

Reflections on the Unity of COSATU: A brief historic perspective of the last 20 years: The Campaign to discredit, persecute and get rid of Zwelinzima Vavi and why it will not succeed

16th February 2014

The RDP: First Test of COSATU Unity

1. It is recorded in the annals of history that COSATU initiated and championed the Reconstruction and Development Plan (RDP). So popular was the policy and the issues it addressed were so relevant, that even opposition parties could not afford to be seen to be in opposition to it.
2. Although the ANC-led government adopted the RDP as its central policy it was in fact short-lived as conservatives within the government sidelined it in favour of the Growth, Employment and Redistribution (GEAR). The GEAR itself was preceded by an announcement that the government intended to embark on the privatisation of state-owned enterprises in December 1995
3. This was a first major test of COSATU unity. How would COSATU respond to the first major disagreement with its leading partner in the Tripartite Alliance? COSATU passed the test – it responded to both announcements in a unified manner and put forward a strategy for engagement.
4. In a united manner, COSATU forced the government to commit to negotiate all its plans to restructure state-owned enterprises through a new National Framework Agreement, and a structure was created at national level and duplicated within each state-owned enterprise to facilitate consultation and consensus building. As a result the privatization programme was reversed.
5. GEAR however continued to bite hard. Between 1996 and 1999 one-million jobs were lost. Teacher and nurse training colleges were closed, railway lines connecting rural towns were abandoned, bus companies that played an important connecting role especially in the rural areas were privatised (but this also included big cities like Durban). This was privatisation by stealth. One step at a time, Government was realising its neo-liberal dream of creating a slimmed down state where the role of the state was reduced to being a referee whose main responsibility would be to create and facilitate conducive conditions for private sector-led economic growth.

6. In the meantime, consistent with the approach of GEAR, Government pushed ahead with the notion that the country must open itself up to the chilly winds of global market competition. The GATT, the forerunner to today's World Trade Organisation (WTO), wrongly declared South Africa a developed nation on the eve of the 1994 breakthrough in the presence of ANC leaders. In addition, Government decided to reduce tariffs even faster than rates demanded by the WTO. Government not only failed to reverse the privatization of Iscor and Sasol, which had been sold by the apartheid regime, but also moved to commercialise or sell other state concerns and partially privatise Telkom. All other state-owned enterprises were commercialized and quickly moved to embrace the user pay principle and profit logic. Pre-paid meters were introduced leading to water and electricity disconnections affecting millions of working class families.
7. The adoption of neo-liberal economic policies led to serious job losses especially across the manufacturing sector, parastatals and also in the public sector. COSATU termed this carnage a jobs bloodbath. At this time, COSATU spoke for millions of working people in a single voice.

Challenging Neo-liberalism in all its Guises

8. COSATU's first major national general strike against this onslaught was on the 10 May 1999. Since then, COSATU has had countless strikes in protest at job losses and deepening inequalities and rising poverty.
9. The leadership in the ANC and government driving the neoliberal offensive against workers did not take kindly to worker mobilisation. Tensions rose, as leaders of what COSATU labeled the "1996 Class Project" launched a political campaign against COSATU. During this period, relations in the Tripartite Alliance reached their lowest ebb. COSATU and its leaders were labeled populists, syndicalists, and accused of being economistic and ultra left, etc. Special briefing notes were prepared and circulated in 2001 accusing COSATU of being in bed with imperialist forces to bring down the popular ANC government.
10. ANC members, however, refused to accept the views of the leadership at the National General Council held in Port Elizabeth in 2002.
11. The leadership had tried to divide COSATU. Certain of its leaders were invited to an "off the record discussion" under a tree at the official residence of the then Deputy President. This led to greater tensions when the names of those who belonged to the "kitchen cabinet" were revealed in the media.
12. Still COSATU passed the test of protecting its unity and pursuing the interests of its members and the broader working class.
13. A combination of relentless worker mobilisation reflecting the reality on the ground (in terms of unemployment and poverty) forced the government to

loosen its restrictive and conservative macro-economic policies. The ANC 2004 Manifesto acknowledged that poverty was a central concern. It was during this that the ANC developed vision 2014 with a commitment amongst others to halve unemployment and poverty by 2014. Inequality was an issue, but it hadn't shown as worrying signs as poverty and unemployment.

The Need to be Vigilant in Good and Bad Times

14. During this period, in response to this loosening, the economy grew faster in a sustained way. Some jobs were created and the numbers of people in receipt of social grants increased. COSATU and the left claimed some successes, but pointed out that the government's macro-economic framework was still within an inappropriate neo-liberal GEAR strategy. Government put forward a different interpretation. Backed by the mainstream media and conservative economists, it claimed that years of pursuing "appropriate" macro-economic policies and "fiscal discipline" had created the conditions for sustained economic growth and some job creation leading to poverty reduction. Tensions remained.
15. COSATU regarded the 1996 project as a political phenomenon, which was essentially right wing and anti-working class. The 1996 class project sought to marginalise not only the Alliance components but also ANC members themselves from decision-making. It sought to elevate the role of the leadership above the organisation whilst transforming ANC branches into professional clubs where membership was to be gained through paying fees directly into a bank account without ever attending any meetings. This strategy sought to transform the ANC from a mass-based left leaning liberation movement into a centre- left political party that will function mainly as an electoral machine. Those who had transformed social democratic parties in Europe into such bodies were invited to South Africa and feted, including Peter Mandelson from Tony Blair's Labour Party in the UK.

The Impact on Key Allies

16. The unity of COSATU notwithstanding, some challenges produced positive outcomes throughout the political battle against the "1996 class project". The SACP for example started wobbling as many of its leaders were driving the 1996 class project programmes as part of Cabinet. The presence of SACP leaders in Cabinet tended to make the SACP more conservative as demonstrated by the fact that they initially welcomed the pro-business GEAR when it was announced, only to backtrack when COSATU's angry reaction was placed on the table.

17. The SACP had a change of leadership in 1998. The new young and militant General Secretary Blade Nzimande transformed the SACP from being an apologist of the 1996 class project into a fighting and militant party running a series of class based campaigns and debating socialism and promoting the need for the working class to contest political power. There is no doubt that this helped unify the left forces within the Alliance.
18. The battle against the 1996 class project continued! A significant development took place in this context. The popular ANC Deputy President Jacob Zuma was removed from the position of the Deputy President of the Republic in 2005 following the conviction of his then financial adviser which itself had followed years of newspaper articles indicating that he was being investigated for corruption.
19. A combination of growing dissatisfaction about the lack of adequate consultation and on-going policy tensions led to a new round of mobilisation against the treatment to which the Deputy President was being subjected. This produced yet another test of unity for COSATU.
20. COSATU was not 100% united around the support for the ANC Deputy President. A few remained loyal to the "kitchen cabinet" whilst others in principle felt COSATU should not involve itself in internal ANC leadership contests.
21. Events unfolded at the historic 52nd ANC National Conference held in Polokwane. At this Conference, the Deputy President defeated the President in a 60-40 split. At the level of policy, the left scored major gains at the conference. Significantly COSATU found itself part of what we called a coalition of the walking wounded. This coalition was united only by its dislike of President Mbeki for very different reasons.

The Struggle beyond the Manifesto

22. We now faced the 2009 elections with a manifesto based on a progressive policy platform – including decent work, expanded education and health care and a clear commitment to introducing the National Health Insurance, rural development/agrarian reform, food security and fighting crime and corruption. The ANC won decisively albeit with a reduced majority.
23. It took less than a year for uneasiness to grow on a number of fronts such as policy zigzags, a degree of paralysis and growing corruption including the rise of what we called tenderpreneurship, etc. The CEC in August 2010 adopted a discussion paper called – “*The Alliance at a Crossroads - the battle against a predatory elite and political paralysis*”. The paper raised key points of concern. First among them was a concern that the 1996 class project macroeconomic framework had remained in place, undermining advances we could be making via new policy interventions

such as Industrial Policy Action Plan and many elements of the New Growth Path such as the five jobs drivers. We also raised a concern that the ANC leadership was not acting to ensure discipline and was allowing elements in the ANCYL to prematurely open the succession debate that destabilised the movement when it actually needed to focus on the implementation of manifesto commitments. In addition we raised a concern that the SACP's profile had suffered due to the deployment of the General Secretary to Cabinet. This led the SACP to adopt a more conservative line on a number of issues.

24. Both ANC and the SACP leadership did not take kindly to this criticism. The SACP accused COSATU of interfering in internal affairs and that COSATU did not understand the MTV plan. Tensions inevitably arose and suddenly certain individuals such as the COSATU General Secretary were singled out of the collective that had debated and endorsed the paper. It is important to note that COSATU had also criticised the purchasing of a R1.3 million BMW for the SACP General Secretary in his new Cabinet position as well as the much publicised using of the most expensive and luxurious hotels in Cape Town. This led to a personal breakdown in the relationship of cadres who had been very close over the years.
25. The ANC NGC in Durban provided an opportunity to close these gaps again. The NGC drew the line on the sand on ill-discipline and defeated a tenderpreneurs clique, leading to their isolation. At the policy level, the NGC not only maintained the progressive Polokwane Conference line but we made further advances at the policy level. The NGC categorically supported nationalisation as articulated in the Freedom Charter and then commissioned a study group to look at how this could be implemented. Despite unity being enhanced, NGC debates in commissions damaged the personal (and political) relationships of the two biggest COSATU affiliates: namely, the NUM and NUMSA. It is important to note that the cautious SACP approach to the nationalisation debate emboldened the demagogues in the ANCYL.
26. It is also important to note that a significant number of COSATU CEC members became members of the SACP CC after its July 2012 congress. COSATU's position on nationalisation was strong even though one or two individual leaders were not comfortable with the line.
27. Debates about the National Democratic Revolution (NDR) continued in the Federation leading to a major showdown in the COSATU 5th Central Committee (CC) held in 2011. Some unions felt that the NDR was on track even though it faced a number of challenges while others felt it had gone off the rails. This discussion was only resolved in the CEC after the 5th CC when the CEC adopted a comprehensive resolution on the political posture of COSATU.

