

Response to CEC inputs for submission to meeting of COSATU Presidents and General Secretaries

1. The allegation that the CEC document on Mangaung and the NDP is silent on the “forces of change” and on the formation of Agang

The “forces of change” refers to a campaign launched on a website in November 2012 to support Kgalema Motlanthe, Matthews Phosa, Thandi Modise, Fikile Mbalula and Tokyo Sexwale for election at the ANC Conference in December 2012.

COSATU’s position on the ANC leadership issue was clarified at the Special CEC on 15th-16th October 2012, as follows:

“We shall advance a position of both continuity and change in the Polokwane collective. We will endorse those we have identified as the core of the Polokwane collective - the current President, Deputy President and the Secretary General. In our assessment the other comrades have not assisted us in taking forward the Polokwane resolutions - in particular the National Treasurer and the Deputy Secretary General. We will engage with the current leadership and the rest of the ANC to ensure that this nucleus is retained and that it should not contest each other.”

This view is clearly at odds with that of the “forces of change”. COSATU’s position, already agreed, constituted a rejection of the “forces for change” slate. This cannot be interpreted as being ‘silent’.

On Agang, the federation made its opposition to this new formation absolutely clear in a statement on 18 Feb 2013, which, among others declared:

“Stripped of its bombastic rhetoric, Mamphela Ramphele’s speech offered no solutions to the triple crisis of unemployment, poverty and inequality but was a manifesto for neoliberalism. She speaks for the class of capitalists which has embraced her and now sees her as a saviour from their working class enemies.”

The statement went on to welcome all new parties to give electoral choice. The ANC statement also welcomed the fact that Agang leaders are exercising a right accruing to all South Africans in the Constitution. Both statements imply that we welcome the fact that we live in a democracy in which every South African has the right to form a political party and to vote for the party of their choice. This in no way detracts from our unwavering support of the ANC. Our statement went much further than any other

organisation's to undress Agang for what it is – a bosses' political party that offers nothing to the working class.

2. Allegations that COSATU has no business to now critique the NDP as it was adopted at Mangaung

It is important to note exactly what the ANC Conference agreed to. It resolved (our emphasis):

“Having considered the National Development Plan, [it was] agreed that it forms an important basis for the development of a long term plan to build a national democratic society that is non-racial, non-sexist, democratic, united and prosperous and seeks to advance the NDR”, and “We must work towards the implementation of the recommendations of the 2030 National Development Plan as a long-term vision which should serve as a basis for partnerships across society to attain the South Africa of our dreams, as eloquently articulated in the constitution.”

This falls far short of an endorsement of the entire NDP document, as has subsequently been implied by certain ministers and business leaders. It agrees only to the NDP's long term vision, which is a picture of a future “non-racial, non-sexist, democratic, united and prosperous society” with which virtually nobody could disagree. The rest of the resolution amounts to an invitation for society to engage in precisely the kind of discussion on which COSATU has embarked.

On the National Development Plan (NDP) and the ‘Lula moment’, the 25-27 February 2013 CEC a document analysing the Mangaung Conference resolutions and the NDP was placed before the CEC and referred to the affiliates and provinces for full discussion and further debate at a future CEC.

The NDP has therefore neither been accepted nor rejected yet by COSATU, but is still under discussion. However it is of serious concern that this proposal for broad endorsement of the plan has since evolved into a commitment to realign by July this year, all government policies and programmes to the NDP, including the Ipap and NGP, which differ in fundamental respects from the NDP.

The Collective Bargaining, Organising and Campaigns conference identified some areas of the NDP which were in conflict with existing COSATU National Congress policies, for instance on youth employment, where it noted that “the cornerstone of the NDP is to create jobs on the back of a deregulated labour market, and the introduction of lower entry wages for young workers - below the existing poverty wages which the majority of workers are currently receiving. We reject the major labour market proposals emanating from the NDP, aimed to entrench and further promote a multi-tier labour market and the downward variation of minimum

standards of employment, and commit to resist these anti worker proposals from being implemented by government and the employers.”

3. The allegation that the CEC document on Mangaung and the NDP positions the Federation for revolt against the ANC

On the Lula moment, our 11th National Congress could have not been more explicit in aligning our policy with the ANC's. The unanimously agree declaration stated [our emphasis] that:

*“We have agreed that a radical agenda of socio-economic transformation must be the core element of **the second phase of our democratic transition!** We call this our Lula moment to speak to a successful transformation that has changed the lives of millions of workers and peasants in Brazil... The Lula moment starts now! Congress agrees that we need to drive a programme of action together with our allies, which will engineer the transformation we desire.”*

This policy certainly calls on us to revolt against unemployment, poverty and inequality but not against the ANC! We have identified this sentiment as part of growing conservatism aimed at reducing COSATU into a conveyor belt.

