



THE ELECTORAL COURT OF SOUTH AFRICA
MEDIA SUMMARY OF JUDGMENT DELIVERED IN
THE ELECTORAL COURT OF SOUTH AFRICA

From: The Electoral Court

Date: 25 September 2026

Status: Immediate

The following summary is for the benefit of the media in the reporting of this case and does not form part of the judgments of the Electoral Court of South Africa

Umkhonto Wesizwe Party v Electoral Commission of SA and Others (0039/2024EC) [2026] ZAEC 06 (25 September 2026).

Today, the Electoral Court dismissed an application by the uMkhonto WeSizwe Party (MKP) concerning the 2024 National and Provincial Elections. MKP challenged the integrity and reliability of the Electoral Commission's digital votes capturing and reporting system, relying principally on the 'leaderboard incident' of 31 May 2024. MKP also sought declaratory relief concerning the integrity, reliability and auditability of the ICT systems upon which the declaration of the election results depended.

This Court held that MKP had failed to follow the mandatory procedure prescribed by s 55 of the Electoral Act 73 of 1998. It found that no competent review lies in relation to the declaration of results and that the prescribed process is: results-objections-appeal. MKP's application to review the declaration of results was therefore not competent in law.

On the merits, this Court considered the 'leaderboard incident', during which the leaderboard and dashboard displayed zero results. The Electoral Commission explained that the entire NPE Results System continued to run and remained fully operational and uncompromised, and that the only issue was that a system command or flag was inadvertently set to 'not ready for display' during the Extract, Transform and Load optimisation process. This Court accepted that the audit trail demonstrated that results continued to be captured and edited during this period and that no data was lost. The evidence further showed that the incident had no impact on the capturing and verification of the election results.

This Court also considered anomalies and discrepancies in certain voting-district-level reports generated from the Electoral Commission's website and dashboard. The Electoral Commission accepted that there were errors in those reports, explaining that they resulted from a filtering omission caused by a website coding error. This Court found that the filtering omission had no bearing on the integrity of the NPE Results System or the election results, as the declared results

were based on results captured, audited, collated and reported on the NPE Results System, which is separate from and functionally independent of the website and online dashboard.

This Court further found that, insofar as there was a factual dispute concerning the integrity and reliability of the digital votes capturing and reporting system, the Electoral Commission's version, based on proven and undisputed facts, was to be preferred over MKP's version, which was based on inferences. It concluded that it had not been demonstrated that the NPE Results System lacked integrity.

MKP was granted leave to amend its notice of motion. This Court found that the amendment did not introduce a new factual case and that MKP relied on precisely the same factual matrix that had always formed the subject matter of the proceedings. The proposed amendment narrowed rather than expanded the dispute and sought relief directed at resolving the disputed issues concerning the integrity, reliability and auditability of the ICT systems. Despite the amendment, MKP had not made out a case for the declaratory relief sought or for referral of certain issues to oral evidence. The application was dismissed, with each party ordered to pay its own costs.

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