXPRIMÉES PAR LA CHARTE DES
DROITS ET LIBERTÉS DE LA PERSONNE

Guide pratique (traduction de courtoisie en anglais)

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Foreword

Welcome to this very important step of your Québec immigration process.

Learning about democratic values and Québec values as expressed in the *Charter of Human Rights and Freedoms* is an essential element in helping you integrate in Québec. It will give you the tools you need to know more about Québec.

This Practical Guide will help you prepare for the online assessment. Successful completion of this assessment will allow you to obtain an attestation of learning about democratic values and the Québec values expressed by the *Charter of Human Rights and Freedoms*.

Throughout this Practical Guide, links are provided to further your knowledge of democratic values and Québec values. Reviewing these reference documents is not mandatory to complete your learning assessment. However, in reading the Practical Guide you will learn and become familiar with Québec values, which is the first step toward a successful integration.

A shared commitment

Québec and the person who wishes to immigrate are both involved in the learning of democratic values and Québec values as expressed in the *Charter of Human Rights and Freedoms*. This is a shared commitment to create conditions conducive to a successful social and economic integration. That is why Québec is committed to supporting and assisting immigrants in their integration into their society in order to encourage their full participation in French.

From their perspective, immigrants are committed to acquiring the necessary skills to participate in Québec society, including learning French—the common public language—and using it on an everyday basis. Immigrants also undertake to respect the democratic values and Québec values as expressed in the *Charter of Human Rights and Freedoms* and take part in promoting Québec’s culture and the vitality of its official language.

Happy learning!

Attestation of learning about democratic values and the Québec values expressed by the *Charter of Human Rights and Freedoms*

An Act to increase Québec's socio-economic prosperity and adequately meet labour market needs through successful immigrant integration, assented to on June 16, 2019, affirms the importance of learning of the democratic values and Québec values as expressed in the *Charter of Human Rights and Freedoms*.

Moreover, as of January 1, 2020, anyone applying for permanent selection under one of the economic immigration programs will have to attest to their learning of the democratic values and Québec values. Applicants must obtain an attestation of learning about democratic values and Québec values in support of their application for permanent selection as provided under the *Québec Immigration Regulation*.

Obtaining this attestation is one of the conditions that must be met in order to be selected under one of Québec's economic immigration programs. This condition applies to you and any members of your family accompanying you. Specifically, your spouse, your partner, and your dependent children aged 18 or over must provide an attestation of learning about democratic values and Québec values.

You and your affected family members have 60 days following the communication, which contains, among other things, the electronic link for the online assessment and your personal identifier in order to obtain the attestation. People who do not obtain their attestation of learning about democratic values and Québec values will have their application for permanent selection rejected within 60 days under the *Québec Immigration Regulation*.

The methods for obtaining attestation vary depending on your situation:

- **Foreign national holders of valid work or study permits**

If, at the time of submission of your application for permanent selection, you hold a study or work permit issued pursuant to the *Immigration and Refugee Protection Regulations* and you live in Québec, you and your family members may:

- ▶ Complete an online learning and assessment activity that includes 20 questions randomly generated from a bank of questions;
- ▶ Participate in the *Objectif Intégration* information session, lasting 24 hours over a few days, in order to benefit from an in-person learning experience that leads to an attestation of learning about democratic values and the Québec values expressed by the *Charter of Human Rights and Freedoms*.

Applicants who are unsuccessful on their second attempt at the online assessment will be required to participate in the *Objectif Intégration* information session to obtain the attestation.

- Foreign nationals who do not hold valid work or study permits

When you apply for permanent selection under an economic immigration program, if you do not hold a valid study permit or work permit issued pursuant to the *Immigration and Refugee Protection Regulations*, you must first complete the online assessment (20 questions). If you do not achieve a passing score on the online assessment after two attempts, you will have access to the *Objectif Intégration* information session.

Applicants who fail the assessment on their second attempt can either:

- ▶ Try the online assessment again for a third and final time;
- ▶ Participate in the *Objectif Intégration* information session in Québec.

Online assessment procedures

Successful completion of the online assessment requires 15 correct answers out of a total of 20 randomly selected questions (Passing score of 75%). You have three hours to complete your assessment. Once the assessment is complete, your results will be automatically forwarded to the Ministère de l'Immigration, de la Francisation et de l'Intégration (MIFI). For more information on how the online assessment works, consult the Information capsule.

Should you fail the online assessment, you must wait at least two weeks before trying again.

Your attestation of learning about democratic values and Québec values must have been obtained within two years prior to the review of your application for selection.

A person whose application for permanent selection has been rejected for some other reason may use their attestation of learning about democratic values and Québec values as part of a new application for permanent selection.

Individuals who have been unsuccessful on every attempt to which they are entitled and who have not participated in the *Objectif Intégration* information session will have their application for permanent selection rejected. They will have to submit a new application for permanent selection if they still wish to settle in Québec.

Introduction to democratic values and Québec values as expressed in the *Charter of Human Rights and Freedoms*

Québec is a French-speaking democratic nation that welcomes immigrants from around the world. These people bring with them their aspirations, skills and expertise, which they contribute to the development of their communities, thus making Québec a better place.

Every person residing in Québec must comply with Québec's laws. The Québec government has adopted measures that separate political and religious powers to ensure that its institutions remain secular.

Governed by the *Charter of the French Language*, Québec society has also made French the language of Government and the Law, as well as the normal and everyday language of work, education, communication, commerce and business.