4. Allegation that General Secretary made negative statements about Cde Zuma that contradicted the 2006 Congress resolution

The 9th National Congress did indeed pass a resolution which, among others, called for the immediate reinstatement of Comrade Jacob Zuma to the position of Deputy President of South Africa. The GS did not make any statement contradicting this resolution.

The position was reaffirmed in the 2006 end-of-year statement, which said,

“We have also continued to campaign for justice for ANC Deputy President Jacob Zuma in face of the conspiracy to frame him on corruption charges. Our demand for the charges to be dropped and for him to be reinstated as national Deputy President was unanimously reaffirmed by the National Congress.”

The statement did however affirm the Federation's view that

“COSATU has not taken any decision to support Jacob Zuma, or anyone else, as the next president of the ANC and South Africa, and that there are no Pro-Zuma or Pro-Mbeki 'camps' within our ranks. The leadership of the ANC is a decision for the ANC members and no one else. COSATU naturally have a keen interest on this matter and we hope that it will be resolved by members

of the ANC not just as some beauty contest divorced from class issues that we are raising in this statement.”

That was the collective position, not just the GS's before the matter was discussed again and a contrary view taken by the collective.

5. Allegations relating to relations with the SACP as an Alliance partner

The failure of the bilateral with the SACP to materialise on the date agreed (10th December 2012) was regrettable. However this is has not been an uncommon occurrence, given leaders' busy diaries. It would be grossly unfair to suggest that COSATU alone, and the General Secretary in particular, were to blame.

A suggestion was made in the CEC that it was unconstructive of the General Secretary to permit a press release on the issue of the “two hats” of the SACP GS, before there had been an engagement with the Party. However, when decisions are made by the CEC, even when they refer to an Alliance partner, it has not been usual to refer them to the Alliance partner. This is not least of all because a press statement is usually issued almost immediately after the CEC ends.

It was also alleged that the way forward agreed in a bilateral with the Party in April 2010 was contradicted by an attack on the COSATU leaders in the SACP leadership in the document “Navigating a complex political terrain”. There was no such attack in the document, a discussion paper to coincide with the ANC Policy Conference.

6. Assertion that the non-functioning of the Alliance structures is as a result of mistrust and an absence of “chemistry”

Failure to convene Alliance meetings has been a problem for many years and diaries *have* often been a problem, for which the three constituents all share responsibility.

In any event, IF the “absence of chemistry” was a problem (which we reject), why is this put at the door of the COSATU General Secretary? If processes break down, whether formal or informal, then the blame cannot all be placed on one side alone.

It should be pointed out that it was the COSATU political commission that approved COSATU's input to the ANC bilateral in April 2012 where we pointed out why the working class was angry following a strike on 7 March 2012. Also the August CEC discussion paper analysed the honeymoon period leading to a situation where there was no dynamic contact and frustrations about lack of progress in implementing some of the priorities. A report was tabled in the last CC and summarised for the 11th National Congress.

It should be noted that COSATU has however been consistent in its active participation in a number of ANC specialist commissions to which the Alliance partners are invited.

7. Allegation that aspersions are being cast against COSATU cadres who have been elected to the ANC NEC

On the contrary, far from casting aspersions, the COSATU end-of-year statement said: "We congratulate the ANC on its successful conference and the newly elected leadership. We also congratulate the four trade union leaders elected to the NEC – COSATU President Sidumo Dlamini, NUM President Senzeni Zokwana, NEHAWU General Secretary Fikile 'Slovo' Majola and COSATU Free State Provincial Secretary Sam Mashinini. We wish them success and commit ourselves to work together to drive forward the national democratic revolution and implementation of the Freedom Charter." Our support for them could not be clearer.

8. Allegation that COSATU's limited presence at Mangaung and the ANC Lekgotla are a reflection of a lack of interest in building a strong Alliance

Mangaung

The preparations to the African National Congress National Conference in Mangaung were extensive. Preparations actually started as early as June 2012 when the ANC made its ten discussion documents available in preparation for the ANC policy conference. By the time we went to the policy conference COSATU had developed positions on many of the documents.

The Cosatu National Congress in September 2012 adopted a number of resolutions of which many of them speak to issues that the ANC was to debate at its national conference. The National Congress in addition to the resolutions mandated the federation to convene a special CEC which it did. The November 2012 CEC further elaborated on its mandate towards the conference. It resolved to document its mandate and called on all those who were going to the conference to support the collective positions. Therefore, it is not correct that there were no preparations for the conference.