28. Whilst it seemed a consensus within COSATU had been reached, it soon became clear that COSATU was finding it difficult to maintain its historic unity at this point. A major discussion paper was written on the matter of organisational discipline to address the matter of growing divisions and ill-discipline, but more leaders took to speaking to the media instead of raising issues within the organisation. At this time, a new phenomenon emerged. The CEC would adopt a resolution on any matter, and often without any internal conflict, the SACP CC would meet later and adopt a contrary position. Individual members of the COSATU CEC who are also serving in the SACP CC would then question the agreed COSATU CEC line as if they had not been party to the COSATU decision. This happened on a range of issues including the campaign against e-tolls, the Protection of State Information Bill, our concerns about the appointment of Mogoeng Mogoeng as the head of Constitutional Court, etc. This created tension and divisions deepened.

The 11th COSATU Congress: A Turning Point?

29. In the run up to the 11th National Congress, a group of COSATU affiliated union leaders (and especially those most closely associated with the leadership of the SACP) campaigned hard for the General Secretary of COSATU not to be re-elected to his position. This was largely a newspaper campaign that never gained ground amongst members across all unions affiliated to COSATU. At the Congress, the members expressed a huge degree of support for the existing leadership of COSATU and expressed their profound desire for a united organisation.
30. The political report to the congress was extensively discussed in the CEC and Special CEC, and concerns from affiliates were incorporated. The report was adopted by the CEC. In an unprecedented move, the report was savagely attacked by certain Affiliates leaders who were members of the CEC at the Congress. They were joined in this attack by representatives of the ANC and SACP. The SACP went as far as to propose that the Political Report not be adopted and instead be referred to an Alliance Summit for discussion and endorsement. The unifying factor between these leaders and the ANC and SACP was that the report was too critical of the government and Alliance partners and too frank about the challenges COSATU itself was facing. But the perspectives in the report were consistent with the stance COSATU had taken over many years on a range of issues.
31. We have kept for the record the media stories that were generated on this matter. It is worth noting the vast number of articles quoting unattributed or anonymous sources. The union leaderships associated with this campaign or those said to be pushing for an alternative candidate were NEHAWU,

NUM, SADTU, POPCRU and CEPPWAWU. This is relevant because these unions formed the core of those campaigning for the removal of the General Secretary after the 2012 Congress.

32. During the nomination process for the election of the new National Office Bearers, the leaders of these unions made their stance clear by nominating all the NOBs for another term except the General Secretary.
33. Their campaign failed dismally at the congress, when leaders were clearly unable to bring on board their respective memberships. During the proceedings the delegates made it abundantly clear that they had full confidence in the General Secretary. It was clear that workers wanted a leadership that was prepared to speak out about corruption and poverty, and represent their interests and concerns.
34. The leaders of the concerned unions were forced to temporarily suspend their hostility during the congress in the face of the ringing endorsement of the General Secretary. After the congress it was agreed by the CEC that there was a need to work harder to ensure that we cement cracks amongst the leaders and build a united COSATU. In this regard it was agreed that a meeting of the Presidents and General Secretaries be convened early in the New Year (2013) to tackle whatever issues were undermining unity and cohesion of the Federation.
35. Despite what happened at the Congress and measures to build unity, unnamed sources continued to feed stories to the media in an attempt to discredit and damage the reputation of the General Secretary. Amongst others, they claimed he was guilty of financial impropriety. The media ran stories that he personally benefited from the sale and purchase of COSATU House for weeks before the COSATU CEC which was held on the 25 – 27 February 2013.
36. Two meetings of Affiliate Presidents and General Secretaries were convened in February 2013 as per the CEC decision. The first meeting was poorly attended and everybody present felt it would serve no purpose to proceed with discussions on such an important matter without full participation of all unions. It was noticeable in the meeting that the faction that had now formed in opposition to the General Secretary was absent. The second meeting in February 2013 was better attended with 11 unions present. The meeting proceeded to have discussions but still the critical elements in the anti-Vavi faction were not present.

A Faction Emerges from the Shadows

37. When the report of these meetings was tabled at the CEC meeting held on the 25 – 27 February 2013, the leaders of the unions who had stayed away (NEHAWU, SADTU and POPCRU) launched a scathing attack on

the General Secretary, assisted by SATAWU, CEPPWAWU and to an extent NUM. Essentially the buzz phrase used by these unions was that there was an “elephant in the room” that must be dealt with. The elephant in question was of course the General Secretary, but even at this stage they had to use coded language, suggesting that they did not have the confidence to speak for their memberships, nor did they have a mandate. During this blistering political attack, the General Secretary was accused of all manner of things from political and ideological deviation to subtle allegations or insinuations that the General Secretary was corrupt and had benefited from the sale of the old COSATU House and the purchase of the new COSATU House. POPCRU leaders even claimed they did not know who owned the COSATU House. The transcript of the February 2013 CEC meeting confirms these details.

38. The leaders of the unions referred to above demanded that a commission of inquiry on all their allegations be established. They did not win majority support. The CEC decided to appoint Charles Nupen, Petrus Mashishi and an independent but progressive black forensic audit firm to facilitate unity and cohesion of the Federation.
39. As had become all too common, gross misrepresentation of the decisions of the February 2013 CEC appeared in the media, emanating from anonymous sources from within the CEC, claiming that the CEC had established a Commission of Inquiry to probe allegations of corruption against the General Secretary. This forced the COSATU National Office Bearers to set the record straight, and was also condemned by the March 2013 Collective Bargaining Conference, at which all affiliates were represented. See the statement below:

COSATU National Office Bearers’ statement on the challenge of unity and cohesion of the Federation

We are taking this extraordinary step of releasing the internal discussions COSATU has had regarding the important matter of unity and cohesion, in response to the distortions of the internal debates to the media by some individual leaders who have now reduced themselves to being sources for the newspapers.

At the recently held meeting of the Central Executive Committee (25 – 27 February 2013), a report was presented from a meeting of the COSATU affiliated unions’ Presidents and General Secretaries, which itself was mandated to discuss unity and cohesion of the Federation by the November 2012 CEC. In response to this report a frank and robust discussion took place and the CEC took the resolution below:

On the Unity and coherence of the Federation

Following the tabling of this report the CEC had frank and robust discussions, which were intended to cement the unity and coherence of the Federation. The

content of the discussions included political, ideological, organisational and administrative issues.

After these discussions the CEC resolved on the following:

- 1. Mandated that the meeting of the Presidents and General Secretaries should be convened urgently, with maximum attendance by all unions, to further engage with both the political, ideological, organisational and administrative issues raised during the meeting.*
- 2. This meeting of the Presidents and General Secretaries will among others solicit the services of skilled independent persons to facilitate the discussions which in the wisdom of the CEC was necessary to effectively address all issues raised in the meeting. The facilitators will among others produce a report, which will ultimately be subjected to the CEC, which will then decide the way forward.*
- 3. In the meantime the National Office Bearers were to continue engaging amongst themselves, including on taking forward the Federation's programme and also providing leadership in facilitating the meeting of the Presidents and General Secretaries.*
- 4. Informed by the issues raised in the CEC the NOBs would also continue to intervene between and within unions on such matters as poaching, internal union conflicts, support and addressing the challenge of rival unions.*
- 5. The NOBs would facilitate a meeting between NUM and NUMSA on urgent basis.*
- 6. The NOBs would table a list or a programme on all campaigns at the Presidents' and General Secretaries' meeting before the Collective, Organising and Campaigns Conference.*
- 7. All the above work would feed to the meeting of the Presidents and General Secretaries. If it becomes necessary, in the process of all these engagements, the NOBs may convene a Special CEC.*

The National Office Bearers convened the meeting of the Presidents and General Secretaries as instructed by the CEC on 11 March 2013. This meeting decided as follows:

- 1. To implement the full decision of the CEC – 'nothing less and nothing more.'*
- 2. The purpose of the discussion between COSATU affiliated unions' Presidents and General Secretaries shall be to foster maximum unity and cohesion in the Federation.*
- 3. In line with the CEC decision, the meeting decided to appoint Petrus Mashishi, former SAMWU President and a recipient of COSATU's highest award, the Elijah Barayi Award, and Charles Nupen, a respected lawyer with extensive experience of mediation. These two will appoint a senior accountant from a black progressive auditors' firm.*
- 4. The record of the meeting of the CEC on the discussions referred to above shall be handed over to the two facilitators. The meeting categorised issues that facilitation shall focus on as follows:*

- I. Political issues*
- II. Ideological issues*
- III. Organisational issues and*
- IV. Administrative issues*

5. All issues raised in the meeting of the CEC would then be put to the facilitated process. The purpose of this facilitated discussion is to ensure that unity is achieved on all the four issues listed above.

