

FORMAL DISPUTE AGAINST THE NOMINATION AND PREFERRED CANDIDACY OF CDE SITHEMBISO ZUNGU – WARD 122

To: The ANC National Electoral Committee / National Office

Subject: Formal objection and dispute regarding the nomination and subsequent selection of Cde Sithembiso Zungu as the preferred ANC Candidate for Ward 122

Date: 26 August 2026

Comrades,

I hereby formally place on record my objection and dispute regarding the nomination and subsequent advancement of Cde Sithembiso Zungu as the preferred ANC Candidate for Ward 122 for the 2026 Local Government Elections.

This objection is not based on personal considerations or political differences. It is based squarely on the ANC 2026 Local Government Elections Candidate Selection Rules, Guidelines and Procedures, the principles governing candidates eligibility and organisational integrity, and the statements made by the ANC Secretary-General, Cde Fikile Mbalula, regarding the outcome of the NEC's consideration of matters arising from the Integrity Commission.

More importantly, this objection concerns a serious procedural failure: a formal objection and dispute were lodged by the branch within the prescribed 48-hour period following the branch sitting, yet that dispute and objection were not attended to before the candidate-selection process proceeded further.

1. THE FACTUAL POSITION

For the avoidance of doubt, Cde Zungu was nominated to participate in the candidate-selection process.

The ANC permitted him to participate notwithstanding the fact that his matter had been dealt with by the Integrity Commission and that, as confirmed publicly by the Secretary-General, the matter had subsequently been considered by the NEC and referred to the appropriate disciplinary process.

The branch was informed that Cde Zungu would nevertheless be allowed to participate and that the matter concerning him would be dealt with through the relevant organisational processes. The branch accordingly exercised its right to object. A formal dispute and objection were lodged by the branch within the prescribed 48 hours of the branch sitting.

That dispute was not adjudicated. The objection was not attended to. Despite the existence of an unresolved formal objection, the process continued and the matter proceeded to the PLC, which subsequently sat and advanced / seconded Cde Zungu's name as the preferred candidate for Ward 122. This creates a fundamental procedural problem. The question is not simply whether Cde Zungu was permitted to be nominated.

The question is - how could the PLC proceed to prefer his name while a properly lodged branch dispute and objection concerning his eligibility and participation remained unresolved?

2. THE ANC'S OWN RULES MUST BE APPLIED

The 2026 Candidate Selection Guidelines establish specific eligibility requirements for ANC candidates.

Clause 2.6 deals with members who have been found guilty by an ANC Disciplinary Committee for contravening the ANC Code of Conduct and whose membership has been suspended, and it also deals with members awaiting the outcome of disciplinary processes or appeals. Clause 2.7 deals with members who have been temporarily suspended pending the outcome of a court case or disciplinary hearing.

Clause 2.8 specifically addresses matters that have been finalised by the Integrity Commission where the NEC has approved and implemented the Integrity Commission's recommendation concerning suspension of membership or stepping aside from leadership or public office. These provisions cannot be treated as irrelevant merely because Cde Zungu was allowed to participate in the nomination process.

The fact that the ANC permitted participation does not automatically dispose of the question of eligibility. In fact, once the branch formally challenged his participation, the organisation was obliged to properly consider and determine that challenge before allowing the process to advance to the next stage.

3. THE SECRETARY-GENERAL'S STATEMENT MAKES THE MATTER EVEN MORE SERIOUS

The video of the Secretary-General's media briefing is particularly important to this dispute. Cde Fikile Mbalula confirmed that Cde Zungu was among the comrades whose matters had been considered by the Integrity Commission and subsequently dealt with by the NEC. He further confirmed that the NEC fully endorsed the Integrity Commission's report and recommendations and that the matters were referred to the National Disciplinary Committee.

The Secretary-General also explained that the Integrity Commission had found that the conduct of the affected comrades had brought the ANC into disrepute. This creates a legitimate and unavoidable question regarding the candidate-selection process.

If the NEC endorsed the Integrity Commission's report and recommendations concerning Cde Zungu, what exactly was the recommendation concerning him, what was the status of its implementation, and how was his eligibility determined under clauses 2.6, 2.7 and 2.8 of the 2026 Candidate Selection Guidelines? That question was raised through the branch's formal objection. It was not answered.

4. THE BRANCH'S FORMAL DISPUTE COULD NOT SIMPLY BE IGNORED

This is perhaps the most important procedural aspect of this dispute. The branch did not simply raise an informal complaint after the fact. The branch followed the prescribed process and lodged a formal dispute and objection within the required 48-hour period. Once that objection was lodged, the organisation was required to deal with it in accordance with its dispute-resolution and candidate-selection procedures.

Instead, the process continued without the branch receiving a determination. The PLC subsequently proceeded to consider the nomination and preferred Cde Zungu's name for Ward 122. That effectively means that the process moved to a subsequent stage while a material dispute concerning the candidate's eligibility and participation remained unresolved. That cannot be regarded as a minor administrative oversight. It goes to the fairness, credibility and validity of the candidate-selection process itself.

5. PARTICIPATION IN THE PROCESS IS NOT THE SAME AS ELIGIBILITY

It is important that National Office does not conflate two separate questions. The first question is, was Cde Zungu permitted to participate in the nomination process? The answer is yes. The second question is, was he eligible to ultimately be selected as an ANC candidate in light of the Integrity Commission matter, the NEC's decision, the pending disciplinary process and the provisions of clauses 2.6, 2.7 and 2.8?