The COSATU delegation to the ANC Conference was smaller than it should have been, but this is because a minority of affiliates nominated delegates. The Secretariat and the General Secretary in particular cannot be held responsible for this. A request to nominate delegates was sent to all Affiliates, and they were telephoned by the GS's office on a number of occasions. While the Secretariat has a

responsibility to lead delegations, it cannot be expected to baby-sit the Affiliate nomination process. This is the responsibility of Affiliates.

Regarding the absence of a pre conference caucus with the SACP attempts were made prior to the conference, but finding a mutually agreeable date proved to be impossible. Further attempts were made in Mangaung itself, and indeed at one point a date, time and venue were agreed. However the conference programme did not stick to the scheduled times, and it became impossible to hold the bilateral.

ANC Lekgotla

COSATU only received the invitation to the Lekgotla three days ahead of time. The invitation asked the Federation to send 10 people. As soon the invitation was received it was brought to the attention of the NOBs who were attending the Nedlac Labour School. The NOBs discussed the invitation and agreed on the 10 people who were to be the COSATU NOBs plus a few comrades from the political commission. It was agreed that gender balance must be taken into account.

The offices of the comrades whom the NOBs had nominated were immediately informed and the comrades were asked to confirm their availability. While almost all of them confirmed receipt they did not confirm their availability to attend. Calls and follow ups were made by the office as well as by the Deputy General Secretary through calls and SMS. Out of the 10 selected only 3 indicated that they were not available. This happened on the eve of the Lekgotla. Indeed, other comrades were phoned on the night before requesting them to replace those that were either not responding or not available.

January 8th

The challenges of participation in the January 8th celebrations in 2013 were no different to any other year before. Every year we receive the invitations, which specify COSATU numbers, late. Every year we call the office of the SG ahead of time to get clarity on COSATU delegates, but the answer is always "we will advise you in due course".

There is clearly a lot of room for improvement by the ANC in advance planning and invitations to historic ANC occasions. At the same time, we could be more proactive in prodding for invitations, or at least confirmed details, in advance.

9. Allegations regarding COSATU's public support of Cde Zuma in the Mangaung nomination process

At the CEC a decision was taken to support Cde Zuma, but no press conference was called. No effort was made at popularising the decision of the CEC to support the election of the Top 3. In a later press remark the COSATU General Secretary went so far as to say “no comment” when asked about the support for Cde Zuma.

A statement was issued on 17 October 2013 and included the following clear commitment, as per the CEC mandate:

“We shall advance a position of both continuity and change in the Polokwane collective. We will endorse those we have identified as the core of the Polokwane collective - the current President, Deputy President and the Secretary General. In our assessment the other comrades have not assisted us in taking forward the Polokwane resolutions - in particular the National Treasurer and the Deputy Secretary General. We will engage with the current leadership and the rest of the ANC to ensure that this nucleus is retained and that it should not contest each other.”

This statement was circulated to the 2350 email addresses on our press list and 6950 recipients of COSATU Today, and was widely reported in the media.

CEC delegates will recall that the November CEC only took place for one day (15th October) instead of three, after it nearly did not form a quorum. This disrupted the entire CEC programme, including the scheduled post CEC press conference on the 18th October. As soon as the CEC was reduced to one day, the diaries of the COSATU NOBs filled up for the other two scheduled days. Continuing with a press conference three days after the conclusion of the CEC made no sense, as the CEC statement had already been very widely reported and commented on by NOBs, including the General Secretary.

There is no evidence to support the claim that the COSATU GS said “no comment” when asked about the Federations support for Cde Zuma.

10. Allegations regarding NUMSA being treated “softly” or favourably by the General Secretary, on the issue of poaching

The Federation has been trying to stop the practice of poaching within the Federation for years. As far back as 29-31 March 1999, a CEC meeting after the 6th National Congress discussed how to take forward all resolutions on demarcation and poaching, particularly the extent of poaching and counter-organising between NUMSA and NUM and FAWU and SACCAWU. The four unions were given deadlines to resolve the problems.

This deadline was not met and the issue has remained on the agenda ever since, without being resolved. Numerous affiliates have been accused by others, not just NUMSA and NUM. There have, for example been allegations against NUM from

SATAWU, for poaching security workers, against NUM from NEHAWU for poaching hospital workers, and from SACCAWU against SACTWU for poaching retail workers.

Successive COSATU NOBs have convened meeting after meeting with the affiliates concerned, but without any resolution of the problems. The main responsibility for non-compliance lies with the affiliates, not the Federation's NOBs and certainly not with one individual NOB as suggested.

Finding a lasting solution to poaching is the collective responsibility of all Affiliates.