These values are the result of a common history in Québec. They make Québec society unique, even though some of its values are present in other societies. It is important to be very familiar with the values of Québec society, because they have a real impact on the daily lives of all those who are a part of it. In Québec, values are expressed through the rights and responsibilities of citizens. They dictate the social rules and codes that make Québec society what it is. These values will serve as benchmarks and will allow you to participate fully in your new society in French.

Every Quebecer enjoys the rights and freedoms recognized by law, but also by the *Charter of Human Rights and Freedoms*. Everyone has an obligation to abide by the democratic values and Québec values expressed therein. The values have been grouped under five key themes that will help you to understand Québec better:

- Key 1: Québec is a French-speaking society
- Key 2: Québec is a democratic society
- Key 3: Equality between women and men
- Key 4: The rights and responsibilities of Quebecers
- Key 5: Québec is a secular society

Key 1 — Québec is a French-speaking society

THE FRENCH LANGUAGE IN QUÉBEC

French is at the heart of Québec identity, as it is the mode of expression of Québec culture and the common symbol of belonging to Québec society. Québec is the only predominantly French-speaking society in North America. This reality makes Québec a unique society in Canada and North America.

Quebecers have acted and continue to act collectively to ensure the continuity, quality and influence of the French language in the North American context. To this end, various laws have been passed and measures put in place to ensure the protection and enhancement of Québec's French-speaking identity.

In 1977, Québec passed the *Charter of the French Language*, also known as *Bill 101*.

The Charter of the French Language confirmed the firm desire of Québec society to ensure its continuity and promotion as a French-speaking society in North America, and its openness to the world.

The *Charter of the French Language* is the primary measure that protects and recognizes French in Québec. The Charter's main objective is to ensure the quality, protection and promotion of the French language and to make it the common language in Québec. To achieve its objective, the *Charter of the French Language* makes French:

- ▶ the language of Government and the Law;
- ▶ the normal and everyday language of work, education, communication, commerce and business.

The Québec government thus has an obligation to provide all Quebecers with communications in French. It must also provide access to all services in French, without exception.

French is the means through which Québec culture is broadly expressed. For example, French is present in theatre, music, cinema, novels, poetry, art, museum exhibitions and many other forms of artistic creation.

FRENCH IS THE COMMON LANGUAGE OF THE QUÉBEC NATION

As the common language of the Québec nation, French is, among other things:

- ▶ The host language and the language of integration that enables immigrants to interact, thrive within Québec society and participate in its development;

- ▶ The language of intercultural communication that enables all Quebecers to participate in public life in Québec society;
- ▶ The language that makes it possible to embrace and contribute to the Québec nation's distinct culture.

As the central means of communication in public life, French is the language of integration for immigrants.

The number of French speakers in North America is estimated at only 2%. The Québec nation thus contributes to the influence and vitality of the French language in North America and throughout the Francophonie. The Québec government is taking concrete measures to protect Québec's unique and French-speaking identity. For example, Québec law states that the only official language of Québec is French.

This collective determination led the Québec government to recognize the right of all Québec residents to learn French.

Learning French in Québec

The Québec government encourages immigrants to learn French, as it facilitates their integration into Québec society. In fact, knowing French facilitates access to education, work, culture and public services, among other things.

For example, French allows access to higher-level studies at Québec universities, which are recognized as centres of excellence in research and education.

To integrate in Québec, immigrants who have not mastered the French language must make the effort to learn it. Proficiency in French facilitates full participation in Québec community life. For example, professional orders only issue permits to people who have the appropriate knowledge of French to practice their profession. In addition, under the *Charter of the French Language*, children of immigrants must attend French-language schools until the end of their high school years, with some exceptions.

For anyone who has difficulty communicating in French, or who needs to further develop their proficiency in French, we recommend registering for a French language course as soon as possible. The Québec government offers free full- or part-time French courses and financial assistance to immigrants.

It is also easy to improve your knowledge of French in your everyday life:

- ▶ Speak French as often as possible with people in the neighbourhood where you live;
- ▶ Consult French-language media for information (TV, radio, newspapers, etc.);

- ▶ Listen to French music;
- ▶ Watch Québec films and television;
- ▶ Join discussion and exchange groups in French;
- ▶ Build a network of French-speaking friends and contacts in Québec.

Knowing French can make economic integration easier by facilitating access to employment that is in keeping with immigrants' skills and aspirations.

In Québec, speaking French also provides a better understanding of Québec's cultural points of reference and values, given that the French language is a central element of Québec's history and culture. Communication in French accelerates the development of social ties and a sense of belonging to Québec society.

*French is the language of social cohesion
for all Quebecers.*

TO GO FURTHER

Act

[Charter of the French Language](#)

Québec.ca | Official site of the Government of Québec

[Learn French](#)

Office québécois de la langue française

[Loi sur la langue officielle et commune du Québec, le français – Principaux changements \(French only\)](#)

Secrétariat à la politique linguistique

[Living in French in Québec](#)

Key 2 — Québec is a democratic society

QUÉBEC: A DEMOCRATIC SYSTEM

In Québec, the democratic system allows the public to exercise their power by choosing their representatives. This choice is made during an election. Elected representatives are referred to as members and generally come from different political parties that put forth various ideas and initiatives.

For election purposes, Québec is divided into 125 electoral districts. The population in an electoral district is represented in the National Assembly by a member elected by the voters in that district.

During an election, a number of candidates run in the same electoral district. Members are elected by universal suffrage, meaning that the candidate who receives the most votes in an electoral district becomes a member.

