

INFORMATION NOTE

Intergovernmental Relations Secretariat, Office of the Premier

DATE: September 11, 2013

ISSUE: Charter of Quebec Values

OVERVIEW

On September 10, 2013, Bernard Drainville, Quebec Minister responsible for Democratic Institutions and Citizen's Participation released a series of government proposals contained in a Charter of Quebec Values. The Charter of Quebec Values is about the religious neutrality of public institutions under provincial jurisdiction.

The government will conduct public consultation on its proposals and plans to introduce legislation in November or December enshrining the proposed Charter. As a minority government, the PQ will need support from opposition parties for the legislation to pass. The official opposition, the Quebec Liberal Party, has already indicated that it will not support the Parti Québécois on this initiative.

S16

HIGHLIGHTS

The Quebec consultation paper indicates that:

Goals of the Quebec proposals are:

1. Setting clear rules for everyone

"In the past seven years a number of high-profile religious accommodation cases have given rise to a profound discomfort in the province. To maintain social peace, promote harmony and prevent tensions from growing, clear rules are being proposed."

2. Affirming Quebec's values:

- a. Gender Equality
- b. Equality for all
- c. Religious neutrality of Quebec institutions
- d. Respect of a historic heritage.

3. Establishing religious neutrality of the government.

Proposals:

The discussion paper presents five proposals:

1. An amendment to the Quebec Charter of Human Rights and Freedoms to entrench the religious neutrality of the government and the secular nature of public institutions. Requests for religious accommodation could be made according to certain criteria, and the conditions under which such exemptions or accommodation could be granted will be outlined.
2. Establishment of a duty of neutrality and reserve for all public servants in carrying their duties. This is to reflect the government's neutrality and independence from religion. Public servants should abstain from promoting their religious beliefs while performing their work.
3. Limitations on the wearing of conspicuous religious symbols. This will effectively prohibit public servants, police officers, correctional agents, daycare personnel and other public sector employees from wearing overt and conspicuous religious symbols while performing their work. However, in the case of post-secondary institutions, public health and social services institutions, municipalities, where boards of directors (or municipal councils) are elected, these could adopt a resolution to opt out of the ban on wearing conspicuous religious symbols. The rationale for this provision is to respect democratically elected boards and municipal councils.
4. Making it mandatory to have one's face uncovered when providing or receiving a government service.
5. Establishment of an implementation plan with specific accountabilities for government ministries and agencies.

PRELIMINARY REACTION:

Federal Government:

- Ottawa is prepared to challenge Quebec's proposed ban on religious symbols in the workplace, casting the values charter as an attack on freedoms of religion. The federal government is seeking legal advice on whether the proposed Charter is contrary to Canada's Charter of rights and Freedom.
- NDP Leader Thomas Mulcair: "This has nothing to do with any high-sounding value. This has everything to do with the most base politics. It's undignified and we're going to fight it straight up."
- Liberal Leader Justin Trudeau: "Madame Marois has a plan. She has an agenda. She's trying to play divisive identity politics because it seems to be the only thing that is able to distract from the serious economic challenges that we're facing as a province and as a country."

Provincial Positions

- **Nova Scotia** Premier Darrel Dexter: "I'm going to leave that to Quebeckers. It's an issue for Quebec and I think the people there will deal with it in a way that's appropriate."
- **PEI, New Brunswick, Newfoundland & Labrador:** Premiers were unavailable.
- **Alberta and Saskatchewan** spokespersons have stated that their governments are not considering a similar charter.
- **Manitoba** S16 "Our government is committed to promoting diversity and fighting against discrimination that hurts people and communities. Banning a headscarf or a yarmulke does nothing more than infringe on religious freedom, and we absolutely won't go down that path," Matt Williamson, a government spokesman, said in a statement. "One of the things that makes Manitoba great is our respect for and promotion of diversity. We're going to keep it that way."
- **Ontario** Premier Kathleen Wynne said this she would fight any attempt to bring similar legislation to her province. Ontario Liberal MPP Monte Kwinter tabled a motion to be voted on very soon. The motion states that the province will "oppose any legislation that would restrict or prohibit people's freedom of expression and religion in public places".

Preliminary Reaction in Quebec – From media reports:

Opposition to the proposed Charter:

- **Mayors on the island of Montreal** unanimously opposed the proposed Charter of values
- Majority of **business leaders** also oppose the proposed Charter.
- Opposition is also being expressed by **some members of the Bloc Quebecois and from supporters of the Parti Quebecois.**

Support:

- Provincial public service union
- Media indicates an urban/rural split

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