11. Allegations that NUMSA has been hijacking COSATU campaigns, in particular the electricity tariff campaign, and that the COSATU General Secretary got co-opted into this

The November 2012 CEC resolved to "*oppose Eskom's application for the 16% increase in electricity tariffs and mobilise members and society*". The February 2013 CEC confirmed that this campaign was in full swing, with pickets and interventions at NERSA hearings by affiliates and provinces. This campaign, we believe, encouraged NERSA to cut the proposed increase by 50%, which the federation cautiously welcomed while saying that it was still too big an increase.

Some affiliates campaigned more vigorously than others. In particular, NUMSA championed the campaign and prepared its own submissions to NERSA. There is nothing wrong in that. However, we acknowledge that the prominence that NUMSA's submissions and actions were given in the press may have caused discomfort. Far from encouraging the impression of a parallel campaign, when addressing the Gauteng COSATU Shop Stewards Council the General Secretary urged NUMSA to work with the rest of COSATU affiliates to ensure a Federation wide campaign.

On many occasions COSATU affiliates run campaigns and issue many statements that compliment the Federation on such issues as support for Palestine, Cuba, etc. This is not hijacking of COSATU campaigns – it is PART of the COSATU campaigns.

12. Allegations of relations with allegedly politically suspect characters and organisations

Moeletsi Mbeki and Prince Mashele

COSATU reached an agreement with Moeletsi Mbeki's Forum for Public Dialogue (FPD) to commission a survey of COSATU shop stewards by the Community Agency for Social Enquiry (CASE). CASE is the same institution that produced the first and the only survey ever to be conducted on COSATU shop stewards in 1991.

This was reported to the CEC and no concerns were raised. All but four affiliates actively participated in the survey.

Moeletsi Mbeki is a former head of COSATU Communications Department who engineered the survey of Shop Stewards by CASE more than twenty years ago. In fact it was thanks to the results of that survey that COSATU decided to launch a magazine dedicated to the shop stewards – *the Shopsteward magazine*. That is why we responded positively when he approached us to conduct another survey through CASE.

We acknowledge that he has grown critical of the ANC, in particular its current President, in particular since his brother Thabo Mbeki was recalled. All of us have criticized him when we felt his criticism was unfair and personal. However, a reference group comprising trusted academics, CASE, and a COSATU representative was set up to ensure that the process, including the questions, were not manipulated in any way. Almost all of the questions were the same as in 1991, for reasons of making meaningful attitudinal comparisons.

When COSATU was invited by the Forum for Public Dialogue in November 2012 to attend a meeting to receive the preliminary findings of the survey, it found that the full data had not yet been analysed, and the report was incomplete. FPD agreed not to release any results until the full data had been analysed and the report completed.

Little did we know that a former FPD CEO, Prince Mashele, had already issued a press alert which was effectively a full statement on the section of the survey on shop stewards and Mangaung. Not only had he done so against the instructions of the Reference Group and Mbeki, but he had distorted the data to give the impression that Zuma was not supported by shop stewards. In fact the data shows that more shop stewards supported Zuma than any other leader. The FPD board subsequently demanded an explanation from Mashele. This was never given and he resigned.

Mashele was in fact never in the picture until he released the press alert without the authority of either COSATU or the FPD.

Corruption Watch

Corruption Watch was set up by the Federation with the unanimous support of the CEC. Its mandate is to receive reports from the public, to monitor corruption and to pass on requests for further investigations to the relevant authorities. Its Director - “this guy Lewis” - is the highly respected former general secretary of the General Workers Union and national organiser of the Transport and General Workers Union (which eventually merged to become SATAWU).

Regarding the insinuation that Corruption Watch receives funds from suspect sources, Corruption Watch is an independent organisation, responsible for raising its own funds. Its funders are published in its website.

Regarding the allegation that some CW board members are “funded by the likes of the Rockefellers” and are intent on bringing the federation to its knees, this is patently untrue. It is essential for its credibility that the board of Corruption Watch be broadly representative. Its members are Zwelinzima Vavi, Vuyiseka Dubula, David Lewis, Bobby Godsell, Adila Hassim, Mary Metcalfe, Mavuso Msimang, Archbishop Njongonkulu Ndungane and Kate O’Regan. The NOBs have, after a discussion in the CEC, approached SAMWU DGS to also serve in the Board. He has gladly agreed.

Regarding the assertion that the CEO of CW has been using “problematic language” and that the organisation’s posture is problematic, no specific examples have been made, so it is difficult to answer this allegation. It should be stated however that CW has consistently pointed out that corruption exists equally in the public and private sectors.

Given the prominence we have given to the fight against corruption, and the fact that we ourselves were responsible for the establishment of Corruption Watch, we cannot start distancing ourselves from CW unless we have strong reasons, which we do not have at present.