The Collective Bargaining, Organising and Campaigns Conference reflected on the leaks that appeared in the Mail & Guardian of 15 March 2013 and expressed its disgust at the continued attempt by some faceless leaders who have now become newspapers sources, hell-bent on sowing divisions and undermining the unity and cohesion of the Federation. The conference strongly condemned this foreign culture and called on all leaders of the Federation to respect internal processes.

See more at: <http://www.cosatu.org.za/show.php?ID=7064#sthash.hhZEVt97.dpuf>

40. This was an important attempt by the NOBs to set the record straight and to try and bring about discipline. However, it did not stop the very same sources going to the media to contradict the official statement. The misrepresentation was of such a magnitude that many journalists believed that such a commission was agreed by the CEC and that the General Secretary was to be investigated for possible corruption involving the sale and the purchase of the COSATU Head Offices. This was a shocking disservice to the CEC, and the members of COSATU.
41. Of critical importance, is that the agreed facilitated process has not been able to make any significant progress. Attempts by the respected facilitators to call meetings and manage discussions on the issues referred to it were effectively boycotted by those making the allegations. It became clear that particular union leaders with grievances wanted the facilitation to take the form of a Commission of Inquiry instead of facilitating a constructive engagement. The facilitators reported to the COSATU CEC meeting held in May 2013 that no new ground had been covered because of a lack of cooperation despite repeated attempts to force an engagement. As will be elaborated on later, the facilitators reported similarly to the September 2013 CEC. Furthermore, they declined to come personally to the November 2013 CEC to report, on the grounds that they did not want to waste Federation resources on coming to report that they had still not made any progress due to non cooperation.

The Relentless Factional Struggle Continues

42. The May 2013 CEC was plunged into a further crisis as POPCRU, SATAWU and NEHAWU tried to get the CEC to endorse a new

proposition that the General Secretary be placed on special leave pending an investigation into the alleged corruption regarding the sale and purchase of the building.

43. NEHAWU General Secretary went as far as to accuse the COSATU General Secretary of being an American agent.
44. These unions failed to garner sufficient support for their position, even though they pushed for a vote to take place. At the end the CEC took the decision below:

The meeting received a report from the facilitators: Charles Nupen, Petrus Mashishi and representatives from the Sizwe Ntsaluba Gobodo firm of Auditors.

The meeting spent some time debating the report including its recommendations on how the process was to be taken forward given all the challenges, which had emerged which were making it impossible to be effectively taken forward.

The CEC agreed that the facilitated process was needed as part of the intervention to achieve greater levels of unity and cohesion in the Federation.

The facilitators appointed by the February 2013, Central Executive Committee were given a flexible mandate to talk to individual affiliates with a view of facilitating discussions. All affiliated unions will be allowed to make individual submissions in writing and motivate for these directly to the facilitators. The facilitators will record these presentations. The presentations shall be based on the four broad issues identified by the February CEC which are listed as:

1. *Ideological,*
2. *Political,*
3. *Organizational and*
4. *Administration*

The facilitators will provide an opportunity to all those accused of wrongdoing to respond to any allegations contained in the submissions. The facilitators will facilitate discussions between all role players in line with this flexible mandate and will develop a schedule of meetings of the President and General Secretaries for discussions on specific matters.

In relation to the administrative issues, an accounting firm (Sizwe Ntsaluba, Gobodo) has been appointed to conduct a forensic audit to determine whether there was any impropriety in relation to the

sale of COSATU head office and the purchase and ownership of COSATU house. An affiliate who wishes to make submission on this and any other administration matter shall make submissions to the facilitators.

Programme

- 1. The facilitators will be advised of this resolution with immediate effect*
- 2. Affiliates and National Office Bearers who wish to make submissions to the commission will do so with immediate effect but no later than the 06 June 2013.*
- 3. The auditors from Sizwe Ntsabula Gobodo will be handed over with the file that deals with the background to the sale and purchasing of the building, which forms part of the General Secretary presentation. They will conduct a forensic investigation into the sale and purchase of the buildings based on this file and any other information that may be provided by affiliates. The auditors will provide a report not later than the 11 June 2013. Once the report is ready, the auditors will make their recommendations and present these in the presence of the facilitators to a meeting of the Presidents and General Secretaries of affiliated unions without any delay.*
- 4. Regarding the ideological, political and organisational issues, once the facilitators have received all presentations by the 06 June 2013, they will start convening the process of facilitation between role players as well as convening plenary meetings of the Presidents and General Secretaries to ensure thorough debate on these issues. They will thereafter compile their recommendations. This process must happen during the month of June 2013.*
- 5. The facilitators will request the NOBs to convene a special CEC meeting in the first or second (at very latest) week of July 2013 to table their recommendations.*

The meeting acknowledged that it would be wrong to assume that the facilitated process alone could bring about unity. There had been many hurts, relationships had been compromised and the whole federation had seen division never seen in its entire history.

The CEC encouraged comrades to take individual initiatives as individuals and as groups to systematically address the hurts. In those discussions assistance from the Alliance formations may be required and they will have to be invited at some point.

It was noted that although there were two factions in existence but the media was playing a role of a third force in fuelling these divisions. The meeting appealed to all those who were feeding information to the media to stop doing it.

The CEC also emphasised that the process which had been agreed to did not mean that COSATU activities were going to be suspended and that the National Office Bearers were to continue with their role as mandated by the 11th National Congress. Among these would be to convene a meeting between the NUM and NUMSA on the 24th June 2013 to discuss the matter of membership poaching and to agree on a process to implement the congress resolution of handing over membership.

45. As had become a custom, unnamed and unaccountable sources reportedly from within COSATU's CEC continued a disinformation campaign to the media misrepresenting the CEC decision including (while the meeting was still in session), claiming that a decision had been taken to establish a Commission of Inquiry to investigate the corruption of the General Secretary regarding the sale and purchase of the COSATU building.
46. With the facilitators now given a mandate to receive submissions and to actively facilitate engagements between unions and individuals, many thought this would lead to serious discussions on unity and cohesion of the Federation.
47. Fewer than half of the unions made submissions after the deadline. Four unions, (NEHAWU, SATAWU, POPCRU AND NUM) directed all their criticism against the General Secretary with SATAWU adding that the only solution was his removal. NUMSA and FAWU also made submissions.
48. The submissions indicate in detail the extent to which some of these unions were prepared to go in misrepresenting what had transpired and the selective quotes that were used in order to justify their view that the General Secretary was the problem.
49. The General Secretary responded to all of the largely unfounded allegations contained in the four hostile union submissions. All these submissions are available in electronic form.

The General Secretary also made himself available for all the engagements arranged by the facilitators. As the report of the facilitators indicated, there appeared to be no commitment on the part of the leaders in question to engage. Meetings with the NEHAWU General Secretary, for example, failed because he refused to attend despite the hard work of others to get him to be part of the meeting with the General Secretary. The

meeting with the COSATU President also failed because he kept on raising preconditions, contrary to what the COSATU CEC had agreed, in order to avoid a discussion. A meeting with NUM was postponed at the request of the union but with no alternative suggestions.

The Exploitation of Scandal

50. It is clear that when the General Secretary committed the serious error of having an affair with a staff member, he simply handed over a loaded gun to his political enemies. The forces aligned against him did not waste any time. In a rush, they disregarded existing policy and procedures and basic labour law and moved to place him on suspension. It was an opportunity for those who had failed to remove him using constitutional means to use the sex scandal as an excuse.

49. The General Secretary publicly accepted that he had an affair with the staff member. On countless occasions he has publicly apologised to his family and every COSATU member and leader. See extracts from his addresses to two Regional Biannual General Meetings.

“Before I speak on the issues of the day that are closer to your hearts as educators, I want to acknowledge that in the recent period I have occupied newspaper headlines for very wrong reasons. I have erred and in the process embarrassed my family and disappointed many South Africans who looked to me to provide moral leadership.

I have decided to come to your Regional Biennial General Meeting to apologise to each one of you and through you, to all COSATU members and every South African, for letting them down. I don't blame anyone but myself for the mistake. I don't want to compare myself to anyone but to my own standards that I have established as a family man who has championed the struggle to restore the basic tenants of society and our liberation movement, for integrity, honesty and service.

I am only human and not a perfect saint. I have learnt so much from the mistake and I commit never to repeat the same, and in the process hand over to the enemies of the working class a victory on a silver platter. We are all both objects and subjects of change.

I will work hard to regain the lost ground and trust of both my

family and South Africans. In the meantime my coming to you should signal a determination on my part not to allow that error of judgment to determine my destiny.

Extracts from SADTU meeting in East London

Today, National Women's Day, and throughout this month, we recall the historic Women's March of 1956, which played such an important part in the struggle to smash apartheid.

I stand here before you as a compromised leader, compromised not because I have tripped and fallen into the ways of the capitalist class, and accumulated dubious and unexplained money and wealth. I have not exploited and lived off the labour of the working class. My hands have not been found in the national till; I have not stolen taxpayer's money and or used workers subscriptions for personal gain.

I am compromised because of my own regrettable transgressions, which have caused immense harm not only on my family but on my standing as a working class leader whose focused, forthright and honest leadership was, until this point, questioned by only a few in society.

Let me, as I have done on various occasions recently, unreservedly apologise to each one of you and through you, to all COSATU members and every South African, for letting them down. I extend that apology to the other family involved in this saga. At the right time I will ensure that both families close this chapter in the right way in line with our traditions and customs.