The 125 members sit in the National Assembly, where they represent the people of Québec. That is why Québec is a “representative” democracy. Their role is to study, analyze and vote on proposed legislation, and to question and check the government’s actions in matters under its responsibility and matters of public interest.

Members play an intermediary role between the people of Québec and the government by dealing with the specific requests of its fellow citizens or by promoting the needs and interests of their electoral district.

Forming a government

During an election, the party that has the largest number of elected members usually forms the government, and that party's leader becomes the premier. Members elected from the other parties form the opposition.

The government is composed of the premier, who appoints a number of ministers, each with their own responsibilities. The government acts in the general public's interest. Proposed legislation is studied and voted on in the National Assembly by members.

The outcome of an election cannot be challenged by force or by violence. If someone wishes to have the outcome of an election in an electoral district reviewed, they may request a judicial recount of the vote, i.e., a recount of the ballots under the supervision of the court. In a democracy, the transfer of power from one party to another takes place in a calm and orderly manner.

Participating in an election

If they meet all the criteria set out in the *Election Act*, a person 18 years of age or older who is a Canadian citizen and who has resided in Québec for at least six months can run as a candidate in an election. Anyone who is not a Canadian citizen has the opportunity to get involved in a political party, even if they cannot vote. They can also participate in an event organized by a political party.

In Québec, political financing and the control of election spending are subject to the principles of fairness and transparency as set out in the *Election Act*.

The right to vote freely and confidentially is granted, under the *Election Act*, to anyone who meets certain criteria, including being 18 years of age or older, being a Canadian citizen and having resided in Québec for at least six months.

All persons entitled to vote may participate in an election held to select the members of the National Assembly of Québec who will represent the people.

No one can prevent a citizen from exercising their right to vote or force them to vote for a particular candidate, and no one can force a citizen to disclose their choice of candidate. This rule applies regardless of dependency or proximity between individuals, such as family ties. For example, it is forbidden to force a relative or family member to vote for a particular candidate or to reveal their choice.

In Québec, the democratic system allows each person to make their contribution to democracy.

HOW QUÉBEC'S DEMOCRATIC INSTITUTIONS WORK

As a state, Québec differs from other provinces in Canada because, under the impetus of collective will, Québec's democratic institutions and political power have developed, in particular, to protect and promote Québec's unique and French-speaking identity.

The rule of law is a fundamental principle that lies at the heart of democratic society in Québec. It means that each individual, as well as the government and its agents, must abide by the law.

*The law applies to everyone in the same way;
no one is above the law.*

Everyone in Québec, even people who do not have Canadian citizenship, must know and respect the rights and obligations set out in law. This also means that everyone is equal in value and in dignity, and is entitled to equal protection under the law.

A person can only be declared guilty of an offence only if they have broken a rule of law and been found guilty before a court.

Democratic institutions and their powers

Québec has a number of democratic institutions that exercise one of the three fundamental powers: legislative power, executive power, and judicial power.

- ▶ Québec’s legislature, which enacts laws, holds legislative power. It is composed of the members of the National Assembly and the Lieutenant Governor, who does not have a seat in the National Assembly, but who assents to the bills the legislature passes.
- ▶ The government holds executive power; it exercises political power and decides on society’s broad orientations. The Québec government comprises the premier and the ministers, who are also members of the National Assembly; together, they form the Cabinet.
- ▶ The courts hold judicial power and are responsible for interpreting the law and ensuring it is adhered to. Québec’s judicial system is made up of courts such as the Court of Québec, the Court of Appeal of Québec and the Superior Court.

Public administration

In addition to these three powers, the public administration and government enterprises are mandated to help the government in managing the state. The public administration is made up of all departments and bodies reporting to the government; they are its administrative divisions. Among other things, the public administration is responsible for applying the laws passed by the legislative body and offering services to the public.

- ▶ The departments (the various *ministères*) are headed by ministers and are responsible for managing the resources, programs and services related to a given area, among other things. Here are four examples of departments: the Ministère de l’Immigration, de la Francisation et de l’Intégration; the Ministère de l’Éducation; the Ministère de la Santé et des Services sociaux and the Ministère de la Justice.
- ▶ Government bodies are headed by people appointed by the government and generally have a very specific public service mission. Here are three examples of government bodies: Revenu Québec ; the Commission des normes, de l’équité, de la santé et de la sécurité du travail and the Office québécois de la langue française.
- ▶ Certain people appointed by the National Assembly have a public office, like the Chief Electoral Officer and the Protecteur du citoyen (Public Protector).

*In Québec, the exercise of democracy depends
on smoothly functioning institutions.*

THE ORGANIZATION OF POLITICAL POWER

The Canadian Constitution provides for two levels of government: federal and provincial. Each level exercises its power in established areas of jurisdiction.

The federal government has jurisdiction in areas of national relevance, such as military defence, foreign policy and criminal law. The federal government is based in Ottawa, Canada's capital.

A government like Québec's has jurisdiction over such areas as education, municipalities, property and civil rights. The Québec government sits in the National Assembly, in Québec City, Québec's national capital.

The federal government and provincial governments share some areas of jurisdiction. Québec, for example, shares a number of areas of jurisdiction, including immigration and agriculture with the federal government.

The provinces delegate local responsibilities associated with the management of cities to municipalities; these include police and fire services, recreation and public parks, libraries, management of waste and recycling, and public transit.

Numerous Québec municipal organizations carry out a range of missions and provide public services. They include regional county municipalities, the metropolitan Montréal and metropolitan Québec City communities, and the regional administrations established in Québec's northern regions.