There is complete agreement that all of us must be ready to be scrutinised. Those who have nothing to fear from scrutiny won’t bother about CW’s activities to investigate corruption wherever it exists.

The Chris Hani Institute (CHI)

Innuendo that the CHI falls into the same category as anti-Alliance institutions and individuals is strange, as the CHI is the initiative of COSATU and the SACP, and is managed by a Board with representatives of both. No substance is given to the claim that problematic people are associated with the CHI seminars. In any event these are forums for debate, and one cannot have debates where only one point of view is represented

Section 27

Section 27 is one of the progressive civil society structure referred to in the 11th National Congress resolution as one with which we should be working. Amongst other work on the ground, they have done excellent work in uncovering the Limpopo textbooks scandal. Comrades who believe that they form part of the neoliberal offensive must politically advise us what it is that they have done that is essentially anti-poor and pro-business and its ideology. Labelling them without a debate, just to comply with similar labels being thrown elsewhere, is not helpful and does not convince that they are “anti revolutionary”.

The suggestion that Section 27 and Equal Education are raising critical issues but also inflicting pain on our government and on educators cannot go unchallenged. It is

the *system* that the two organisations are exposing – a system that reproduces maladministration, incompetence and indifference. SADTU has raised very similar issues.

Other civil society organisations

We have a good Congress resolution on working with progressive civil society and the NOBs have implemented this scrupulously.

The DLF

An allegation was made in the CEC that there is an element of the DLF working in all our unions and that we are all ignoring the problem and pretending it doesn't exist.

COSATU unions have always been open to members of any party, provided they abide by the union's constitution and rules. The reason the Federation has survived for this long is that it has always understood that it is a Federation of workers first and not a political party. The membership of the Federation is drawn from all political tendencies, which have historically existed inside the Federation. The reason why all of the members have stayed in the Federation, notwithstanding our political policy to form an alliance with the ANC and SACP, and to use our resources to campaign for the ANC, is because we have created space for open debate and tolerated different views but insisted that once the majority have agreed on policy this must be respected by all.

The day COSATU asks all workers to produce proof of their membership of the alliance partners it will make it impossible for all workers to be united within the Federation. It would have been wrong for CHI to demand that all those attending its workshops must produce proof that they are only members of the Alliance.

Above all, nature does not allow a vacuum. If we don't attend activities organised by the institutions who owe their very existence to COSATU – we should not expect that others, including those who may be hostile to our political positions, will not attend.

The DA

An allegation was made in the CEC that photocopied DA pamphlets were found in COSATU Head Office, suggesting somehow that there is no control over staff. But we do not know who copied the pamphlets, or for what purpose, making it impossible to take the matter further.

13. Allegation that the COSATU General Secretary intervenes in Affiliate problems in a problematic way

Members of affiliates frequently refer problems to COSATU. The NOBs have a duty to investigate these, and if there are genuine complaints, to take these up with the

affiliates' leadership. The General Secretary's name is therefore bound to come up, but that does not mean that he is biased; his role is to investigate and try to facilitate a solution.

NUM

If there is a need we will explain how we were drawn into the first unprotected strike in the Platinum mines in early 2012 and how the COSATU General Secretary was forced to withdraw this intervention.

CEPPWAWU

We have intervened in CEPPWAWU only as a collective. Many in CEPPWAWU have brought lots of allegations and "evidence" of corruption against some of the leaders of the union. We have called for meetings with the leadership to discuss these, but to no avail. We have been in their union NEC meetings – all of us as the NOB collective. Comprehensive reports on these challenges have been submitted to COSATU structures on a regular basis, including at the last CC and Congress.

It has been insinuated that the General Secretary made allegations of corruption against the CEPPWAWU leadership in a Gauteng shop stewards council in early 2013. Allegations were made in the meeting, but by a CEPPWAWU shop steward.

Regarding the allegation that the "9th Floor" is smearing the name of the CEPPWAWU General Secretary by repeating claims of corruption to other Affiliate General Secretaries, it has to be stated that the allegations against the CEPPWAWU GS are absolutely no secret. What is not happening, and what needs to happen, is that closure to the allegations has to be achieved through a thorough and conclusive investigation. The engineered arguments within the union are currently blocking any progress in this regard, including the involvement of the COSATU NOBs.

The allegation that COSATU has sent workers to humiliate and embarrass the GS is absolutely not true. There is no evidence to this effect.

A further statement was made that when COSATU staff are deployed to deal with Affiliate issues, they should not "come in between" and tell workers that the union is not doing its work (e.g. dismissed comrades' cases). No evidence has been produced to say which COSATU staff and where and when they made the alleged statements. If the allegations are true the COSATU NOBs will condemn this behaviour and act against those responsible.