That question required proper determination. The branch's objection specifically sought that determination. It was never properly attended to before the PLC proceeded. Therefore, the fact that Cde Zungu was permitted to participate cannot be used retrospectively as proof that he was eligible to be preferred as a candidate.

Participation and eligibility are not the same thing.

6. THE ORGANISATION CANNOT TELL THE BRANCH "THE MATTER WILL BE DEALT WITH" AND THEN PROCEED WITHOUT DEALING WITH IT

The branch was effectively told that Cde Zungu would participate and that the relevant Integrity Commission/disciplinary matter would be dealt with through the appropriate process. The branch did exactly what an organisation expects its structures to do, it used the prescribed mechanism and lodged a formal objection. But instead of that objection being adjudicated, the process continued. This raises a fundamental question of procedural fairness.

What is the purpose of allowing branches to lodge formal objections within 48 hours if those objections can simply remain unattended while the candidate progresses through the subsequent stages of the selection process? A dispute mechanism has no meaning if the organisation can proceed to finalise or prefer a candidate before the dispute is heard.

7. THE PLC SHOULD NOT HAVE PREFERRED THE NAME WHILE THE DISPUTE WAS OUTSTANDING

The PLC's decision to prefer Cde Zungu's name for Ward 122 while the branch's formal objection remained unresolved is therefore itself subject to dispute. Before his name could properly be advanced, the organisation should first have determined the following:

- whether the objection was valid;
- whether the Integrity Commission matter affected his eligibility;
- whether clauses 2.6, 2.7 and/or 2.8 applied;
- whether the NEC had approved and implemented any recommendation concerning him;
- whether the pending disciplinary process affected his eligibility; and
- whether the branch's objection had been properly dealt with.

Only after those questions had been determined should the process have proceeded to the next stage.

8. THE ANC CANNOT APPLY DIFFERENT STANDARDS TO DIFFERENT COMRADES

The issue is ultimately one of inconsistency and organisational credibility. The ANC has adopted candidate-selection rules precisely to ensure that persons who represent the organisation in public office meet the required standards of integrity, suitability and eligibility.

If a comrade has been the subject of an Integrity Commission process, if the NEC has endorsed the Integrity Commission's report and recommendations, if the matter has been referred to the disciplinary structures, and if a branch has formally objected to that person's participation, then that matter cannot simply disappear because the individual has been nominated.

The rules must apply equally to everyone. There cannot be one standard for ordinary candidates and another standard for a candidate who is already the subject of an unresolved organisational integrity and disciplinary process.

9. SPECIFIC QUESTIONS THAT NATIONAL OFFICE MUST ANSWER

I therefore call upon National Office/National Electoral Committee to provide a written response to the following:

1. What was the specific finding and recommendation of the Integrity Commission concerning Cde Sithembiso Zungu?
2. Did the NEC approve and endorse that recommendation?
3. What action was taken to implement the recommendation?

4. What is the current status of the disciplinary matter referred to the National Disciplinary Committee?
5. On what basis was Cde Zungu determined to be eligible to participate in the 2026 candidate-selection process?
6. How was his eligibility assessed against clauses 2.6, 2.7 and 2.8 of the approved 2026 Candidate Selection Guidelines?
7. Why was the branch's formal objection, lodged within the prescribed 48-hour period, not adjudicated before the process proceeded?
8. Why was the branch's formal dispute not attended to before the PLC considered and preferred Cde Zungu's name?
9. On what basis did the PLC proceed to prefer his name while the formal dispute remained unresolved?
10. Was the PLC formally advised that a dispute and objection concerning Cde Zungu's nomination remained outstanding?
11. If the PLC was aware of the unresolved dispute, why was his name nevertheless advanced as the preferred candidate for Ward 122?

10. REQUEST FOR THE PROCESS TO BE REVIEWED

In light of the above, I formally request that the nomination and subsequent advancement of Cde Sithembiso Zungu as the preferred candidate for Ward 122 be reviewed and that his candidacy not be treated as settled until the outstanding dispute has been properly adjudicated.

I further request that National Office provide the branch with a written determination on the objection and dispute that were lodged within the prescribed period. The principle is straightforward, a candidate cannot be permitted to progress through the candidate-selection process while a properly lodged dispute concerning his eligibility remains unheard and unresolved.

The fact that the ANC permitted Cde Zungu to participate does not extinguish the branch's right to object, nor does it remove National Office's obligation to determine that objection. If the ANC's position is that Cde Zungu is eligible, then National Office must demonstrate how that conclusion was reached, which provisions were applied, and why the branch's formal objection was not adjudicated before his name was advanced by the PLC.

If the ANC's position is that he is not affected by clauses 2.6, 2.7 or 2.8, then that must be stated clearly and supported by the relevant organisational record. What cannot be allowed is for the organisation to simply proceed as though the dispute does not exist. This is not an attack on Cde Zungu personally. It is a demand for procedural fairness, consistency, transparency, compliance with the ANC's own rules, and respect for the rights of branches participating in the candidate-selection process.

The integrity of the 2026 candidate-selection process depends on the rules being applied equally to all comrades. We therefore request that the PLC's preference of Cde Zungu for Ward 122 be held in abeyance pending the proper adjudication of the outstanding branch dispute and objection and a formal determination of his eligibility under the applicable 2026 Candidate Selection Guidelines.

Comradely, Sebenzile Mkhonto on behalf of aggrieved **Members of The ANC in Ward 122, Zone 2, ANC Greater Johannesburg Region**