Aboriginal nations

Québec also includes eleven Aboriginal nations. First Nations and Inuit people are citizens of Québec and, as such, are entitled to the same services as all other Quebecers.

Aboriginal nations have a particular relationship with the federal and Québec governments, since they have collective rights that are recognized in Canada's Constitution or set out in agreements between Aboriginal communities and the federal or Québec governments. These rights enable First Nations and Inuit people to exercise government functions themselves, and provide for the development of their cultures, languages, customs and traditions.

Because of this, Aboriginal nations and their leaders, and Aboriginal political and administrative organizations, participate in Québec's political and democratic life.

Participating in political life

The two levels of government and the municipalities, as well as the Aboriginal governments, rely on institutions that enable citizens' political participation, which enhances democracy.

In Québec, there are a number of ways to participate in political life while respecting the measures set out in law:

- ▶ Find out about the government’s plans and state an opinion at a public meeting;
- ▶ Volunteer for a political party;
- ▶ Vote in municipal, provincial and federal elections;
- ▶ File a brief for a public consultation, or ask to be heard at one;
- ▶ Contact your elected representative regarding a political issue;
- ▶ Submit a private bill and have it sponsored by your elected representative.

To contribute to the quality of life in their community, many people get involved in their municipality, where they can:

- ▶ Volunteer for activities relating to culture, recreation and sport;
- ▶ Attend city council meetings, ask questions about the decisions made by municipal representatives and express their opinions on them;
- ▶ State their opinion at public consultations organized by the municipality.

In Québec, the organization of political power facilitates people’s participation and engagement in Québec society.

PARTICIPATION IN DEMOCRATIC LIFE

Québec’s democratic society features many rights. These rights are clearly established to protect citizens’ freedom and encourage them to participate in community life. The following two fundamental freedoms are protected by the *Charter of Human Rights and Freedoms* and are central to the values of Québec society:

- ▶ Freedom of expression, which includes freedom of the press and the news media;
- ▶ Freedom of association and peaceful assembly.

Québec promotes freedom of expression by allowing everyone to freely express their thoughts, beliefs and opinions about matters of public interest and current affairs.

Freedom of expression and the responsibilities that go with it

In Québec, people are free to express themselves without fear of reprisal, even if they disagree with a law or policy adopted by the government. Anyone can therefore add to the discussion and advance democracy.

However, freedom of expression implies a responsibility towards the freedom and dignity of others. It can be limited by each individual's right to protect their reputation. For example, it is illegal to incite or encourage someone to commit a crime, act with the intention of harming someone's reputation, or spread discriminatory statements or statements that incite hatred.

Freedom of expression may also be limited by the duty of reserve and neutrality required in certain types of jobs. For example, Québec public servants must set their personal opinions aside when carrying out their duties, and must preserve their professional credibility when expressing themselves publicly.

In Québec, citizens can express their political opinions publicly and are encouraged to do so, as long as their statements respect the dignity of others as well as the duty of reserve and neutrality required in certain types of jobs.

Freedom of the press

The media (newspapers, radio, television, etc.) enjoy freedom of the press. They play an essential role in a democracy by informing the public about important current affairs and offering diverse opinions and perspectives on matters of public interest.

They can present points of view and opinions that contradict or differ from those of the people in power. The points of view may be those of professionals employed by the media or gathered from independent specialists, representatives of organizations that have a stake in the debate, or citizens affected by the matter at issue. Newspapers give people the opportunity to express their own opinions in writing.

Freedom of association

The freedom of association enshrined in the *Charter of Human Rights and Freedoms* allows people to form or belong to a group, association or organization to advocate on behalf of specific rights. It may be a union, political party, chamber of commerce or community organization or even an advocacy group.

Québec law allows people to associate and provides them with protection or a legal framework, depending on the activities they wish to engage in. For example, an informal gathering of people who share a passion, social support or volunteer initiatives, a fundraising campaign, or for- or non-profit activities practiced as a group.

These organizations and individuals may disagree with the government, and are also free to criticize it in public.

A group of people may, in compliance with the law, gather in a public space to demonstrate peacefully.

In Québec, democracy is expressed through each individual's voice.

TO GO FURTHER

Act

[Charter of Human Rights and Freedoms](#)

[Election Act](#)

Assemblée nationale du Québec

[Questions et réponses sur l'Assemblée nationale du Québec \(French only\)](#)

[The ABC of the National Assembly](#)

[La politique au Québec : institutions et acteurs \(French only\)](#)

Élections Québec

[Voting in Québec – New citizens](#)

Éducaloi

[The Quebec Judicial System](#)

Québec.ca | Official site of the Government of Québec

[Government information and services](#)

Commission des droits de la personne et des droits de la jeunesse

[Aboriginal Peoples: Fact and Fiction](#)

Key 3 — Equality between women and men

EQUALITY BETWEEN WOMEN AND MEN IN THE COUPLE AND THE FAMILY

Over the course of its history, collectively, Québec has achieved great strides on equality between women and men, particularly in the couple and the family, education, work, and in political and decision-making circles.

The *Charter of Human Rights and Freedoms* enshrines equality between the sexes. The rights and freedoms it sets out are guaranteed to men and women in equal measure.

Equality between women and men is a fundamental value that is deeply rooted in Québec society: women and men have the same rights, the same obligations, and the same responsibilities in their private and public lives. Today, both male and female Quebecers can:

- ▶ Vote in elections;
- ▶ Sign contracts;
- ▶ Decide to marry and get divorced;
- ▶ Have control over their own bodies, and, for women, decide whether or not to have an abortion;
- ▶ Decide whether to have children;
- ▶ Attend school, college and university;
- ▶ Work and receive equal pay for equivalent work;
- ▶ Stand for election and become an elected representative or minister;
- ▶ Own or manage a business.

