

Open Statement by the WRP (Namibia)

WORKERS REVOLUTIONARY PARTY (WRP) TO REBUILD THE FOURTH INTERNATIONAL

A party duly registered in terms of the Electoral laws of the Republic of
Namibia

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OPEN STATEMENT 10 JUNE 2021

AND TO: THE MAGISTRATES COMMISSION

THE CHIEF JUSTICE

THE GOVERNMENT ATTORNEY

THE CHIEF MAGISTRATE

In April 2021 magistrate Unchen Konjory swore in a management committee for the Karas Region. SWAPO counsellors had abdicated their statutory duty to facilitate the election of the said committee.

The judiciary and the government attorney then combined to reverse the process. They attempted to bully the magistrate into submission to reverse the process as an admission of her incompetence.

The magistrate refused.

The full savage legacy of the SWAPO Lubango regime then kicked in.

They tried to force her to lodge a review application against her swearing-in of the said committee. This would be a confession of total incompetence and incapacity. The black comedy who would shoulder costs when the application was granted passed them by.

The fact that the SWAPO counsellors' disdain for the law and their responsibilities was the cause that the committee was elected and duly so by a quorum was swept under the carpet.

The extracts from the correspondences below will show that they threatened the magistrate to sign an affidavit drawn up by them and to take her own decision on review. The government attorney which is from the executive and purportedly operating on the principle of The Separation of powers did not spare the rod of power on the magistrate.

The daunting heading of the various correspondences says it all: **FIRST AND FINAL WRITTEN INSTRUCTION TO COMPLY WITH LAWFUL ORDER: PROCEDURAL ERROR: //KHARAS REGIONAL COUNCIL ELECTIONS.**

No amount of protest from the magistrate that she could not take her own decision on review in terms of the law would suffice.

They were relentless, savage and organising for a full-scale assault on the person, a character, her individuality and the right to decide.

This matter was a proliferation of the absurdities which were displacing logic and coherence: In Luderitz a magistrate commissioned 7 councillors instead of 5. He took the case on review to court; in January this year the Electoral Commission took its purported mistakes in regional elections in the south to court. None of the affected parties found it necessary to enforce their rights through court.

This mockery has become part of the fabric of the Namibian legal system.

The magistrate is self-evidently a competent jurist.

This in itself requires in the Lubango tradition that she be removed.

On 4 June 2021, Chief Magistrate, Philanda Christiaan, wrote to Magistrate Konjore, ***"I confirm receipt of the affidavit, but that was not what is requested, the request is for you to avail yourself for consultation with the GOVERNMENT ATTORNEY, since you were an integral part of the proceedings and will shed light. You will however be the one that must depose of a founding affidavit with the guidance of GOVERNMENT ATTORNEY, and not on your own volition."***

Government Attorney, Monique Meyer on 8 June 2021, wrote to her, "*I wish to place on record that you were not threatened at any point during the conversation. The phone was on loudspeaker as it was yesterday and I have been present for all your conversations with the Government Attorney. The Government Attorney spent hours yesterday evening and spent a great deal of time this morning trying to convince you that you are the appropriate person to bring this review because of YOUR PERSONAL KNOWLEDGE of what transpired during the elections for the management committee. He repeatedly told you that this is not an attack on you personally and that we serve at the pleasure of the Government as a whole, to cure the irregularities we are now faced with. He further attempted to convince you that our office is mandated to represent all Government officials, which we do without fear or favour, and the course of action our office mapped out is the best route to cure the irregularities in the High Court.*

When we spoke to you telephonically yesterday, you refused to depose to the affidavit because you do not agree with "anything" in the affidavit. Thereafter, we spent hours on the phone going through every paragraph and editing it to your satisfaction. We removed every single statement you were not happy with. After that intensive and time-consuming exercise, you indicated around the end of the call that you do not wish to be the First Applicant. This was around 18h00.

This morning, when you still refused our advice as your legal practitioners, he ADVISED you to seek legal counsel from an alternative lawyer, who may perhaps clarify the law in a way that is understandable to you, and for you to see that we are not trying to trick you by bringing this application as a self-review. He even went as far as to state that we will pause everything pending your consultation with your lawyer and that you revert to us by 12h00. Even this attempt to meet you halfway was refused by you.

The accusation of alleged threats is therefore a complete falsity and an afterthought to cure the fact that our office spent valuable time appeasing you by editing the affidavit to your liking. I further place on record that great deference

was shown to you by the Government Attorney throughout your exchanges.”

It is unclear how much incompetence is embedded in the depravity and malice. It is certain that it is a lot.

Nevertheless, we declare our unequivocal stand beside Magistrate Unchen Konjore for her refusal to abandon her knowledge and principles under the savagery of a depraved State and Judiciary.

We call on all parties which have not yet lost their souls to opportunism and hopelessness to defend Magistrate Unchen Konjore in her admirable stand to defend her profession and her duty to the Namibian working people.

JACOBUS JOSOB

Secretary General