SATAWU

The allegation that the COSATU General Secretary was engineering a split" in SATAWU is totally without any evidence whatsoever and is untrue. His efforts were an attempt to achieve exactly the opposite.

COSATU has taken up a campaign in support of SATAWU following a 100% consensus that the split engineered by its former President is a threat. All NOBs have championed this together with the General Secretary. The former SATAWU president was engaged jointly by the COSATU General Secretary and President when it became clear that most of the problems centred on his conduct. Again this was reported to the CEC.

It is true that prior to all of these things crystallizing, the General Secretary attended a meeting of the SATAWU CEC uninvited, which was not convened to deal with the President, but to respond to the allegations that the union was misusing members' funds. The purpose of the meeting was explained over and over in the presence of the COSATU General Secretary by all the leaders of the union. It is a mystery why the General Secretary is being accused of stopping the union from dealing with the matter of the President.

Further regarding SATAWU, there was no press statement released by COSATU prior to the February 2013 CEC commenting on SATAWU's servicing of members. A discussion paper on the organisation was however leaked to the newspapers, leading to the Sunday Times sensationalising issues it raised.

Also regarding SATAWU, an allegation was made that the General Secretary was involved in spreading stories about the arrest of present and former SATAWU leaders without checking with the SATAWU NOBs on the facts. The complete opposite is true. On the morning of the February CEC, the General Secretary approached the President of SATAWU after he was informed that some current and former leaders of SATAWU were arrested for alleged corruption. The purpose was to check facts with the SATAWU leadership. The SATAWU President denied that anybody was arrested, yet later in the same day SATAWU issued a statement confirming the arrests.

The final allegation from SATAWU is that the General Secretary referred allegations of corruption against the SATAWU leadership to Corruption Watch, and that in his capacity as chairperson of the Board he persisted in pushing Corruption Watch to investigate even after the organisation had found no evidence. This is completely untrue. The only allegations that were brought to the General Secretary by some SATAWU former shop stewards were allegations against the PRASA CEO. These were handed over to Corruption Watch as per the practise.

Corruption Watch itself comprehensively answered this point in its media statement of 23 April 2013:

“Corruption Watch received 1 500 cases of corruption from the public in 2012. Of the reports received, only 13 implicated unions. A preliminary investigation was conducted on one union case and the report was tested against CW’s

investigations criteria. The matter was dropped when it was established that the case did not meet the criteria.

“The CW Board members emphatically affirm that no unions are presently being investigated.

“CW Board non-executive directors are not involved in operational matters such as deciding on investigations. In fact, when the organisation was established, a decision was taken never to discuss the details of particular reports and investigations with the board to avoid conflict of interest.

“The Board can unequivocally state that no member was aware that there had been 13 complaints brought against any union prior to the Mail & Guardian report published on Friday 19th April 2013, nor has any member of the board been instrumental in bringing any such report to the attention of the CW.

“The Mail & Guardian is simply wrong to state that it ‘can reveal that Corruption Watch is investigating leaders of at least four Cosatu affiliates for alleged corruption related to their union members’ investment money’. CW Executive Director David Lewis has already clarified this matter to the satisfaction of the CW Board in his statement, which was published in the said Mail & Guardian article:

“Five Cosatu affiliates were implicated in eight of these reports, Satawu, Popcru, Saccawu, Pawusa and Ceppwawu”, and that, “We conducted a preliminary investigation into one of these namely a report alleging corruption in Satawu. However, when we read media reports to the effect that formal charges have been levelled against certain Satawu officials we decided not to proceed with our investigation on the ground that we were unlikely to add value to the police investigation ... in several other instances where the complaints submitted to us had been previously reported to the public protector, we passed on the information that we received to the public protector”.

“The Board trusts that this clarifies the facts of the matter. It will continue to work to ensure that Corruption Watch plays its part in supporting government and business in their commitment to implementing anti-corruption programmes, and to provide a vehicle to the public to actively support this commitment.”

It is clear from that statement that the Chairperson of the Board (COSATU GS) was in no way involved with referring any allegations to CW.

POPCRU

Regarding POPCRU, the CEC and CC will recall that we have submitted reports that we were dealing with two difficulties that warranted an intervention. The first was the

serious allegations of corruption circulated in the union's offices from a fax sent in Port Elizabeth. The COSATU NOBs (President and General Secretary) engaged the former Deputy President of POPCRU, Meshack Mpemva, who admitted that some of those allegations emanated from him. These allegations were presented to the POPCRU leadership by the NOB collective. They responded to all of them and promised to provide COSATU with evidence to rebuke all of the allegations. This has never happened up until now. As reported to the CEC, the POPCRU Congress pronounced the corruption allegations resolved. As reported to the CEC on numerous occasions, and to the 5th CC, the NOBs have made numerous attempts to engage POPCRU leadership on the allegations since then, but without success.