Marriage and civil union

Women and men have the right to marry or freely join together with the person of their choice. For both women and men, 18 is the minimum age of consent to marry without getting a court's approval.

Québec law considers marriage to be the union of two persons, whether they are of different sexes or the same sex.

Bigamous and polygamous marriages are prohibited. Any person can decide to get a separation or divorce. In the event of divorce, women and men have the same rights and responsibilities.

Family responsibilities

Couples, regardless of their sex and gender, have the same rights, as well as the same obligations toward their partner and their children. Management of assets and finances, the selection of a place to live, the children's upbringing, the choice of values that are important to the family, and rules of conduct are family responsibilities that women and men must share.

Women, in the same capacity as men, can therefore make important decisions for the couple and the family. For example, the woman has just as much right as the man to choose their child's name.

Québec society strongly encourages the couple's equal participation in family activities. Men also take care of children and domestic chores, just like women.

In Québec, equality between women and men does not solely rely on historical gains; it is constantly evolving.

The Québec government strongly supports equality between women and men and continues to take action to advance it.

EQUALITY BETWEEN WOMEN AND MEN IN EDUCATION, THE WORKPLACE, AND DECISION-MAKING AND POLITICAL CIRCLES

Equality between women and men is not solely an issue of equality and social justice. It is also a developmental factor for Québec society.

The increase in women's active presence in the labour market and in decision-making and political circles contributes to Québec's economic and social well-being.

Québec's education system supports equality between women and men, as well as gender diversity. Access to the various education and training programs is egalitarian: the admission criteria are the same for everyone. Women can enter programs that are traditionally thought of as male dominated, such as construction, engineering, and flight school.

Similarly, men can enter programs, such as nursing and secretarial programs. Schools must give everyone the same chance to succeed.

Equality in the labour market

Québec aims for equality between women and men in the labour market. All employers must make sure they are not discriminating on the basis of gender.

Women have access to the same jobs as men. For equivalent work, women and men are entitled to the same wage and working conditions.

Women have the same economic independence as men. They can find a job, pay their bills, sign contracts and start a business on their own. A woman can live alone and earn money to meet her needs (shelter, food, clothing, etc.), if that is what she chooses.

Equal representation

Québec's goal is to achieve equal representation of women and men at every decision-making level: local, regional and provincial. All political positions, such as mayor, member of parliament and premier, are open to women. Women are also encouraged to take leadership positions in business. Equal representation is even a legal obligation for the boards of directors of state-owned enterprises.

The Québec government has introduced strategies for achieving equality between women and men.

Remedies as well as civil and criminal sanctions have been put in place in the event of non-compliance with gender equality.

TO GO FURTHER

Act

Charter of Human Rights and Freedoms

Act respecting the governance of state-owned enterprises

Commission des droits de la personne et des droits de la jeunesse

The right to equality

Discrimination based on sex

L'égalité entre les femmes et les hommes (French only)

L'accès à l'égalité en emploi : où en sommes-nous au Québec ? (French only)

Conseil du statut de la femme

Féminisme : nom commun, cause commune (French only)

Éducaloi

Families and couples

Separation and divorce

Secrétariat à la condition féminine

Equal in every way! : Gender equality in Québec

If you are an immigrant woman with precarious status, this brochure may be for you

If you are an immigrant woman or a woman from an ethno-cultural community, this brochure may be for you

Québec.ca | Official site of the Government of Québec

Tools for equality for immigrants

Key 4 — The rights and responsibilities of Quebecers

THE CHARTER OF HUMAN RIGHTS AND FREEDOMS

The *Charter of Human Rights and Freedoms* is an Act passed by the Québec National Assembly. It presents, symbolizes and protects the values of Québec society. It recognizes that all human beings are equal in worth and dignity, and are entitled to the same legal protections.

The *Charter of Human Rights and Freedoms* takes precedence over other Québec laws and regulations, meaning that all bills passed by Québec's National Assembly must be in alignment with the Charter.

The Charter is a legislative tool Québec has passed to encourage respect among all Quebecers. Specifically, it aims to ensure that human rights and freedoms are known and respected.

The *Charter of Human Rights and Freedoms* applies to all individuals present in Québec. The Charter also applies to so-called legal persons, i.e., groups, organizations, companies and government.

Rights and their limits

The Charter of Human Rights and Freedoms covers various sets of rights:

- ▶ Human freedoms and rights
- ▶ The right to equality
- ▶ Political rights
- ▶ Judicial rights
- ▶ Economic and social rights

Some of these rights ensure respect for human dignity and protect the values of freedom and equality.

Human rights include, in particular, the right to life, to personal security, inviolability and freedom, and the right to privacy.

Human rights also protect freedom of conscience, religion, opinion, expression, peaceful assembly and association.

Human rights are exercised in society, so there are certain limits to their application. They must not conflict with the following principles:

- ▶ Democratic values

- ▶ State laicity
- ▶ The importance of protecting the French language
- ▶ Public order
- ▶ The well-being of the Québec population.

In Québec, for example, freedom of peaceful assembly and association was restricted for a time during the COVID-19 pandemic, because the Québec government deemed that the well-being of the population justified temporary restrictions on these rights.

In Québec, the rights and freedoms of each person are inseparable from those of others and from the common well-being.

