



COUNCIL
FOR THE ADVANCEMENT OF THE
SOUTH AFRICAN
CONSTITUTION

MEDIA STATEMENT

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ANC contact with Electoral Commission is cause for concern: CASAC calls for all Party meeting to clarify rules of engagement

The integrity and independence of the Independent Electoral Commission (IEC) is fundamentally important for South Africa's constitutional democracy. CASAC is concerned by reports of a meeting held between the African National Congress (ANC) and the IEC.

Speaking from Cape Town, CASAC Secretary, Lawson Naidoo, said:
“The meeting that was held between senior office bearers of the ANC and Commissioners of the Electoral Commission last week would appear to be highly irregular. There are grounds for real concern given that the meeting took place in the aftermath of the highly contested local government elections on 3 August, and that it took place at the offices of the ANC rather than at the offices of the IEC.”

CASAC's view is that if any political party wishes to raise issues with the Electoral Commission it should do so under the auspices of the party liaison committee that exists for this very purpose. Section 5(1)(g) of the Electoral Commission Act provides that it is one of the functions of the Commission to establish and maintain liaison and co-operation with parties. The Regulations made under the Act provide that Party liaison committees will serve as vehicles for consultation and co-operation between the Commission and the registered parties concerned on all electoral matters, aimed at the delivery of free and fair elections.

CASAC calls on the Electoral Commission to urgently convene a meeting of the party liaison committee at the national level with representatives of all parties represented in the National Assembly and the Commissioners. At this meeting the Commissioners should brief the parties on the nature and content of the meeting held with the ANC and should clarify the rules of engagement for future contact, affirming thereby the role and responsibility of the party liaison committee.

Council for the Advancement of South African Constitution

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Naidoo added: “Full disclosure of the discussions that took place between the IEC officials and the ANC is essential to protect the independence and integrity of the Commission, and to ensure public confidence in the electoral process”.

The independence of an electoral management body is fundamental to the notion of free and fair elections which underpins our constitutional democracy. The Constitution spells out in clear terms that “no person or organ of state may interfere with the functioning of [the IEC]” (s.181(4)). Such an injunction would cover political parties.

We cannot allow the effectiveness of the IEC to execute its constitutional and legislative mandates to be compromised in any way.

For further enquiries

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