

**MANITOBA HUMAN RIGHTS COMMISSION  
BOARD OF COMMISSIONERS' POLICY**

**POLICY # I-5  
version 1.1**

**SECTION: Interpretation**

Effective date: February 6, 2002  
**REVISED DATE: October 14, 2015**

**SUBJECT: POLITICAL BELIEF, POLITICAL ASSOCIATION OR POLITICAL  
ACTIVITY – s.9(2)(k)**

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**Purpose:**

This policy is intended to assist in the understanding and application of “political belief, political association or political activity, referred to in section 9(2)(k) of *The Human Rights Code* (“*The Code*”). Where there is any conflict between this policy and *The Code*, *The Code* prevails.

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**Context:**

“Political belief, political association or political activity” may be broken up into three distinct categories: political belief, political association and political activity.

“**Political belief**” will be interpreted to mean a belief that has a focused political object. Its definition will be given a broad and purposive interpretation based on the policy considerations underlying *The Code*, which operate to prevent and eliminate discrimination against individuals or groups. Within that interpretive context, “political belief” is not, therefore, unlimited in its scope.

Specifically, it is not the same as a broad right to freedom of expression to be guaranteed to openly debate any issue that affects the public well-being. See, for example: *Potter v. College of Physicians and Surgeons of British Columbia* (1998), 31 CHRR D/6311 at para. 11). Rather, a “political belief” as protected by the objectives underlying *The Code* must involve some form of focused discourse about convictions that relate to the political organization, political functioning or political nature or goals of society. See, for example: *Morel v. Saint-Sylvestre (Paroisse)* (1987), D.L.Q. 391 at p. 392 (Court of Appeal).

“Political belief” does not therefore include beliefs about, for example, discrete social, environmental, business, human resources, medical or other such issues that bear no connection to the political organization, function or nature of society.

The interpretation of “political belief” is not confined to partisan political beliefs, and it could include political philosophical convictions. Therefore, it is not necessary that a person seeking protection under this ground demonstrate belonging or affiliation with an

established political party. See, for example: (*Prokopetz and Talkkari v. Burnaby Firefighters' Union and the City of Burnaby*, 2006 BCHRT 462).

**“Political association”** will be interpreted to mean a relationship that someone is in or supports, either with other people or with organizations, for political purposes. In cases of union activity, “political association” for the purposes of *The Code* will be restricted to mean generalized or philosophical views that one holds about the role that trade unions should or should not play in our society. Allegations regarding actual interference with union activity/organizing in the workplace falls within the jurisdiction of *The Labour Relations Act* and not the Commission.

**“Political activity”** will be interpreted to mean participation in, or support of, activities that have political purposes.

As with "political belief," "political association" and "political activity" will be given a broad and purposive interpretation in keeping with the objectives underlying *The Code*, and must therefore encompass some form of focused discourse about convictions that are linked to the political organization, political functioning or the political nature of society and does not include beliefs or concerns about discrete social, environmental, medical or other such issues.

APPROVED BY:

"Yvonne Peters"  
Chairperson

October 14, 2015  
Date