Secondly the COSATU NOB collective engaged POPCRU on whether the dismissal of their Deputy President was fair. This was not an intervention of the General Secretary alone. In response to a report to the CEC, the CEC appointed five members of the CEC, including the NUM and SATAWU Presidents, to engage with this matter. This was overtaken by the fact that POPCRU held its congress and elected someone else in the place of the dismissed Deputy President. The election took place after the union appointed a special committee during the congress to hear the matter in the absence of the comrade. She could not have attended as she had been issued with a court order barring her from attending the congress. Her dismissal remains the subject of court proceedings.

NEHAWU

It has been alleged that members of the NEHAWU NEC were taken aside before the last NEHAWU Congress and told who to vote for. The insinuation is that the COSATU GS did this. There is no truth in this allegation.

What the COSATU General Secretary did raise, was the issue of women representation in the NOBs. This was in pursuance of the COSATU policy on gender. The GS raised with the union as a problem that they only had one woman office bearer in a union dominated by women. At the time there was no hint from NEHAWU that there was any problem with the GS for having raised the issue.

When divisions emerged in the last congress between factions supporting cdes Lulamile Sotaka and Michael Makwayiba, the General Secretary again played his leadership role and asked both comrades to avoid a contest. At no stage did he prescribe that Lulamile Sotaka or Michael Makwayiba must not stand. He appealed for unity and warned the union not to take the union back to the era of divisions that almost destroyed the union. This was due to his intimate knowledge of how divisions have ravaged the union. In the end he did not and could not stop the members from expressing their opinions and congratulated Michael Makwayiba as a new President. No issue or complaint was raised at the time until now about this matter.

There is no truth in the allegation that SMSs were sent by the COSATU GS to encourage the removal of the NEHAWU President and his deputies at the time that current GS was elected. The content of the alleged SMSs has not been disclosed.

14. Assertions that Julius Malema’s expressions of support for the COSATU General Secretary were a reflection of an “alignment of forces”

COSATU cannot take any responsibility for statements made by non-members such as Julius Malema.

It is well known that Malema started to attack anyone who objected to his campaign targeting the ANC SG and later the President. He conveniently changed his tune to express support for the COSATU General Secretary in the run up to the 11th National Congress after he was subjected to disciplinary process by the ANC.

Regarding Malema’s participation in the COSATU rally in Johannesburg on 7 March 2012, he was not invited either to be present or to speak. He was only allowed to speak for reason of public safety when there was a danger of violent protest by some of his followers. This decision to allow him to speak was not taken by the COSATU General Secretary nor was it in any way an endorsement of his views. This matter was raised and discussed by the CEC and put to rest. It was also raised with SADTU through a letter.

15. Assertion that the COSATU General Secretary represents a view that is different from the dominant view in COSATU

The General Secretary has consistently and without exception represented the views of the membership, as mandated by National Congress and CEC resolutions, and no evidence has been produced to contradict this. It is not the case that he has sought to make minority views the dominant views of the Federation. We deal with this in the overall submission on the rupture.

16. Threat to withhold Affiliate funding of Federation political programmes

No affiliate has the right to refuse to fund programmes they do not support. Affiliates raise their concerns internally and seek solutions internally. Threatening to collapse the Federation on the basis of allegations that cannot be supported by any evidence reveals another agenda in our view.

17. Allegation that there are forces seeking to dismantle COSATU as a means of defeating the ANC in 2014

There is no evidence as to who the “forces” are, or what they are alleged to be doing, so we cannot respond. We have seen this allegation being made in a major weekly newspaper, it would only be fair to ask the comrades who knows about this plot to steal the Federation and use it to defeat the ANC in the 2014 elections.

18. Allegation that the statement issued by COSATU regarding the Chief Justice was not a reflection of Affiliates views

The COSATU statement was fully in line with Congress policies on gender, was well researched and based on a thorough analysis of his judgements. It is true that POPCRU and later SADTU had expressed full support for the Chief Justice, but the unions must accept that the Federation’s policies are based on democratic centralism. Affiliates were all approached and the overwhelming majority agreed that COSATU must raise concerns, which it did.

19. Allegation that COSATU’s Nkandla statement was problematic

The allegation did not come with any indication as to what exactly the problem with the NOB collective statement was, so it is difficult to take it further.

20. Complaint about COSATU Gauteng’s plan to march on the Provincial legislature

The complainant argued that it would be okay to march on the Limpopo or Western Cape Legislatures, but not Gauteng. This does not really make sense, given that our policies are national.