THE RIGHT TO LIFE, AND TO PERSONAL SECURITY AND INVIOABILITY

In Québec, every person has a right to security and protection of their life. The use of force to interfere with someone's right to life, inviolability or freedom is prohibited. The right to a person's private life is also protected. Public authorities have implemented police, fire, and health and social services to protect citizens.

Under the *Charter of Human Rights and Freedoms*, any person whose life is in peril has the right to assistance. This also means that, unless the situation involves danger to themselves or someone else, every person must come to the aid of anyone whose life is in peril.

If a person witnesses an accident or sees that someone is injured, they must contact emergency services and stay with the injured person until help arrives.

Every person also has a right to inviolability. In Québec, any act intended to physically, psychologically or emotionally harm someone is prohibited.

Such acts include corporal punishment with an object, punishment that can cause injury, and sexual and psychological harassment. The physical and psychological inviolability of the whole person, adult or child, is therefore protected.

Consent

The right to physical integrity requires a person's clear, free and informed consent to actions and situations that may have physical, psychological or emotional consequences for them.

A person cannot give consent to sexual relations if he or she is unable to formulate it clearly due to, for example, severe alcohol or drug intoxication or loss of consciousness.

Furthermore, consent to sexual relations is not valid when, for example, one of the partners feels obliged to agree, or when one person uses their position of authority, threats, force, fraud or the other person's vulnerable situation to obtain consent. Note that a person can stop consenting to sexual activity at any time, and that consent must be given for every sexual act.

The partners' consent must be clear, free and informed. These are the three conditions necessary for valid consent.

In Québec, the age of consent for sexual relations is 16. However, certain exceptions apply to the age of consent for people under 16 who have sexual relations with each other, as explained on the website of [Éducaloi](#).

Sexual exploitation

Sexual exploitation involves a person taking advantage of another person's body for sexual purposes in order to gain financial, social or personal gain. The exploiter can be a man or a woman, adult or under 18, who is close to the victim (spouse, friend, etc.) or not. They can act on their own behalf or on behalf of a criminal organization.

Sexual exploitation has many psychological, physiological and social consequences for victims.

All people, regardless of their socio-economic background, can become victims of sexual exploitation. However, some are more vulnerable due to factors such as drug and alcohol dependency, conflict with parents, running away from home, or stressful situations such as a difficult break-up.

Exploiters find their victims using strategies, sometimes coercive, that take advantage of their vulnerabilities and, eventually, trivialize sexuality. Recruiting takes place in many physical locations, such as subway and bus stops and parks, but also on the Internet, particularly on social networks.

Sexual exploitation can take many forms and is an offence under the Canadian Criminal Code:

- ▶ Procuring and trafficking in persons for the purpose of sexual exploitation;
- ▶ Sex tourism;
- ▶ Child pornography.

Offences involving sexual exploitation are punishable by more severe penalties when committed against minors.

In Québec, the [Youth Protection Act](#) makes it mandatory to report any situation that could compromise the safety or development of a person under 18, including situations involving sexual exploitation.

Non-violence in Québec

Non-violence is very important to Québec society. It is relevant in all areas of public and private life in Québec.

Non-violence therefore applies within families, spousal relationships, and relationships between parents and children, as well as interactions with neighbours, business people, and State representatives and employees.

For example, sexual violence is prohibited in both public and private life. Any person who commits a non-consensual sexual act considered unacceptable against a spouse or any other person interferes with their right to physical and psychological inviolability.

Physical violence also interferes with the right to life and to personal inviolability and security.

In Québec, victims of physical violence in their private or public lives may file a complaint with police.

RESPECT FOR PERSONS AND THEIR PRIVATE SPACES

Respect for persons and their private spaces is crucial in Québec, which is why the *Charter of Human Rights and Freedoms* protects every person's dignity, honour, reputation and private life. Any person whose words or acts interfere with these rights may face legal consequences.

For example, offending someone by insulting their appearance contravenes this right.

In Québec, every person has a right to the safeguard of their dignity. Every person must be treated with respect and dignity.

Every person has a right to respect for their honour and reputation. This right protects everyone against words, gestures or actions that could interfere with their honour or their reputation. Uttering or publishing false or misleading information about someone is therefore prohibited, as doing so can harm their reputation. For example, making an accusation against someone without proof for the purpose of harming them is prohibited.

The right to private life

Every person has a right to respect for their private life. This right ensures that privacy is protected. Certain types of personal information must not be accessible or made public without the permission of the person concerned.

Information pertaining to a person's health, family and love life, sexual orientation, gender expression or identity, as well as a person's image and contact information are protected by this right.

For example, when someone signs up for an activity or fills out a form, they may decide to protect some of their personal information and only answer the questions they deem relevant.

Respect for private life also means not revealing the personal information or sharing images (e.g. photos, videos) of others without their authorization. For example, publishing, broadcasting, sharing, distributing and making accessible intimate images of another person without their consent is prohibited.

The right to respect for private life also means that workers can refuse to answer personal questions from their employers or colleagues that are unrelated to their jobs.

Respect for private life protects the right to make fundamental personal decisions without pressure from others.

It also encompasses the inviolability of the home. Trespassing is prohibited, as is entering someone's home or taking something from it without their consent. Under certain exceptional conditions—for example, to prevent someone from being seriously injured or killed—a police officer may go into a home without a person's consent.

In Québec, a person's private space is respected and generally remains private, unless that person gives someone permission to enter it.

