



**STATEMENT ON THE MEETING OF THE NATIONAL EXECUTIVE AND THE  
JUDICIARY  
UNION BUILDINGS, PRETORIA  
27 August 2015**

Deputy President,

Chief Justice

Esteemed members of the National Executive and the Judiciary,

Ladies and gentlemen of the media,

Fellow South Africans,

Today, I chaired the meeting of the National Executive and the Judiciary in my capacity as Head of State. The meeting had been convened at the request of Chief Justice Mogoeng Mogoeng.

The meeting took place at the Union Buildings in Pretoria to discuss matters of mutual concern directed at enhancing the working relations between these two arms of the State.

We acknowledged the historic nature of this meeting which is the first of its kind in our democracy. The meeting has contributed to the strengthening of our constitutional democracy.

It is our conviction that such interactions can only advance and deepen our constitutional democracy.

The Chief Justice had requested the meeting in order to discuss matters of concern to the Judiciary. These included public utterances attributed to, among others, some members of the National Executive.

The meeting was characterised by a frank and cordial exchange of views conducted in an atmosphere of mutual respect.

The two delegations raised their concerns on a number of issues including statements made in the public domain from both sides which may have brought into question the integrity of both the National Executive and the Judiciary.

The meeting took place against the backdrop of significant progress we have made as a country in the past 21 years of our constitutional democracy.

The Judiciary and the Executive each reaffirmed their commitment to the independence of the judiciary, the rule of law and the separation of powers all of which underscore our constitutional democracy. We also reiterated our commitment to the institutional integrity of all arms of the state the Executive, Judiciary and the Legislature.

The meeting agreed on the following;

1. Our respect for the separation of powers and the integrity of the two institutions.
2. To exercise care and caution with regards to public statements and pronouncements criticising one another. Failure to do so will undermine the global status of the Republic as a bastion of democracy, tolerance, human rights and the rule of law.
3. We should strive to promote the values and ethos of our constitution in our utterances. The arms of the State should not be seen to be antagonistic towards one another in public.
4. The transformation of the Judiciary and the legal profession are at the heart of our constitutional enterprise and the parties have a responsibility to strive towards its achievement.
5. In those instances where Judges are believed to have conducted themselves unethically, other arms of the state, entities or members of the public should make use of the structures set up to address such concerns, and report them to Judicial Conduct

Committee of the Judicial Service Commission. Similarly complaints against Magistrates must be reported to the Magistrates Commission.

6. All have a duty to protect and promote the Constitution of the Republic to all citizens as the supreme law of the land.
7. Court orders should be respected and complied with.
8. We reaffirm our obligation to the people of South Africa and to promote access to justice. We also underscore our responsibility to the people of South Africa to uphold the Constitution of the Republic.
9. This meeting is the foundation of future engagements to discuss issues that may arise from time to time.
10. The administration of the courts, access to justice and transformation have been identified as issues requiring specific focus in future engagements.

This historic meeting has yielded positive outcomes. It will enable us to work better together to serve the people of South Africa, as independent arms of the same State.

Serving the people is our shared obligation and commitment.

The delegations were constituted as follows, presided over by the President of the Republic;

#### **NATIONAL EXECUTIVE**

Deputy President Cyril Ramaphosa;

- Minister of Justice and Correctional Services, Adv Michael Masutha;
- Minister of Science and Technology, Ms Naledi Pandor;

- Minister of Human Settlement, Ms Lindiwe Sisulu;
- Minister of Environmental Affairs, Ms Edna Molewa;
- Deputy Minister of Justice, Mr John Jeffery;
- Deputy Minister of Cooperative Governance and Traditional Affairs, Mr Andries Nel.

## **JUDICIARY**

Chief Justice Mogoeng Mogoeng

- Deputy Chief Justice Dikgang Moseneke,
- President Lex Mpati, Supreme Court of Appeal,
- Justice Mohamed Solomon Navsa, Supreme Court of Appeal,
- Judge President John Hlophe, Western Cape;
- Judge President Diale Kgomo, Free State;
- Judge President Monica Leeuw, North West,
- Judge President Dunstan Mlambo, Gauteng.

I thank you.

Issued by The Presidency

Pretoria