

STATES OF JERSEY

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REGISTRATION OF POLITICAL PARTIES (P.73/2007): SECOND AMENDMENTS

Lodged au Greffe on 3rd July 2007
by Senator F.E. Cohen

STATES GREFFE

REGISTRATION OF POLITICAL PARTIES (P.73/2007): SECOND AMENDMENTS

(1) *After sub-paragraph (a)(iii), insert a new sub-paragraph (iv) as follows –*

“(iv) the Royal Court shall not register a party if the party promotes in any way discrimination on grounds of race, religion, or sexual orientation;”

and renumber accordingly.

(2) *In paragraph (a)(vi), after the words “sub-paragraph (iv) above” insert the words “, if at any time it promoted in any way discrimination on grounds of race, religion or sexual orientation,”.*

SENATOR F.E. COHEN

REPORT

This amendment seeks to prevent the registration of extremist political parties promoting discrimination on the grounds of race, religion or sexual orientation. The proposed amendment would further require the de-registration of a party if at any time it promoted discrimination on the grounds of race, religion or sexual orientation.

Jersey does not presently have the necessary legislative mechanisms to protect against extremist political parties. Even if future anti-discrimination legislation is approved this could be repealed or amended by a dominant extremist political party.

The proposed amendment would prevent political parties with extremist views relating to race, religion or sexual orientation from registering and thus gaining political power and disproportional authority.

Extremist political parties act against an individual's rights. Whilst the Jersey Human Rights Law 2000 offers some protection to individuals, appeals to the European Court of Human Rights, can be a long and expensive process.

Political parties should not infringe an individual's civil liberties. Individuals have the right to the freedom of speech and the freedom of assembly and this proposed amendment does not propose the removal of an individual's rights in this respect merely the registration and de-registration of political parties that promote discrimination on the grounds of race, religion or sexual orientation. It should be noted that within Jersey it is not illegal to publish one's views even if they are extremist in nature.

The establishment of a political party promoting intolerance based on the grounds of racial, religious or sexual orientation can only have a negative effect on society and preventing their registration would protect Islanders from being subjected to the propaganda usually associated with such parties. This amendment will protect the democratic freedoms we presently enjoy in Jersey.

There are no financial or manpower implications arising from this amendment.