I know that you expected better from me, not only as a revolutionary and a working class leader but also as a man of principle.

As I said to SADTU Western region last week, I don't blame anyone but myself for the mistake. I don't want to compare myself to anyone but to my own standards that I have established as a family man who has championed the struggle to restore the basic tenets of society and our liberation movement, for integrity, honesty and service to the people.

Today Corruption Watch, on which I serve as a member of its Board, will publicly censure me for this wrong step. I have accepted that censure, humiliating as that may be. I am not above the discipline of our organisations.

See more at:

<http://www.cosatu.org.za/show.php?ID=7629#sthash.0UQcPQe7.dpuf>

51. Given the service rendered by the General Secretary, including his willingness to face every criticism and his acknowledgement of wrongdoing, it should have been expected that the leadership of the Federation

would have responded rationally to what the General Secretary had to say. They could have acknowledged the honesty in accepting the inappropriateness of the work relationship and his publicly stated commitment to a change in behaviour and furthermore his willingness to learn from his own mistakes and to help educate others to behave in a manner befitting those claiming to be revolutionaries. It was hoped that the leadership of COSATU would act in a mature way, and adopt an approach that acknowledged these factors and propose a strict adherence to procedures. It was hoped that they would have established a clear balance between an appropriate sanction and a measure that would have also sent out a clear message that this behaviour was not acceptable, either by the General Secretary or any trade union leader who had transgressed the norms expected of leadership. This was not to be the case. Vindictiveness and attempts to settle scores distorted the thinking of some of the COSATU leadership. A strategy that included measures that could have practically resolved challenges and provided for a return to address the many concerns of workers was rejected in favour of a narrow approach defined not by the needs of the working class, but the narrow self interests of some union leaders, and their friends in high political office.

52. The Corruption Watch Board, on which the General Secretary sat, listened carefully to the presentation of the GS and his apologies. While they publicly censured him they did not remove or suspend him from the Board. Corruption Watch has built a formidable reputation as an organisation that conducts itself in an exemplary manner. The statement issued by Corruption Watch on the 09 August 2013.

Corruption Watch board censures Vavi

Thursday, 08/08/2013 - 14:43

In the light of the media disclosures in recent weeks concerning a woman who is a staff member at the Congress of South African Trade Unions (Cosatu) head office and Zwelinzima Vavi, a board member of Corruption Watch, an urgent meeting of the Corruption Watch board was convened.

On the basis of the facts admitted by Mr. Vavi and known to the Board at this stage, the Board decided to issue a public notice of censure of Mr. Vavi in respect of the improper relationship between Mr. Vavi and the woman.

In deciding to do so, the Board took into account the fact that any sexual relationship between a senior staff member in an organisation and a junior member is almost inevitably infected by the relationship of power that exists between them and that accordingly senior staff members have a

special responsibility to seek to avoid such relationships.

Mr. Vavi was asked to address two issues: the process whereby the woman was appointed by Cosatu and the nature of his relationship with her. In deliberating, the Board was guided by what it considered to be in the best interests of Corruption Watch and the information it had before it and that is currently in the public domain.

In reaching this conclusion, the Board took into account the deplorable level of gender violence and abuse in South Africa. Before issuing this note of censure, Mr. Vavi was informed of the Board's decision to do so and he indicated that he has accepted the decision of the Board.

Going forward, the Board confirms that its members should at all times both in their public and private lives act consistently with the values of truth, integrity and candour that are espoused by Corruption Watch and consistently with the Corruption Watch pledge:

- To be responsible and honest citizens and neither pay nor take bribes;*
- Obey the law and encourage others around us to obey the law and to treat public resources respectfully;*
- Neither abuse any public money entrusted to our care, nor any position we hold as public servants;*
- Act with integrity in all our dealings with government; and*
- Always remember that public resources are intended for the benefit of the public, not for private gain.*

Given the deliberative nature of this decision and the prevailing circumstances, the Board has decided that individual board members will not make further statements to the media in respect of this matter.

Issued on behalf of the CW Board of Directors

53. The General Secretary's wife also issued a statement that accepted an apology on behalf of the entire family. Her statement also was highly reported by the media it read as follow

"Over the last month, my family has been a subject of intense media scrutiny and political onslaught, following disclosures by my husband, Zwelinzima, that he had had an affair with a married colleague.

"He has since apologised for this error of judgment, which has caused untold pain amongst millions of South Africans including me and our extended family. Most South Africans from all walks of life, including thousands of his trade union comrades, have accepted his apology.

"This issue has been personally, emotionally and politically taxing on us as

a family. Still, we have accepted his apology and believe he has so much to give to South Africa and deserves another chance to make this contribution. I love him, and he retains both my respect and support.”

54. At the meeting of the COSATU Special CEC held on the 14 August 2013 where a decision was taken to place the General Secretary on special leave, he again attempted to play a unifying role to firstly ensure that the meeting took place and was united in dealing with a very challenging moment. Prior to the meeting he had met with both but separately the NUM President and General Secretary and had tried hard to meet with the General Secretary of NEHAWU who simply failed to honour an appointment.

Suspension by Any Means Necessary

55. In the morning of the special 14 August 2013 CEC that placed him on suspension, the General Secretary attended a meeting of the COSATU NOBs. This meeting followed a teleconference the previous night, which was called to discuss how to best manage the CEC. At this teleconference, the 1st Deputy President and the Treasurer expressed a view that the CEC be cancelled or postponed as they feared it would lead to an implosion of the Federation. The Deputy General Secretary had expressed the same view in a discussion but did not push hard for it. The view of the 2nd Deputy President in this teleconference was that it was too late to postpone and that the CEC must proceed as planned. The conference call was cut before the discussion could be concluded. When Telkom tried to reconnect the group, the President and the 2nd Deputy President did not take the calls.

56. In the morning of the 14 August 2012 the NOBs met to try and finish the meeting. At this meeting, the 1st Deputy President changed his mind saying that instead the meeting should be managed to ensure there was no debate on both the contents of the grievance report and the letter written by the GS's lawyers calling for the cancellation of the meeting. The view of the 1st Deputy President was that both matters should be handled by the Presidents and General Secretaries of affiliated unions outside the CEC so that they could make a recommendation to the next ordinary CEC scheduled for 16 – 18 September 2013. This motion carried the day as all NOBs with the exception of GS and the Treasurer agreed on this. They were assured that there was no reason to worry as the NOBs were committed to the unity of the Federation, which was clearly at stake.

57. At the meeting of the CEC itself the 1st Deputy President who was chairing the meeting stated that the NOBs had received a letter from the lawyers

representing the General Secretary but refused to answer any questions related to it, and ruled that the matter would not be discussed without putting the NOBs proposition in terms of how the whole meeting was to be run at that stage. He later did confirm the NOBs had an approach of how this matter could be handled which was later articulated by the Deputy General Secretary.

58. There were serious divisions right from the start of the meeting regarding credentials and the constitutionality of the meeting. These issues were debated at great length and when it was a clear that the meeting was going nowhere the General Secretary proposed to the President that there should be a call for a meeting of the Presidents and the General Secretaries outside to try and find a way forward. He agreed and both the General Secretary and the President spoke about the need to find one another outside and the whole CEC agreed to this. At the meeting outside the General Secretary proposed that we should go beyond credentials and disputes over the constitutionality of the meeting because the General Secretary thought this would allow the NOBs to take the opportunity to present their suggestion about how the matter of the grievance report could be handled as per the decision of the meeting.
59. Everybody agreed that the presentation of the grievance should be allowed without taking away the objections of those who were arguing that the meeting was unconstitutional or that certain unions were not in good standing.
60. When the CEC as a whole reconvened after about 33 minutes, the CEC agreed to proceed. The report of the grievance was summarised by the Deputy General Secretary.
61. The General Secretary requested an opportunity to address the meeting and in summary repeated an apology to every member of the CEC. He further stated that he was not above the discipline of the Federation and accepted that the Federation will have to communicate a message that his mistake was not acceptable. He however did warn that this did not mean that those who had been campaigning for his removal must now attempt to settle old scores. He made it clear he was willing to be publicly disciplined and censured and receive appropriate punishment that was proportional to the offence and consistent with the values of the Federation.
62. It was shocking that after this calm and unifying gesture those who had been driving for the dismissal of the General Secretary inverted the reconciling words he had used to push for his immediate suspension. This was indicating again that short term factional game had been placed above the unity of the Federation.

63. It is clear that the comrades driving the disunity agenda committed two serious errors: First, contrary to the dictates of the COSATU constitution which states that when there are two motions in a meeting of more than 50 persons there should be voting, there was no vote during this discussion to determine the views of the CEC; and secondly the General Secretary was not provided with an opportunity to state why he should not be placed on suspension. This is being challenged in court now set for the 17 – 18 March 2014. In addition FAWU, NUMSA and SAFPU unions have challenged the constitutionality of that special CEC in the high court.
64. Note that the NOBs, with the exception of the Treasurer, submitted sworn statements in the High Court disputing this version of events only for them to be exposed as being “economical with the truth” by the transcript of the CEC meeting.

History of COSATU and apologies

65. COSATU was among the first organisations to issue a public statement to accept the apology of the then ANC Deputy President of the ANC after he apologised in response to statements he made after he was found not guilty of rape in 2006.

05 - 05 - 06

The Congress of South African Trade Unions welcomes the apology by ANC Deputy President Jacob Zuma for having unprotected sex with an HIV-positive woman.

