



**COUNCIL**  
FOR THE ADVANCEMENT OF THE  
**SOUTH AFRICAN**  
**CONSTITUTION**

**MEDIA STATEMENT**  
**03 May 2016**  
**Attacks on IEC unwarranted**

The attack by the Economic Freedom Front (EFF) leader, Julius Malema, at the party's election manifesto launch on 30 April on the integrity and bona fides of the Electoral Commission (IEC) is unwarranted and reckless. The IEC is an independent institution established under Chapter Nine of the Constitution charged with managing elections in a free and fair manner.

Mr Malema's remarks that the IEC "continues to rig elections ... You stole our votes in Alexandra and we allowed you" is unsubstantiated and has the capacity to undermine the impartiality and effectiveness of the IEC, as the critical local government elections loom.

It is ironic that the EFF has chosen to attack the IEC in this manner so soon after going to great lengths to safeguard the independence, power and authority of another Chapter Nine body, the Public Protector. The Constitutional Court judgment in the Nkandla matter was a strong vindication of the importance of these independent constitutional bodies in our system of governance.

As a political party, the EFF has the opportunity to raise any concerns about the functioning of the IEC in the party liaison structures that exist within the elections body. Moreover, where there are grievances about the conduct of elections, the proper recourse is to the Electoral Court, specifically established to deal with such matters. It has been proven in the Tlokwe cases that where electoral irregularities are found the courts will intervene to protect the integrity of electoral processes.

Such incendiary comments may encourage a confrontational and violent approach towards the IEC and its staff by supporters of the EFF. We have recently seen IEC voter registration centres being disrupted and vandalised in violation of s. 181(4) of the Constitution which prohibits 'interference with the functioning' of the IEC.

We call upon the EFF to retract its dangerous condemnation of the IEC, and to work with that body to ensure that a climate conducive to free and fair elections is established.

**Enquiries:**  
**Lawson Naidoo**  
**073 158 5736**

Council for the Advancement of South African Constitution

Telephone: [+27 21] 685 8809 • Facsimile: [+27 21] 685 8819

[info@casac.org.za](mailto:info@casac.org.za)

[www.casac.org.za](http://www.casac.org.za)