THE RIGHT TO EQUALITY AND NON-DISCRIMINATION

Québec strongly supports the right to equality for everyone in its territory. All human beings are equal in worth and dignity, regardless of their personal characteristics or traits as set out in the *Charter of Human Rights and Freedoms*, including race, colour, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, ethnic or national origin, social condition and handicaps.

Discrimination

The right to equality affords protection against discrimination, which occurs when the following three conditions are present:

- 1° A distinction, exclusion or preference exists relative to others.
- 2° This distinction is based on the personal characteristics listed in the *Charter of Human Rights and Freedoms*.
- 3° The distinction, exclusion or preference undermines the equal exercise of rights and freedoms for the person concerned.

Discrimination is prohibited in all areas of daily life, including employment, housing, and access to businesses and public spaces.

Here are some examples of discrimination:

- ▶ Denying a service or refusing employment to someone because they are homosexual
- ▶ Refusing employment to someone because they are divorced and have children
- ▶ Denying access to a public place or business to a person with a disability
- ▶ Refusing to rent an apartment to a couple with children
- ▶ Paying a lower wage to someone because they were not born in Québec
- ▶ Refusing to promote someone on the basis of ethnic origin or colour
- ▶ Firing someone because of their pregnancy

Harassment

All forms of harassment are prohibited. Harassment can be physical or psychological. It can involve hurtful remarks, threats or insults. Harassment can also include assaults, or writing or drawings on a wall (graffiti). Here are some examples of discriminatory harassment:

- ▶ Someone's car is defaced with hateful images because of their religion.
- ▶ An employer makes repeated comments about an employee's skills on the basis of their sex.
- ▶ A passer-by threatens someone because their wheelchair is preventing pedestrians from walking quickly.
- ▶ Someone frequently threatens a neighbour when they cross paths, on the basis of colour.
- ▶ Someone posts rude comments about a colleague online because of their age.
- ▶ A manager makes hurtful comments about an employee's appearance.

Anyone who believes they have been a victim of discrimination can file a complaint with the Commission des droits de la personne et des droits de la jeunesse or have recourse to the courts, such as the Court of Québec or the Superior Court.

Legal and social equality

In addition to the legal protection of the right to equality, Québec strongly supports the respect and social inclusion of all people.

To promote the full participation of all people in society, the Québec government is taking concrete action to fight discrimination. It also encourages the entire community to understand and respect the diversity that makes up the Québec population. Québec takes action to:

- ▶ Promote social acceptance of sexual and gender diversity and counter homophobia, transphobia and conversion therapies;
- ▶ Raise awareness about prejudices against ethnocultural minorities and put an end to racism;
- ▶ Improve the social inclusion of the elderly and counter preconceived ideas about them and the abuse they may suffer.

Conversion therapies are practices, services or treatments, spiritual or otherwise, designed to change a person's sexual orientation, gender identity or gender expression, or to suppress non-heterosexual sexual behaviour. These forbidden practices cause psychological and physical suffering to those who undergo them.

To find out more about sexual orientation, gender identity and gender expression, visit [Understanding sexual diversity and gender pluralism](#).

ECONOMIC AND SOCIAL RIGHTS

In Québec, economic and social rights are included in the *Charter of Human Rights and Freedoms*. Collective solidarity, or helping those in need, is a central value in Québec society.

Economic and social rights pertain to a number of aspects of life, including the protection of children, seniors and people with disabilities, as well as education, the cultural interests of ethnic minorities, access to information, financial assistance and working conditions.

Children's rights

All children have a right to the protection, security and attention that their parents are capable of providing. Parents are responsible for protecting their children and ensuring their well-being, safety, education and development.

Parents must therefore provide for their children's safety. For example, a parent who leaves a young child alone in a car without supervision could be considered to have failed to ensure that child's safety.

A child's right to the protection, security and attention that their parents are capable of providing applies to their education as well.

Children and adolescents under 18 years of age in the territory of Québec are protected under the following:

- ▶ *Charter of Human Rights and Freedoms*
- ▶ *Convention on the Rights of the Child*

A young person who is the subject of a report or who is taken in charge by the director of youth protection is also protected under the following:

- ▶ *Youth Protection Act*

The situation of a young person who has broken a federal law or committed an offence under a provision of the *Criminal Code* is dealt with under the following:

- ▶ *Youth Criminal Justice Act*

A few economic and social rights

Here are some other examples of economic and social rights:

- ▶ Seniors and people with disabilities have a right to protection against any form of exploitation. Their families must also ensure their protection and security. If a senior or a person with a disability tells you they have been the victim of exploitation, you can file a complaint in order to have their rights protected. Similarly, if you are worried about an elderly person's safety, you can raise your concerns with their family members or social services to ensure that person's protection.
- ▶ Everyone has a right to conditions of employment that have proper regard for their health, safety and physical well-being. Indeed, every employer must ensure that the work environment is safe and free of hazards that could compromise employees' physical integrity.
- ▶ Every person has a right to measures of social and financial assistance.

The right to live in a healthful environment

Economic and social rights also include the right to live in a healthful environment in which biodiversity is preserved. Biodiversity refers to the variety of life on Earth (the different species, their living environments, etc.).

This right means that everyone in Québec contributes to environmental protection, including the State and businesses.

The people of Québec are therefore encouraged to take on certain responsibilities by performing actions like the following:

- ▶ Sorting waste, recycling and composting food
- ▶ Using biodegradable or reusable bags
- ▶ Protecting resources, by not wasting drinking water for example.