COSATU has repeatedly urged everyone to abide by the ABC rules to prevent being infected by HIV - Abstain, Be faithful, Condomise. We regret the fact that Jacob Zuma broke these rules and we agree with Judge Willem van der Merwe that "It is totally unacceptable that a man should have unprotected sex with a person other than his regular partner and definitely not with a person who, to his knowledge, is HIV-positive".

COSATU however fully accepts Jacob Zuma's apology and his admission that he "should have been more cautious and more responsible". We applaud his commitment to join the war against Aids, a pandemic that affects one in seven adults in South Africa and threatens the lives of countless thousands unless we unite to defeat it, and we look forward to campaigning together with him to win this war against HIV/AIDS.

See more at: <http://www.cosatu.org.za/show.php?ID=1085#sthash.LHOQKTR0.dpuf>

66. Again when the President Jacob Zuma apologised to the nation for impregnating a daughter (Ms Sonono Khoza) of his friend (Dr Irvin Khoza)

COSATU was one of the first organisations to issue a statement welcoming the apology and urging South Africans to accept the apology.

President Zuma's apology

The Congress of South African Trade Unions has noted the unconditional apology by President Jacob Zuma, and welcomes the apology unconditionally. This is the President's own initiative, and it demonstrates his humility and integrity. The majority of South Africans will reciprocate this by giving him the benefit of the doubt.

It is good that the President realises that he erred and did not seek to take our people for granted. The apology was the right thing to do.

*Patrick Craven (National Spokesperson)
Congress of South African Trade Unions*

See more at: <http://www.cosatu.org.za/show.php?ID=2889#sthash.10fO4q8E.dpuf>

67. Last year, when the General Secretary of COSATU, having served the Federation in an elected capacity for 25 years, committed an error, acknowledged it, accepted full responsibility for it and apologised, some in COSATU found it necessary to illegally put him on suspension without any hesitation. This is not the tradition of the Federation.

Holier than thou?

68. It should also be noted that the issue of relationships developing between leaders and staff members is as old as the unions themselves. It has been subjected to discussions formally and mostly informally for years, but without any guiding policy being formulated to manage it for a long period of time. Some of these relationships have been successful and have led to the establishment of families and on-going partnerships. Others have led to children being born outside of formal arrangements. In some cases grave tensions have arisen which have definitely impacted on those directly concerned, but also on the state and perceptions of the Union, and especially how male leadership is seen by especially women comrades. There are many examples that could be cited of where Union leaders have taken advantage of their position in this regard. However, there is little purpose in naming names if it results in children or individuals being subjected to unwanted attention. It is mentioned here to underline the fact that not a single case of this nature lead to the convening of a Special CEC or the suspension of any leader of a union. It has already been acknowledged by the COSATU General Secretary that these unequal relationships are inappropriate even if in some cases they have positive outcomes. The fact remains that they may allow for unequal power relations to assert themselves in an unhealthy and uncomradely manner

and lead to abuse and organisational complications and shortcomings. There is not however, a code of practice that disallows or gives guidance to these relationships. The COSATU Code of Conduct on Sexual Harassment, adopted by the then COSATU Exco in May 1995, does not make reference to consensual work place relationships in the Federation. It deals specifically with “unwanted or unwelcome conduct of a sexual nature”. There is clearly a policy gap which needs to be filled in the Federation

69. The individual leaders of those unions lining up against the General Secretary today, contrary to their previous support, do so not only for narrow factional political reasons but also because they must have other reasons that relate to the alleged corruption and other misdemeanors that they seek to hide. If there is another explanation it remains unclear.
70. The General Secretary is a recipient of no less than three major recognitions/awards from POPCRU including the highest award it gives to any individual – the Gregory Award, which it presented to him when it celebrated its 20th anniversary in 2009. This was in recognition of the role he played on countless occasions to support the union when its own divisions threatened its very future.
71. The POPCRU leadership turned against the General Secretary the day he, as part of the COSATU NOB collective, demanded that the union leadership respond comprehensively to very serious allegations of corruption involving the POPCRU investment company and which implicated some of the POPCRU NOBs or their families. The leadership of this union was also asked to explain and revisit the unprocedural dismissal of POPCRU Vice President Ntombizakhe Mcaba. These matters are available via the internet for those wishing to verify them.
72. The SATAWU leadership has enjoyed a very warm friendship and comradely relations with the General Secretary until recently. They wrongly accused the General Secretary of having reported allegations of corruption against the union leadership to Corruption Watch and falsely accused him of being behind the split that led to the creation of NATAWU. Not a shred of evidence has been offered to justify these accusations. These matters can also be verified in the public domain, and note should be taken of reports involving the arrest of the union General Secretary and others for fraud involving R10 million. Those arrested are on bail of thousands of rands. Charges have however not yet been put.
73. The General Secretary of CEPPWAWU has for many years been subject of reports of improper and undemocratic conduct, and faces all manner of allegations of corruption and wrong doing including disregarding the Union constitution. These allegations with supporting evidence have been submitted to the COSATU NOBs over a long period of time. It has been

the insistence by the COSATU NOBs, and especially the General Secretary, that these allegations be confronted, which is the real reason behind the hostility of some of the CEPPWAWU NOBs toward him.

74. It must be emphasized that the allegations made in relation to particular unions mentioned above do not represent the sum total of issues that need to be addressed in affiliates of the Federation. They are deliberated on here to highlight the degree of inconsistency of those unions wishing to dismiss the COSATU General Secretary for far less serious wrong doing, and to show that despite their statements they are perhaps not the paragons of virtue they would have the movement believe they are. It does beg the question as to whether they would like to see a Federation where all of these difficult allegations are simply pushed under the carpet.

Abuse of state institutions to fight factional wars

75. The use of dirty tricks in this campaign against the General Secretary descended to their lowest point when the COSATU President circulated a bogus intelligence report meant to discredit the COSATU General Secretary as an agent of imperialist America. The General Secretary of NEHAWU even went so far as to accuse the General Secretary of COSATU of being an agent of imperialism in the COSATU CEC held in May 2013. In the same month of May, the General Secretary of SATAWU in an interview with *Mail & Guardian* insinuated that the General Secretary of the Federation was behind a plot to weaken the ANC. This is identical to the allegations made in the bogus intelligence report circulated by the COSATU President.
76. The lawyers representing the COSATU General Secretary wrote to the chairperson of the Special CEC held on the 14 August 2013, pointing out that a number of the people who were to make decisions on his case could not be regarded as objective because of the statements they had publicly advanced. The COSATU NOBs rejected that argument and also refused to table the letter for discussion claiming that both the contents of the lawyers' letter and the grievance report were not to be discussed. It is now known that the only matter not discussed was the letter, and that the grievance was in fact discussed. Subsequently all COSATU NOBs, except the Treasurer, submitted affidavits to the Court on the matter of General Secretary's suspension denying that they had agreed to for the sake of the unity of the Federation not to discuss the contents of the grievance report and the bogus intelligence report. The transcript of the CEC they provided to the Court subsequently exposed this to be untrue.
77. The General Secretary decided to take the matter of the so-called intelligence report up with the Inspector General of Intelligence. He in fact

raised three substantial issues: Firstly he complained that the Acting Head of Crime and Intelligence had abused his authority when he claimed that he had information that Iranian intelligence operatives in South Africa were plotting to poison or kill by other means the General Secretary for which he provided no further information for many months thereafter. Secondly, the General Secretary raised the status of the bogus intelligence report. And thirdly he wanted confirmation as to whether his communications were being monitored.

78. To their credit both then NUMSA President and COSATU 1st Deputy President confirmed that they were made to read the bogus intelligence report and in the case of the COSATU 1st Deputy President he was provided a copy to read by the COSATU President.
79. The Inspector General has since produced a whitewashed report, which clearly seeks to protect the COSATU President and all the individuals who abuse state institutions including – the Acting Head of Crime and Intelligence and whoever it is that penned the bogus report. The message is clear: those perceived to be enemies opposed to the current state of affairs and who are prepared to stand up against the shameless looting of the country's resources are on their own and must not rely on the State for protection of their rights. In fact, it would seem that the State would rather protect those vested interests who are close to or who are part of a corruption culture.
80. The matter of the attempt to extort R2 million from the family of the General Secretary requires careful consideration. This was first raised by the person who initially claimed to have been sexually assaulted and who then withdrew the accusation after damaging the standing and reputation of the General Secretary. It will be recalled that the General Secretary laid charges of extortion against this person and her husband early in August 2013 at the Sandton police station. As the Sandton police were starting to investigate the allegation made by the General Secretary, the SAPS provincial structures of the police instructed a hand over of the dockets to them claiming that the case was too high profile for them to address. The provincial police appointed a new investigator who arranged one meeting with the General Secretary. The investigator was provided with emails sent to him and WhatsApp messages that proves clear intent to extort. To this day, almost seven months after reporting the extortion, nothing has happened in relation to charging those responsible. The SAPS have not contacted all people who should be questioned as witnesses.

