

AFRICAN NATIONAL CONGRESS



DEPARTMENT OF COMMUNICATIONS, INFORMATION AND PUBLICITY

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FOR IMMEDIATE RELEASE

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ANC STATEMENT ON OUTCOMES OF RECENT NATIONAL DISCIPLINARY COMMITTEE HEARINGS

The African National Congress is a voluntary organisation whose membership, once taken up by an individual, comes with strict organisational discipline. The strictures of this organisational discipline are demanded from all of us without exception; regardless of rank, years of service or past records of leadership. For over a century, the ANC has weathered many storms and confronted challenging political moments by uncompromisingly asserting the principality of the organisation over and above the force of personality of any of its leaders or members.

History is replete with instances in which the ANC had to confront situations in which the actions of some of its members were in conflict with its organisational discipline and political values. This experience has helped the ANC evolve a constitution that defines the political line for all members. The constitution maps out progressive parameters within which all members must act and a clear framework of political recourse for when members act in conflict with the strategic political line and organisational discipline.

The effectiveness of the ANC as a political organisation has always depended on its capacity to function coherently and cohesively, with all members pulling together on the basis of a common mission, a binding code of conduct and a commitment to positively reinforcing the political work of the organisation. The historic mission of building a liberation movement with the capacity to map out the vision for a national democratic society and prosecute the political struggle of bringing it about, has rested and still rests on the ability to enforce a clear strategic and organisational line that must be upheld by all members.

The African National Congress (ANC) hereby communicates, in terms of its constitution, the verdicts of the National Disciplinary Committee (NDC) proceedings in respect of the cases against Comrade Mandla Msibi and former President Jacob Zuma. We also want to place it on the record that the verdicts have been duly communicated to the charged members as required.

The Year of United Action to Defend our Freedom and Advance a Better Life For All: Forward to a Decisive Victory!

PRESIDENT CM Ramaphosa	DEPUTY PRESIDENT PS Mashatile	NATIONAL CHAIRPERSON GS Mantashe	SECRETARY GENERAL FA Mbalula	DEPUTY SECRETARY GENERAL NP Mokonyane	2nd DEPUTY SECRETARY GENERAL M Ramokgopa	TREASURER GENERAL GM Ramokgopa
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Item 40 of Annexure 3 to the ANC Constitution provides that: “The Disciplinary Committee shall, in writing, report the outcome to the Secretary General or relevant Provincial Secretary and then publicly announce its finding.”

Accordingly the NDC Chairperson, Comrade Enver Surty, wrote to the Office of the Secretary General, providing the ANC with the verdicts of the two cases. The first written communication from the NDC was on 22 July 2024. The second verdict outcome relating to the matter of the ANC vs Zuma was received on 28 July 2024.

We hereby quote from the respective verdicts on these two matters separately.

In the matter ANC vs Msibi

Following an appeal hearing by the NDC, the NDC made the following finding in respect of Comrade Msibi on 22 July 2024:

G. Conviction

87. Save for the last argument regarding improper splitting of charges which is upheld and not material to conviction, the remaining arguments raised by the appellant are dismissed.

H. Sanction

88. The ANC argued for the dismissal of the appeal and implored the NDC to impose a harsher sanction.

89. In terms of Rule 25.23.3. of the ANC Constitution, the NDC, sitting as an appeal body, is empowered to reconsider a harsher sanction if the circumstances warranted it.

90. The NDC is of the view that the call by the ANC for a harsher sanction was compelling for the following reasons:-

90.1. the action of the appellant displayed an utter disregard for the organisation, its President and its Code of Conduct.



90.2. The planning for the march had gone beyond the stage of attempt and the evidence of the Provincial Secretary showed that the organisers, including the appellant, were defiant and not prepared to heed the call of ANC national and provincial leaders to review their resolution and called off the march;

90.3. There was nothing political about the approach of the organisers nor was there any justification for their actions. It was transactional in nature – you accede to our demand regarding the Nkosi City Development Project and we will attend your January 8 celebration.

90.4. Major events of the ANC, such as January 8 celebrations, attract widespread media attention. Had the march materialised, it would not only have seriously prejudiced the reputation of the organisation but could potentially have led to violent clashes with members and supporters in the Stadium, resulting in damage to property, injury and loss of life.

91. However, the NDC has taken into consideration the ground of appeal it upheld viz. that there was an improper splitting of charges which, would have necessitated the imposition of a lesser sanction.

92. After considering these two competing factors, the NDC has decided not to interfere with the sanction imposed by the PDC which it considers to be appropriate in the circumstances.

I. NDC Finding

93. The appeal is dismissed.

94. The finding of the PDC (Provincial Disciplinary Committee) is confirmed.”

In view of the above decision by the National Disciplinary Committee, the suspension of Comrade Mandla Msibi remains in effect. The comrade is still a member of the ANC and is afforded an opportunity to reconcile himself with the strategic political line of the ANC.

In the matter ANC vs Zuma

Following a disciplinary hearing the matter of the *ANC vs JG Zuma* on **23 July 2024** on a virtual platform, the National Disciplinary Committee made the following finding in respect of Mr Zuma on **28 July 2024**:



The National Disciplinary Committee finds that:-

133. *The charged member is found guilty of contravening Rule 25.17.17.4 of the ANC Constitution, read with subsection (2), for prejudicing the integrity or repute of the Organisation by acting in collaboration with a registered political party, to wit the uMkhonto We Sizwe Party, which is not in alliance with the ANC, in a manner contrary to the aims, policies and objectives of the ANC.*
134. *The charged member is expelled from the ANC.*
135. *The charged member has the right to appeal to the National Disciplinary Committee of Appeal within 21 days.*

The final verdict being: "The charged member is expelled from the ANC. The charged member has the right to appeal to the National Disciplinary Committee of Appeal within 21 days."

Former President Jacob Zuma has actively impugned the integrity of the ANC and campaigned to dislodge the ANC from power, while claiming that he had not severed his membership. This conduct is irreconcilable with the spirit of organisational discipline and letter of the ANC Constitution. Furthermore, former President Zuma has been running on a dangerous platform that casts doubt on our entire constitutional edifice. He has meted out a host of anti-revolutionary outbursts, including mischievously calling into question the credibility of our electoral processes without cause and discrediting the rationale of our judicial system.

The political values and democratic institutions he is mobilising against were consciously embedded into our constitutional dispensation by the ANC; as strategic advances of the values of the National Democratic Revolution.

His platform is dangerous, appeals to extremist instincts in our body politic and riles up a political base that may foment social unrest. His actions reinforces the work of the primarily right-wing opponents of the National Democratic Revolution.

ISSUED BY THE AFRICAN NATIONAL CONGRESS

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PRESIDENT
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DEPUTY PRESIDENT
PS Mashatile

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FA Mbalula

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