LEGAL RIGHTS

The *Charter of Human Rights and Freedoms* protects people in every domain of society, including the justice system. In Québec, people who are prosecuted or accused of a crime also have rights under the Charter. These are referred to as judicial rights.

They protect people when they are arrested by the police. People have the right to know the grounds and the reasons for their arrest and the specific offence they are being accused of.

Police officers may not search a person or a home without a warrant issued by a judge, unless, for example, they have reasonable grounds to believe that someone's health or safety is at risk.

Furthermore, every person arrested has a right to advise their loved ones and to have the services of a lawyer. Lastly, the authorities must treat any person arrested or detained with humanity and respect.

Rights at trial

The *Charter of Human Rights and Freedoms* also includes a number of rights protecting people who go to trial. For example, everyone has the right to a fair and impartial trial when they are accused of a crime or prosecuted.

Anyone accused of a crime is presumed innocent until proven guilty. They have the right to represent themselves or to be represented by a lawyer.

They also have the right to remain silent during their trial, which means they are not obliged to testify against themselves.

In Québec, judicial rights guarantee respect for persons and the protection of their moral and physical integrity.

TO GO FURTHER

Act

[Charter of Human Rights and Freedoms](#)

[Convention on the Rights of the Child](#)

[Youth Protection Act](#)

[Youth Criminal Justice Act](#)

[Act to protect persons from conversion therapy provided to change their sexual orientation, gender identity or gender expression](#)

Commission des droits de la personne et des droits de la jeunesse

[The Charter of Human Rights and Freedoms Made Easy](#)

[The right to equality and non-discrimination](#)

[Economic and social rights](#)

[Judicial rights](#)

Éducaloi

[Crimes and tickets](#)

[Sexual Consent of Teenagers](#)

[Legal system](#)

[Rights and freedoms](#)

[Work](#)

Québec.ca | Official site of the Government of Québec

[Help and resources for victims of sexual exploitation](#)

[Sexual exploitation](#)

[Homophobia and transphobia](#)

[Sexual diversity and gender pluralism](#)

[Lutte contre le racisme \(French only\)](#)

[Social inclusion of older adults](#)

[Mistreatment of older adults and vulnerable people](#)

Canadian Centre for Child Protection

[Parenting Tweens and Teens in the Digital World](#)

Key 5 — Québec is a secular society

SECULARISM IN QUÉBEC

The decisions and actions of the Québec State and its institutions are independent from religious authorities. This has not always been the case. The Catholic Church played a significant role in the history of Québec, especially in health and education.

In the 1960s, the influence of religion on Québec’s collective life began to wane. Gradually, Church-run institutions became secular.

The laicity of the State is based on the separation of religion and the State, its religious neutrality, the equality of all citizens, and freedom of conscience and religion. For example, your faith and that of hospital staff have no impact on how quickly you receive care.

In Québec society, freedom of conscience and religion are fundamental values. Each person has the right to practise and express their religious beliefs. Religion is one of the prohibited grounds of discrimination and harassment in Québec.

Laicity of the State

The laicity of the Québec State ensures the equality of all people, regardless of their beliefs or their religion. In 2019, Québec took a further step in its historic evolution to reinforce laicity by adopting the *Act respecting the laicity of the State*. This Act introduces a framework for the laicity of the Québec State that takes into account its history, social values and particular nature.

It also sets out rules on how the value of secularism plays out in the public domain in Québec. For example, since March 27, 2019, it prohibits the wearing of religious symbols at work by certain people in positions of authority, including new police officers, new criminal and penal prosecuting attorneys, and teachers in public primary and secondary schools.

However, people wearing religious symbols who were hired before March 27, 2019 may continue to wear them, provided they hold the same position within the same organization.

Moreover, for identification and security reasons, persons receiving certain government services must have their faces uncovered. Likewise, government staff must provide services with their faces uncovered.

Québec is the only State in North America to have made secularism a part of its laws. State laicity is enshrined in the Charter of Human Rights and Freedoms.

TO GO FURTHER

Act

Act respecting the laicity of the State

Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies

Québec.ca | Official site of the Government of Québec

À propos de la Loi sur la laïcité de l'État (French only)

Lignes directrices portant sur le traitement d'une demande d'accommodement pour un motif religieux (French only)

Conclusion

To integrate into a new society, you must make a long-lasting commitment to showing that you want to join and fully participate in collective life, in this case in French. Translating this commitment into action means using the francization and integration services that the government makes available to you, free of charge.

By continuing to learn using the hyperlinks provided in this Guide, and also by using the service of *Accompagnement Québec*, you will help speed up and facilitate your integration.

Sample assessment questions

The learning assessment for which you have prepared by reading this guide is made up of short questions in the form of statements, true or false questions and situation scenarios.

Here are five sample questions that may be included in the assessment of what you've learned about the democratic values and Québec values expressed in the *Charter of Human Rights and Freedoms*.

In Québec, women and men have the same rights, and equality between them is included in the *Charter of Human Rights and Freedoms*.

- True
- False

Which of these illustrations represent people who have the right to get married in Québec?

- Two men



- Two women and 1 man



- Two women



- One man, one woman



- Two men and one woman



Identify the situations where discrimination is occurring. Refusal to hire:

- A woman because she is pregnant.
- A person because they do not have the required diploma.
- A person because of their ethnic origin.

Since March 27, 2019, under the *Act respecting the laicity of the State*, new police officers are prohibited from wearing religious symbols in the exercise of their functions.

- True
- False

Which is the official language of Québec?

- English
- Spanish
- French
- French and English