

## Press statement

10 May 2024

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### Support for ConCourt, irrespective of outcome

We, the undersigned organisations, call on all stakeholders to respect the decision of the Constitutional Court in relation to the Independent Electoral Commission of South Africa's (IEC) appeal to be heard on 10 May 2024.

The IEC is appealing a recent judgment by the Electoral Court. This judgment overturned the IEC's decision to uphold an objection to former President Jacob Zuma's candidacy. The former President is standing for the 29 May elections as a National Assembly candidate on Umkhonto we Sizwe's (MK) political party list.

We express our confidence in the Constitutional Court processes and the impartiality of its judges who are expected to hear the matter between the IEC and MK. We call on the IEC, MK, former President Zuma, the *amicus curiae* in the case, as well as the broader public, to accept the ConCourt's judgment, irrespective of the outcome.

As MK had the right to take the matter to the Electoral Court, we similarly stand by the right of the IEC to take the matter to the Constitutional Court. We firmly believe that this matter requires urgent constitutional clarity ahead of the elections later this month. The case is also important for future interpretation of Section 47 (1) (e) of the Constitution.

We support the right of organisations to become 'friends of the court' on the matter. In this regard, the Ahmed Kathrada Foundation, Corruption Watch, and the Council for the Advancement of the South African Constitution (CASAC) have all been admitted as *amicus curiae* by the Constitutional Court.

The social media attacks on these organisations - which started promptly after it was made public that they would be joining in as *amicus curiae* - must be condemned. The three organisations have long stood for constitutionalism, against corruption and state capture, and for democracy. The attacks aimed at them are nothing more than spurious attempts to undermine their credibility and public standing.

As the matter heads to the Constitutional Court on Friday, we reiterate our appeal for the respect and upholding of the rule of law by all stakeholders. In the experience of the July 2021 unrest, the country has an example of the repercussions of the rule of law being disregarded. As we head to the 2024 elections, respect for the rule of law will ultimately improve the overall climate of peace and stability.

**Signed by:**

Active Citizens Movement

Auwal Socio-Economic Research Institute NPC

Botsotso

Business Ecology

Centre for Analytics and Behavioural Change NPC

Congress of Business and Economics

Defend Our Democracy

Extinction Rebellion Gauteng

Freedom Under Law

Gandhi Development Trust/Phoenix Settlement Trust

Gugulethu CAN

In Transformation Initiative

Inclusive Society Institute

Johannesburg Against Injustice

June and Andrew Mlangeni Foundation

Krishna Rabilal Foundation

Legal Resources Centre

LenzPolitics

Linali Consulting

Masibuyisane

Mediate Works (Pty) Ltd

Moselatshedimosho Mining Communities Education and Training Centre

Msunduzi Association of Residents Ratepayers and Civics (MARRC)

Muslim Students Association Union

Muslim Youth Movement

Ntwane Community Development Forum

Open Secrets

Organisation Undoing Tax Abuse

Progressive Tamil Movement

South Durban Community Environmental Alliance

South African Conversations

South African Tamil Federation

Survivors of State Capture at the South African Revenue Service Support Group

Teddy Bear Foundation for Abused Children

The Fair Labour Practice (Pty) Ltd

Tlou Cholo Foundation

#SA1stForum

#StandUpSA

#UniteBehind

#YouthArise

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