Abuse of rights of the COSATU General Secretary

81. Many will recall that the General Secretary was suspended on the word of the chairperson of the grievance hearing. Even though the whole grievance was withdrawn by the complainant, it was argued the CEC must investigate amongst other matters the appropriateness of the relationship between the General Secretary and the employee of COSATU. The unions lining up against the General Secretary used the Special CEC held on the 14 August 2013 to place him on special leave or suspension. The CEC was told that the whole matter would be investigated and a report would be tabled at the next CEC, which was to take place on the 16 September 2013. What exactly was to be investigated was not clear. After all, the General Secretary had admitted to the existence of the relationship and repeatedly apologised to all including the CEC for this error of judgment.
82. Since then, the NOBs have done various things to extend the scope of the investigation to assemble information they can use to further justify a prolonged and continuing suspension and to keep the General Secretary out of COSATU affairs. The COSATU NOBs have appointed a new set of forensic auditors Hesti Le Roux (CA SA, Mcom Forensics, Accountants and Law (Pty) Ltd) in addition to the first forensic audit appointed by the CEC (Sizwe Ntsaluba and Gobodo) to probe allegations that the General Secretary or his family benefitted in the sale and purchasing of the COSATU, presumably with the hope that they will locate “millions” the General Secretary had stashed away somewhere. Of course nothing of the sort has been found. In the meantime the NOBs and their allies in the CEC have maintained a whispering campaign telling all and sundry how corrupt the General Secretary is.
83. In the process of the investigation they looked at the General Secretary’s laptop, his salary slips, loans with COSATU, telephone records with Vodacom, and even his personal bank statements, etc.
84. After five months of the so-called investigations, the NOBs have now laid nine charges against the General Secretary. The charges themselves are a clear attempt to cast the net very wide in the hope that something can be caught in it. This is accompanied by a categorical statement that should he be found guilty of any single of these charges, he will face dismissal. Not only is this completely unfair, it is also illegal as anyone conversant with basic labour law will testify.
85. The charge sheet has been leaked in the media with a clear intention to subject the General Secretary to the media trial. Headlines have run stories that those initiating the charges know are blatantly untruths such as that the General Secretary used COSATU credit card for this family travels to the tune of R35 000.

86. Recently a Special CEC was convened on the 10 February 2013 where amongst others a “final report” of the Sizwe Ntsaluba and Gobodo” was presented verbally. As at 15th February this report was not and still has to be shared with the General Secretary. This is contrary to the commitment Sizwe Ntsaluba Gobodo had made to the Charles Nupen and Petrus Mashishi who together with Sizwe Ntsaluba and Gobodo form part of the CEC facilitators as appointed by the CEC in February 2013. It is not just unethical but against the law that forensic auditors could made adverse findings against individuals without first providing an opportunity of the concerned individuals to refute and or make submissions which should be contained in their final report. Why Sizwe Ntsaluba and Gobodo behaved in this fashion remains a mystery. The General Secretary has already taken this matter up to protect his rights.
87. COSATU NOBs did not waste time to convene a press conference and tell the public of the unfounded and untested allegations contained in the report, which include that the General Secretary had a conflict of interest in that his wife was a business partner and or director of one of the service providers. This is not true!
88. The circumstances of the employment of the General Secretary’s step daughter who is an adult not staying in his house but a resident in one of the houses of the NEHAWU General Secretary has been reported in the media before. She apparently worked for this service provider for about two weeks before this was leaked to the media. The company immediately terminated the relationship in response.

Refusal to abide by the COSATU Constitution and call Special National Congress

89. Whilst all this was happening, the President, ably assisted by the leaders of the five unions driving the purge agenda, has refused to abide by the COSATU Constitution. The COSATU constitution (section 3.3.2) clearly states that if one third of COSATU Affiliates in good standing request the holding of a Special Congress, it must be convened. Certain union leaders, without any mandate from their members, have stated categorically that they will never allow for the holding of the Special National Congress irrespective of whether the COSATU Constitutional provisions have been met. The disrespect this reflects for the democratic structures and functions of the federation beggar belief. The seemingly endless exchange of legalistic letters between unions requesting a congress and the COSATU President and the minority faction he represents reflect further a flagrant disregard for the democratic rights of workers. Meanwhile workers’ rights are being severely challenged.

90. A special CEC convened on the 10 February 2013 has now illegally decided that the COSATU Special National Congress not be convened making financial constraints an excuse.

NUMSA now the new but old target

91. Before, during and after the Special CEC, attacks on NUMSA have been unrelenting and aimed at destabilising one of COSATU's most effective affiliates, and its largest.

92. The recent NUMSA special national congress took tough and militant decisions. Some may disagree with elements of the resolutions that were passed, but what cannot be denied was the profoundly democratic character of the pre-congress discussion and the actual congress. What no one can take away from NUMSA members is their right to discuss and debate whatever issue they believe best protects their interests and the interests of the broader working class! In cases where those resolutions are in opposition to existing COSATU policies, NUMSA will have to lobby and engage the rest of the affiliates of the Federation. This is a practice as old as the Federation itself.

93. There are countless examples, including from those who support the current leadership faction, to show that affiliates inevitably go beyond existing COSATU policy when circumstances demand it. We have assembled irrefutable evidence to show this. One recent example is the decision of a group of unions to affiliate to the WFTU. Affiliation to the WFTU was not COSATU policy when NEHAWU, POPCRU, CEPPWAWU and NUMSA decided to affiliate to it. Why were these unions (including NUMSA at the time) not asked to motivate why they should not be expelled for undermining COSATU policies? Another example is that of SASBO and its position on party politics. SASBO's Constitution states that it should not support any political party. This has always been accepted within COSATU.

94. On the specific issue of organisational scope, the fact is that a very large number of unions, if not all of them, have at various points in time recruited members that are outside of their original scope. This is in part because the shape and scale of the South African economy has changed dramatically over the last twenty years. Multinational companies have spread their exploitative supply chains across our economy and they span different organizing sectors. Even the public sector has changed over the last twenty years, and there has been a realignment of public services at all levels. What this means is that there are very large overlaps in every sector. Clearly it is time to seriously review all scopes within the Federation and find ways of organizing workers in the most effective manner.

95. The President and the minority faction supporting him now have set their sights on attacking and isolating NUMSA. They have gone so far as to imply that NUMSA's special congress resolutions constitute a new political threat to the holding of the COSATU Special National Congress. The culture of complete political intolerance is now the norm for the President and those close to him, and runs completely counter to the notion of democracy and workers control.
96. Instead of attacking NUMSA why are the current leadership faction unable to look forwards, and think about how to recruit the more than 70% of workers in our country who are not organized by any union? That would be a progressive response. Victimising affiliates is not.
97. As a result of the decisions taken in the COSATU special CEC held on the 10 February 2013, NUMSA has now been asked to state why it should not be expelled or suspended from the Federation.
98. Clearly the intention is to push for the dismissal both NUMSA and the COSATU General Secretary using the Sizwe Ntsaluba Gobodo so called report in this case of the COSATU GS.

Failed interventions

99. Earlier we reported that the facilitated processes appointed by the February 2013 CEC has not produced any results. We have also pointed out that the failure of this intervention is caused by refusal of the faction driving this purge agenda to cooperate. In addition to this the founding Deputy President and founding Assistant General Secretary of COSATU led a group of other former leaders of affiliates to try to find a solution. They tried their best but it seems they could not go far. The General Secretary fully cooperated with this intervention.
100. The ANC despite knowing that there is an intervention which they had interacted with launched its own intervention. Nobody knows what this intervention really did outside engaging the COSATU NOBs. They never contacted the COSATU General Secretary. Early this year the ANC Secretary General announced at a funeral that he wants the COSATU GS to be deployed as an MP saying he needed to play a broader role. No discussion had taken place with the GS. The GS correctly but respectfully declined this deployment.

How has all of the above impacted on COSATU?

101. An analysis of implementation of the key decisions of the 11th COSATU Congress indicates the following:-

- The absence of focus on implementation on the part of the CEC has been a major deterrent in full implementation of almost all key decisions
 - The internal wrangling in COSATU produced a punitive financial decision of the CEC not to increase affiliation fees in 2013. This has had a direct impact on the Federation's ability to implement a number of decisions requiring additional resources. In particular the Federation has been unable to consider increasing resource allocation to the Provinces (and thereby to the Locals).
 - The divisions in the CEC have produced a reluctance on the part of leadership of affiliates to participate in CEC Commissions (Political and Socio-Economic in particular). Time after time participation by elected leaders has been very poor. Likewise, successive meetings of General Secretaries and Presidents have been poorly attended.
102. Key CEC discussions mandated by the 11th Congress including the following have not taken place:-
- a. A review of the 2015 Plan
 - b. Discussion on the future of political Provinces
 - c. Discussion on wage policy and decision on a proposal for a National Minimum Wage
 - d. Resourcing COSATU Provinces
 - e. Splitting the role of Provincial educator/organisers
103. The CEC has also been unable to respond creatively to the reality of "poaching" across Affiliates. It is privately well-known that poaching has been taking place for years between affiliates e.g. NUM recruiting security guards; NEHAWU recruiting mine hospital workers; SACTWU recruiting clothing retail workers; FAWU recruiting food retail workers. It has been convenient for the CEC to largely ignore complaints in the past. Only the recent "politicisation" of poaching between NUMSA and NUM has received angry attention. The response has been to stick fast with historical delineations, as if sectors are set in stone. The historical delineations have been treated as principles rather than as tactics, and there has been no attempt at re-opening a debate about how we have delineated our sectors.
104. Affiliate participation in the operational committees of the Federation such as Nedcom, the International Committee, National Gender Committee, and the Campaigns Committee has been better than participation in the CEC Commissions. However elected leadership of affiliates has largely been absent. While these committees have been able to operate and make decisions and

recommendations without being directly infected by the divisions in the Federation, the fact that the CEC has not discussed most of the reports emanating from these committees means that their progress in implementing Congress decisions has been slowed down.