In any event, the Gauteng COSATU province resolved the issue by calling off the march.

21. Allegation that the GS is deviating from the tradition of the Federation

COSATU’s ‘postures’ are dictated by its delegates to National Congresses and Central Committees, not by ‘traditions’, which have a role to play in formulating policies but are not policies in themselves. The danger is that these ‘traditions’ could be used as an excuse to dilute policies.

This issue is elaborated in the GS’s submission on the political rupture.

22. Allegation that the CEC is in the dark about the ownership status of new COSATU House

The suggestion that the CEC was kept in the dark is not correct. We have compiled a separate report that shows a series of discussion on the sale and purchase of the new building, with minutes that show that the CEC was kept abreast and had guided the whole process. A summarised report was also presented to the 11th National Congress which summarised the status of the sale and the relationship between COSATU, Kopano Ke Matla and the newly purchased building. As has been repeatedly reported, the building is owned by our investment company Kopano Ke Matla. Every CEC member knows that COSATU did not have R50 million to purchase a building

23. Allegation that COSATU's non submission to the Farlam Commission is evidence of an absence of solidarity with NUM

The 11th National Congress welcomed the Independent Judicial Commission of Inquiry appointed by the government that will investigate all the events leading to fateful day of 16th August 2012.

“As COSATU we pledge to do our part to ensure that all the relevant factors and evidence that led to the violence and tragedy of 16th August are revealed by ensuring that by ensuring that our members who witnessed violence before, during and after the tragedy cooperate with the Commission of Inquiry.”

It is true that COSATU has not yet made a submission, but with proper coordination with NUM and on NUM's advice, this should still be possible. COSATU has however been very active in the North West Province and via the Campaigns Committee and nationally, in providing solidarity support to NUM. Full reports have been provided to the CEC on a regular basis.

A question was also posed in the CEC about the solidarity Task Team, or Operations Centre. It was alleged that this was never set up. This is not factual. The Operations Centre was established in the weeks running up to the Reclaim Rustenburg rally. Unfortunately affiliate participation in the Operations Centre was extremely poor and it ended up being driven by COSATU officials, not Affiliate leaders as had been agreed.

24. Issues relating to the S77 and the programme of action

An issue was raised in the CEC regarding whether the S77 campaign should be short and sharp or whether it should be rolled out as a campaign over a period of three years.

A programme of action can be of any length. The quibbling about the Section 77 is addressed in the separate presentation.

25. Unhappiness expressed about the General Secretary making use of Twitter

As discussed on a number of occasions in the CEC, and on a regular basis in the COSATU Media Forum, social media has rapidly become a reality. Structures must learn to use it, but do so responsibly. No one in this discussion showed us an example of a tweet that undermined the decisions or policies of the organisation.

26. Allegation of involvement in creating splinter unions

We are all united in condemning breakaway unions. There is no shred of evidence that anyone in COSATU is promoting such breakaways, but lots of statements condemning them. It would make absolutely no sense to encourage breakaways – united we stand, divided we fall.

27. Allegation that not all Affiliates are treated equally

The COSATU NOBs both collectively and individually are at great pains to treat all affiliates equally, regardless of size and/or perceived political clout.

28. Assertion that the Federation is one of Affiliates, not Provinces, and that all programmes must be driven by affiliates

Affiliates and provinces should work together. The COSATU provinces and locals have increasingly become a backbone of COSATU campaigns.

29. Allegation that COSATU as the centre is not holding

This allegation was not elaborated on, so it is not easy to respond to. However it should be noted that the deliberate non participation in a range of COSATU meetings on the part of some affiliates (BDS) presents a serious challenge to holding from the centre.

The General Secretary constantly works on improving coordination and functioning of the Federation. Good progress has been made in getting the various sub committees to work more effectively and with greater Affiliate participation. The Secretariat meets the heads of department on a weekly basis, and NOB meetings take place weekly. If Affiliates are able to point out where there is room for further improvement, this would be welcomed by the Secretariat.

30. Suggestion that the e tolls issue is not a working class issue

Regular reports have been submitted to the CEC over the past eighteen months reflecting on why e tolls is a class issue. The arguments have never been refuted.

The e-tolls campaign is a decision of Congress and other constitutional structures. Affiliates can't disassociate themselves from decisions they have been part of formulating. They are entitled to argue for a re-opening of discussion, but the decision stands until agreed to be changed.

31. Allegation that the General Secretary tried to stop the affiliation to WFTU at Congress

It is not true that the GS single handedly tried to stop affiliation to WFTU at the Congress. On the day of the international affiliation debate, the GS was not even present. He was at Driefontein mine at the time.