

Letter to the office of the Speaker

Group Head
Office of the Speaker
City of Tshwane
Rajendra Pillay
By email:
RajendraP@Tshwane.gov.za

Dear Sir

Request to withdraw notice of municipal council meeting of Friday, 17 March 2023 due to security concerns and risk of violence and intimidation

1. We refer to the notice of the City of Tshwane municipal council meeting to be held on Friday, 17 March 2023 at 10h00 at Tshwane House to elect an Executive Mayor. The notice was sent to councillors earlier today. You are already aware that on the same day, the African National Congress (ANC) has organised a protest march that will start in Marabastad and end at Tshwane House. The march is specifically directed against "*the DA led administration*". To the best of our knowledge the march will start at 10h00 and end at 12h00.
2. Prior to the notice of the municipal council meeting being issued, Director Samuel Vis of the TMPD advised the chairperson of the section 79 standing committee on rules and ethics to cancel the committee meeting that was scheduled at Tshwane House on the selfsame Friday, 17 March 2023. His assessment, which is in our possession, was that such a meeting would not be safe, because the capacity of law enforcement would be constrained due to the ANC march.
3. We therefore find it bizarre that despite Director Vis' security assessment that the Office of the Speaker has nonetheless proceeded to schedule a full meeting of the municipal council, one where a highly contested election of an Executive Mayor must take place. If the decision to hold the meeting on this day was not calculated to achieve some kind of political advantage for the ANC-EFF voting bloc in Tshwane ahead of the election meeting, it is certainly unreasonable and irrational in the circumstances.
4. In this regard, we want to draw your attention to what happened at the last meeting of the municipal council on Monday, 13 March 2023 where the election of a speaker was held. Video footage confirms that councillors of the ANC and the EFF attacked councillors of the DA, ActionSA and the FF Plus. In one instance, the ANC's councillor Joel Masilela kicked the DA councillor Shane Maas from behind. Another ANC councillor broke councillor Maas' finger. City personnel attended to councillor Maas' injuries. We are lodging a criminal complaint at the South African Police. The point is that a culture of violence, intimidation and criminality already pervades meetings of the municipal council, and scheduling an election meeting on the day that an anti-DA ANC march is planned to Tshwane House is a recipe for disaster.

5. Considering these circumstances, we conclude that: (i) there is a risk to the lives and property of municipal councillors if this meeting were to proceed as scheduled, and (ii) there is justifiable doubt whether this environment will be conducive to a free and fair election meeting. We therefore call on you to withdraw the notice of the meeting, and to instead schedule an election meeting for a suitable day next week. Should you fail to do so, and should the risks outlined in this letter materialise, we will hold your office and the office-bearers who made this decision personally responsible for any damage to property, injury or loss of life that might occur.
6. We copy the Chief Whip and the City Manager for their cognisance and ask that our correspondence be shared with the Independent Electoral Commission (IEC) and the South African Police. We also copy Councillor Mncedi Ndwawanana who currently holds the position of speaker of the municipal council following Monday's contested election. While we do not recognise Councillor Ndwawanana's election, we understand that he is de facto exercising the powers of the speaker for which he must be held accountable.
7. We look forward to your urgent response.

Best wishes

Cllr Cilliers Brink
DA Tshwane Caucus Leader