105. Affiliate participation in operational forums such as the National Organisers Forum, the Vulnerable Workers Task Team, the Climate Change Reference Group, and the National Educators Forum has been reasonable. However, the processing of decisions has been hampered by the CEC generally not considering reports submitted.

106. Alliance meetings, and bilateral meetings with the ANC, have been almost completely non-existent. A more detailed reflection of Alliance relations is contained in the political report submitted to the Feb 2013 CEC. The November 2013 CEC further discussed the crisis in Alliance relations.

Key Decisions of the Congress (the Congress Declaration summarised)

107. Context: The Congress was convened at a time recognised by the Federation as one of a global economic crisis, and massive domestic challenges. It was recognised as a crisis, which had worsened our triple crisis of poverty unemployment and inequality, but had also opened up space for us to pursue radical economic alternatives.

108. Congress declared on the following:-

- We are not prepared to tolerate massive levels of unemployment and poverty
- Labour brokers must be banned, and other abusive practices such as casualisation must end. The super exploitation of vulnerable workers must end.
- An end to grotesque levels of inequality
- No more will poverty wages be tolerated – whether farm workers, mine workers, retail and commercial workers, security workers, nurses and teachers, clothing workers, foundry workers etc. Congress protested that half SA workers earn less than R3000 a month. Unions must fight these poverty wages.
- The abolition of the apartheid wage structure and the creation of strong collective bargaining institutions in all sectors
- Comprehensive social protection for the unemployed
- Decent living conditions, and houses close to where workers live – and end to spatial apartheid

- The crisis facing the public health system, and education system to be addressed
- Affordable, accessible and efficient transport
- Powerful worker-controlled unions in all sectors, which focus on the battle to improve their wages, improve conditions of employment and defend their jobs.
- Responsive and accountable local government.
- An end to corruption by the elite
- An end to obscene displays of public consumption by the elite
- Above all, a radical change in socio-economic conditions (through changes in policy), and the creation of a powerful developmental state, which intervenes decisively in strategic sectors of the economy. And a full implementation of the Freedom Charter! This must be the core element of the second phase of our democratic transition, and will be called the Lula moment (drawing on the successful transformation in Brazil)

109. Congress resolved to achieve the above through a radical programme of action based on four pillars. The four pillars are summarised below, with comments on implementation in italics.

Pillar One: Abolition of the apartheid wage structure and forward to a living wage

110. Call a National Bargaining Campaigns and Organising Conference before the end of 2012 and a Special CEC to consider proposals re wage policy.

The Conference was called in March 2013. It was well attended by almost all Affiliates, constructive discussion took place in commissions, and resolutions were taken. A key decision of the Conference was to confirm Congress's resolution on a National Minimum Wage. Despite requests to Affiliates to take the issue to the ground and to develop proposals for debate in the CEC, no Affiliate has come up with a mandated recommendation. A commitment to a National Minimum Wage has now been included in the ANC Manifesto (without our proposal that this be explicitly related to an agreed minimum living level), but we are not ready to propose a figure!

111. All affiliates to urgently review wages and collective bargaining strategies in their sectors, and develop demands to take forward this programme of transforming our wage structure. This will include innovative bargaining strategies which move away from an over-

reliance on across-the-board percentage increases, as well as challenging entrenched discriminatory grading systems.

The Collective Bargaining Conference reaffirmed this decision, but a review of wage agreements shows that only SACCAWU and CEPPWAWU seriously implemented the decision to close wage gaps by moving away from ATB percentage increases. A report prepared for the Nov 2013 CEC in this regard was never considered due to a preoccupation with issues relating to current divisions. There is no evidence of any affiliate tackling discriminatory grading systems in a systematic way since 2012.

112. Urgent meetings to be convened with government and ANC to discuss new wage policy.

The ETC of the ANC would have been the place for this discussion. However Alliance partners have been excluded from the ETC. A superficial discussion on wage policy took place at the ANC Policy Conference in mid 2013, but agreement to take the discussion forward urgently in a sub-committee has not been implemented.

113. All necessary steps to be taken to protect the integrity of collective bargaining and to resist all attempts by employers to undermine it.

114. Strike weapon reaffirmed as the primary tool of exercising power that workers have at their disposal. Solidarity in strikes to be stepped up, and we should campaign for amendments to the Gatherings Act, and that we should investigate the establishment of workable strike funds, within the framework of a Federation-wide policy.

There has been no significant implementation of the resolve to pursue solidarity strikes. Neither has any work been done on the establishment of workable strike funds. Follow-up to these issues would have required further discussion at the level of the CEC. A campaign for amendments to the Gatherings Act has not been pursued.

Pillar Two: Radical Socio-Economic Transformation: The People Shall Share in the Country's Wealth!

115. Congress recognised that by and large workers' lives have not been transformed, with mass unemployment, widespread poverty and widening inequality – which lie at the heart of increasingly violent service delivery protests - '**exploding**' bombs. Congress recognised that we have not come close to achieving the demands in the Freedom Charter and therefore resolved to pursue a programme of action to drive the radical economic shift, including demands for

- i. Decisive state intervention in strategic sectors of the economy, including through strategic nationalisation and state ownership, and the use of a variety of macro-economic and other levers at the states disposal
 - ii. An overhaul of our macro-economic policy
 - iii. Treasury to be urgently realigned and a new mandate to be given to the Reserve Bank, which must be nationalised
 - iv. The National Planning Commission must be given a renewed mandate, to realign the national plan, in line with the proposed radical economic shift.
 - v. Aspects of the New Growth Path also need to be realigned in line with the proposed new macro-economic framework.
 - vi. All state owned enterprises and state development finance institutions need to be given a new mandate.
 - vii. Urgent steps to be taken to reverse the current investment strike and export of South African capital - including capital controls and measures aimed at prescribed investment, and penalising speculation.
 - viii. The urgent introduction of comprehensive social security.
116. Congress resolved to lodge a Section 77 notice around demands for a radical economic policy shift including a number of the above issues. The CEC was given the mandate to elaborate on this.
- The development and submission of the Section 77 notice was fraught with difficulties. Successive CECs gave the issue no time at all, and the socio-economic commission to which it was delegated, was poorly attended on a number of occasions. Ultimately the drafting and submission was left primarily to a handful of affiliate and Federation officials. Although the notice has been tabled at Nedlac and agreement reached to establish a number of sub committees to deal with the issues, a limited number of Affiliates have maintained any involvement or interest in the S77.*
117. Congress warned government not to implement e-tolls.
- Government went ahead and finally implemented in December 2013 despite the widespread unpopularity of the scheme. The Minister of Transport in a meeting with NOBs in October refused to entertain the issue of e tolls at all. While the November rolling national action was officially deemed a success by the COSATU CEC participation was significantly*

118. Congress was encouraged by certain new directions in government policy, including some steps towards a coherent beneficiation strategy, local procurement, an infrastructure programme aligned to an industrialisation and development strategy, IPAP, and the beginnings of a new approach to regional development. But more urgency is needed, and these changes will only succeed if pursued in the context of other macro economic changes.

119. Congress pledged to take steps to ensure the progressive investment of workers' savings including the consolidation of retirement funds and the creation of a central retirement fund investment vehicle in the private sector, along the lines of the PIC, and the establishment of a Workers Bank.

Owing to the distractions of leadership it took over a year to conclude consultations with affiliates regarding the appointment of the Social Benefit coordinator. Now that he has been appointed these issues might be pursued.

120. Congress called for a coherent regional strategy to promote African economic development and industrialisation and the development of the African market, and the involvement of African trade unions in continental development processes.

It would be fair to say that on Regional and Continental issues, there has not been the attention to detail required in terms of strategic thinking, preparation or follow through of decisions made. Although COSATU participated in the SATUCC Conference, our participation was reduced to observer status as our affiliation fees had not been paid. We participated in the trilateral (Nigeria, Ghana and SA) but without any strategic preparation or leadership. There appears to be a lack of coherent rationale in deciding which international events should be supported by national office bearers and which should not.

Pillar Three: Build Strong Worker-Controlled Unions: Organise Or Starve!

121. Congress resolved to pursue a concerted organisational drive to consolidate, build and further democratise our organisations; extend our organisations to areas where workers are currently unorganised; and to act decisively to combat practices, or conditions, which lead to worker disunity or fragmentation of our organisations.

122. Congress called for us to go back to basics, focus effectively on workplace issues, organisation and recruitment, deliver service to our members, and implement our 2015 Plan!

