



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

## **MEDIA STATEMENT**

29 June 2016

### **The SABC's role in free and fair elections**

The deepening crisis at the South African Broadcasting Company (SABC) has profound implications for our constitutional values and principles, and in particular for the integrity of the forthcoming local government elections.

The Preamble to the Broadcasting Act provides that its aim is to “align the broadcasting system with the democratic values of the Constitution and to enhance and protect the fundamental rights of citizens”. Amongst these values and principles are the advancement of human rights and freedoms, freedom of the press and media, the freedom to receive or impart information or ideas and the right to free and fair elections. A broadcasting authority is established under s. 192 of the Constitution to “regulate broadcasting in the public interest, and to ensure fairness and a diversity of views broadly representing South African society”. The Electoral Commission is entrusted to ensure that those elections are free and fair (s.190 (1)(b)).

It is clear that recent developments at the SABC undermine these constitutional and legislative prescripts and values. These include:

- The legality of the appointment of the Chief Operating Officer (COO);
- The editorial policy decision that news will be censored to exclude images of violent protests aimed at public property;
- The suspension of journalists for seeking to uphold editorial integrity and ethics in the newsroom;
- The open letter from some journalists to the COO of the SABC lamenting the environment in the newsrooms;
- Intimidation of staff of the SABC by its COO;
- The resignation of the Acting CEO of the SABC, Jimi Matthews, and the reasons therefore.

ASAC is extremely concerned about the potential impact of these developments, and in particular the attempts to restrict or censor aspects of news reporting, on the freeness and fairness of the local government elections.

## CASAC MEDIA STATEMENT

To ensure free and fair elections, the public broadcaster has a legal duty to ensure equitable access to all political parties, and should reflect fairly and objectively on what is going on in the country. Access to such information by the public is central to meaningfully exercising the right to vote, as well as the right to free and fair elections. These are among the cornerstones of our democracy which we must guard fearlessly.

CASAC Executive Secretary, Lawson Naidoo, says:

“The failure by the SABC to ensure that its coverage of news and election related matters in particular meets with its legal and constitutional requirements may give rise to a challenge to the outcome of the local government elections. It is currently demonstrating a reckless disregard for this responsibility.”

We urge Parliament’s Portfolio Committee on Communications to convene urgently to discuss these concerns, and to call the Minister and the Board of the SABC to account. The Committee must urgently put in place effective safeguards to ensure the objective reporting on news and current affairs is not compromised in the run-up to the elections on 3 August. We have written to the Speaker of the National Assembly requesting that the Committee be convened to meet even though Parliament is in recess.

CASAC has drawn these concerns to the attention of the Independent Communications Authority of South Africa (ICASA) and urged it to ensure that the SABC meets its constitutional, legal and licence obligations.

We have also written to the Electoral Commission to remind it of its constitutional obligation to ensure free and fair elections, and to highlight the deficits identified in the current editorial and management positions taken at the SABC.

We commend those staff members at the SABC and other media houses who uphold the integrity of their professions and seek to serve the public interest.

For further enquiries, contact:

**Lawson Naidoo**

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

Cel 073 158 5736