

PRESS STATEMENT

04/08/2022

CFE STANDS BY SERI AND JOINS THE GREATER CIVIL SOCIETY SECTOR IN DEMANDING ACTION AGAINST THE THREAT TO CIVIC SPACE IN SOUTH AFRICA

The Campaign for Free Expression (CFE) joins the rest of the CSO sector in condemning the incitement of violence by the City of Joburg's MMC, Nkululeko Mbundu. Last week, MMC Mbundu went on a Twitter rampage, calling out the Socio-Economic Rights Institute of South Africa (SERI) for legally challenging his operation Buya Mthetho which he launched in July to "reclaim public spaces". Through the operation, hundreds of informal traders were left with no means of survival after they were forcibly removed from their stalls in what Mbundu claims is a bid to "restore order" to Joburg's inner city. SERI took the matter to court on behalf of the informal traders and won the case. What is concerning to us, as an organization that fights for free speech for all, are the threats of violence issued against SERI and the informal traders group South African Informal Traders Forum (SAITF), and what that represents for our democracy as a nation.

SERI has since temporarily closed its offices after images and contact details of its staff members were circulated on social media following Mbundu's Twitter thread. Not only did MMC Mbundu's actions lead to a violation of SERI staff's right to privacy, but they also placed them in harm's way. Mbundu's followers were calling for SERI staff to be "lynched" among other acts of hate, and for their offices to be burnt down.

Non-profit organizations and the civil society sector at large must be able to operate without fear of victimization. A healthy civil society is what makes a healthy democracy as civil society organizations serve to supplement governments' efforts and to hold governments accountable, together with the people. Mbundu should have practiced self-restraint as a person holding public office, as his utterances on a public platform have the potential to influence public opinion and incite violence.

CFE adds its weight to the voices calling on Mbundu to be held accountable for his negligent utterances. Should anything happen to SERI staff or anyone with a connection to this case, Mbundu, his party ActionSA, and the City of Johannesburg must be held accountable. The City of Johannesburg must issue a warning to Mbundu for his actions. Failure to do this would endorse the sentiments that he aired on the social media platform. ActionSA has come out in full support of Mbundu and has denied any wrongdoing on Mbundu's part. They in fact sought to validate his actions by basing them on his right to the constitutionally guaranteed right to freedom of expression. However, Action SA and Mbundu must be reminded that it is an abuse of free speech to claim incitements to violence are protected and acceptable.

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For inquiries contact: Anton Harber, CFE Executive Director, Cell: +27833039497