



**SwissCham Southern Africa –
South Africa Chapter (SCSA-SAC)**

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Press Statement

SwissCham Southern Africa – South Africa Chapter welcomes the fact that the Protection of State Information Bill has been withdrawn, albeit temporarily, for ‘further consultation’. SwissCham Southern Africa represents Swiss business in the region. Switzerland is the fifth most important investment and trading partner to South Africa and one of the oldest republican states firmly entrenched in democratic principles. The presence of Swiss enterprises in South Africa dates back over a hundred years.

We are concerned, however, that the envisaged consultations will take place not through the formal parliamentary committee that was previously processing the bill but via an internal party committee and, by doing so, such consultations are circumventing the public element indispensable to any democratic process.

We nevertheless call on that party committee to take heed of the objections that have been raised against the Bill including the vital objection that no public interest defence to protect journalists and other whistleblowers was included in the Bill as finalized by the parliamentary committee.

Despite concessions made during the parliamentary deliberation process, far too little has been done to allay fears of the weakening of journalists’ and whistleblowers’ rights and abilities to expose corruption and malfeasance even if in so doing they make use of classified information. To deny anyone the right to defend such exposés as legitimate action in the public interest is to undermine the values of good citizenship. To imprison anyone for having the courage to speak out in the public interest is an intolerable affront to democratic values.

To introduce legislation of this kind at a time of mounting allegations of corruption and lack of accountability inevitably prompts the question of whether there is something that needs to be hidden.

Whistleblowers and a free press are among the most important checks and balances that keep democracy sound and healthy. It is a matter of concern that South Africa should be embarking on a path that erodes such checks and balances – especially at a time when other countries on the continent are starting to rebuild democracy after many years of having undermined it.

South Africa’s business environment has, in recent years, been considered a less attractive prospect for investment because of perceptions of over-regulation, uncertainties over property rights, an unbalanced labour law and frequent strikes which often turn violent. This alone puts any chamber of commerce which is focusing on fostering of bi-lateral business relations and the promotion of foreign direct investments in a challenging position. Added to these already negative perceptions, a Bill that allows for the suppression of vital information and the erosion of press freedom will serve only to lessen the appetite for doing business in the country and for using it as a base to expand into other parts of the continent.

A letter with the same content was sent to HE Jacob G. Zuma, President of the Republic of South Africa.

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