123. Congress called for a mindset change in COSATU, with a greater focus on the expectations of our members at the workplace, as articulated in the 2012 Workers Survey – with job security and living wages as priorities. Congress also highlighted the need for greater solidarity and unity in action, as well as more visible and interactive leadership.
124. Congress resolved to address
- i. Social distance between leaders and members, by entrenching deeper forms of accountability and worker control;
There is little evidence of systematic improvements in accountability. If anything, there has been a growing tendency to further centralise decision making. SATAWU, for example, has repeatedly stated in the COSATU CEC that any decision taken at the level of the SATAWU CEC is binding on its membership. No mention of a mandate before making decisions in the CEC has been made.
 - ii. Bureaucratisation of our structures, at affiliate or federation level, by ensuring that we remain a campaigning mobilising organisation;
Our inability to mobilise large numbers to oppose e tolls and labour brokers in November 2013 is testimony to the impact that the divisions have had on our ability to mobilise in support of campaigns, as well as a reflection on the extent of bureaucratisation – meaning the promotion of the vested interests of the bureaucracy itself above those of the working class.
 - iii. Divisive and undemocratic conduct in our unions, which attempts to undermine worker unity, or create splinter unions.
The environment has not been conducive to successful intervention by the NOBs in the difficulties experienced by CEPPWAWU. The union remains divided. Neither has any significant progress been made in winning back the workers who broke away from SATAWU. More recently indications are that some workers who left NUM for AMCU are disenchanted with AMCU, but press reports indicate that they are not willing to return to NUM. The absence of a united coherent COSATU is standing in the way of building worker unity.
125. Congress pledged to:

- i. Build strong worker-controlled unions, focused on issues of concern to our members, at the workplace, socio-economic and political levels;

There is little evidence of any concerted effort to build worker control, to improve service of members, and to advance accountability at every level. The 11th National Congress resolved to launch a Listening Campaign. The intention was to find as many avenues as possible to engage directly with members. Affiliates leaders were to spend time in every workplace listening to and taking advice from members about improving membership service and accountability. Almost nothing has taken place in this regard. In addition the questionnaire launched by the Organising and Campaigns Committee as part of the Listening Campaign (with endorsement of the CEC), was not taken up by a single Affiliate, and has been dropped by default. Meanwhile, in the absence of opportunities to engage their leadership, thousands of members continue to desert their unions.

- ii. Organise the unorganised, particularly farm workers and other vulnerable and super-exploited workers.

The Vulnerable Workers Task Team was established in June 2013 and has been meeting monthly with adequate participation by a spread of Affiliates and associated organisations. Up to and including the November 2013 meeting of the Task Team however, participation by a number of the bigger affiliates has been either negligible or non-existent – namely NUMSA, NUM, NEHAWU, POPCRU, and SADTU. Without the support and involvement of the bigger unions implementation of the decisions of the TT will be a challenge. Reports on the work of the VW TT submitted to the September and November CECs were not considered.

- iii. Improve service of all members, through investing in training of shop stewards and organisers.

There is no evidence of an improvement in the rather low levels of shop steward and organiser training across the Federation reflected in the 2012 Affiliate Survey and the 2012 Worker Survey. Nedcom and the National Educators Forum are not working in tandem. Despite the rhetoric of education being a priority, the reality is very different. There is an absence of a comprehensive educational strategy, particularly one which empowers local representation. This plays into the hands of those who wish to see a COSATU which is bureaucratically

controlled. Worker education within affiliates is chronically uneven. While there are some notable exceptions, the majority of affiliates are not conducting any rank and file education. There has been a growing tendency of sending a small number of comrades to accredited courses at the expense of rank and file education. DITSELA, under the chairpersonship of the President of the Federation has continued to be an over-expensive, under-performing, increasingly irrelevant provider of very little workers' education. Where provider organisations have operated with a high degree of openness and creativity, and with conscious attempts to reach activists, some advances have been made e.g. the Global Labour University and Chris Hani Institute.

- iv. Capacitate our local and provincial structures as the engines of the Federation – CEC to review resource allocations.

The CEC has had no discussion on this matter. In reality, the resources of the Provinces and locals have been cut back as a consequence of the CEC's decision not to increase affiliate fees.

- 126. Congress mandated the CEC to develop a detailed 3-year strategy to take forward the 2015 Plan (including an update of the Plan), monitor implementation of this strategy, and present a report on progress to our 2015 Congress.

No such strategy has been developed by the CEC.

- 127. Congress agreed that new recruitment targets need to be set for each sector, and that affiliates must report progress in recruitment on a regular basis to the CEC. – The following categories of workers should be targeted - young workers, women workers, vulnerable workers, non African workers and migrant workers (including foreign nationals).

The Organising department continues to ask Affiliates on a regular basis for updates on membership recruitment. Only three Affiliates, namely Denosa, NUMSA, NUM, plus SADSAWU, submitted written reports in the course of 2013. Discussion on a consolidated report to the November CEC on recruitment was deferred.

- 128. An urgent engagement must take place with government regarding the inadequacy of Department of Labour resources.

There has been engagement by the NOBs with the Minister of Labour on a range of issues, including resources for inspection and related. However no visible significant changes have been made, in particular to the inspection regime.

129. As a means of advancing international worker unity and solidarity, the Congress resolved to retain its affiliation to the ITUC, and in addition agreed that in principle that it will affiliate to the WFTU. The CEC was tasked with investigating the modalities of implementing this decision. COSATU will seek to use its influence at the international level to build greater co-operation and ultimately unity between international organisations of workers.

It took over nine months for the leadership visit to ITUC and WFTU to make an assessment to take place. It took a further five months for a report to be submitted to the November 2013 CEC, which report was not circulated in advance to the trip delegates, and which ended up not being considered by the CEC. The International Committee has continued to function but at a very low level. There has been a failure of affiliate national office bearers to give it attention, and despite the best efforts of the International department it has turned into a largely technical committee made up of officials. It has therefore been unable to take the bold political initiatives necessary to further the debate about the WFTU and ITUC. It has become clear that as the domestic crisis within COSATU has escalated, international work has been de-prioritised by Affiliates and the Federation, as evidenced by poor attendance of leadership in the International Committee as well as at various international events. However despite this the International Department has been able to undertake a range of Provincial activities, almost despite the absence of leadership participation, and not because of it.

130. A special Declaration on the Marikana crisis was adopted which inter alia called for an Independent Commission of Inquiry into the mining industry, to look at measures to transform the sector; and that COSATU will fully support a fighting programme for a more equitable distribution of the surplus to mine workers, in line with our campaign for wage equity throughout the economy.

Draft terms of reference for the Independent Commission were agreed in late 2012, but no progress has been made in establishing the Commission. The decision of the Oct 2012 CEC to make a COSATU submission to the Farlam Commission has not been implemented. Despite the best efforts of the Organising Department and the NW Province, the Oct 2012 CEC decision to set up an Operational Centre in Rustenburg was not implemented. Only ONE affiliate, namely CEPPWAWU, seconded a national representative to participate in the Ops Centre.

Pillar Four: Creating Our Own Lula Moment: Driving the Second Phase of Our Transition!

131. Congress agreed that in order to engineer our desired transformation we need to drive a programme of action together with our allies, based on the national agreement contained in the Secretariat political report (pages 45-46).
132. Interventions to be advanced by the Federation, together with our Allies, included
- Transforming the state, dealing with challenges of corruption and non-delivery, ensuring representative and accountable leadership in the movement
 - Swelling the ranks
 - Building political unity inside and outside COSATU
 - Building the mass democratic movement, and developing the Alliance as the engine of transformation. *The Alliance has been almost dysfunctional.*
 - *The frustrations of COSATU in the Alliance in the run-up to the ANC's Mangaung Conference in December 2012 were well documented in a paper produced for the Feb 2013 CEC (but not directly discussed).*
 - *While the Alliance Summit in September 2013 reached a number of significant agreements, follow-up was appalling. The first meeting of the Task Team was held nine weeks after the Summit on 5th Nov. COSATU attendance at this meeting was very poor (with only one out of the four designated Affiliates attending plus two COSATU officials), with ANC attendance worse. Meetings were supposed to be held every Friday after this, but by late November, no further meetings had taken place. A proposal was sent by COSATU to the ANC on the issues coming out of the Summit, but by mid November there was no response. The ANC unilaterally called an Alliance workshop with economists on 28th November. Neither the agenda nor who the economists were had been discussed with COSATU.*
 - *The 2014 Election Manifesto process was linked in part to the Alliance Summit follow up process. However the consultation process took place without any significant mandating engagement with COSATU affiliates. The final result was given a virtually unqualified and uncritical endorsement by the COSATU leadership without any*

consultation whatsoever. This is in blatant contradiction of COSATU's policy, most recently endorsed by our 2012 COSATU Congress, that our support for the ANC must not be unconditional, but based on advancing demands which represent the interests of our members and the broader working class. Workers have never agreed that COSATU should give the ANC a blank cheque!

- *The abolition of the political Provinces. This has not been followed up in any shape or form by the Federation.*

133. The CEC must look at how to best elaborate these proposals and take them forward.

The CEC has not discussed the above resolutions directly. Discussion on the political report to the Feb 2013 CEC (which was primarily an analysis of Mangaung) got diverted into a political attack on the General Secretary.

What is to be done?

134. COSATU has been paralysed! Today it is beginning to behave like a toothless bulldog. The leadership driving this agenda is hell bent on destroying the power of the federation. Unless the situation is reversed, the General Secretary could be dismissed even if illegally, NUMSA could be dismissed even if illegally and there will be no Special Congress to offer members an opportunity to save the federation from those who want to see it as a passive labour desk of the Alliance.

135. Nine Affiliates have come together under the banner of an open platform to be the catalyst for the process of rebuilding COSATU as a strong democratic trade union Federation. These Affiliates are not working together in secret. They are not a faction, characterised by serving an elite leadership. They have come together in the interests not only of their own members, but in the interests of the working class as a whole.

136. The nine Affiliates are committed to mass engagement with workers to determine a way forward. The Federation they want to help build is a COSATU that speaks directly to the issues currently confronting the working class. Workers are suffering low wages, outsourcing and fragmentation. In their communities they are suffering poor service delivery and local government rule by patronage.

137. The struggle being waged is part of the class struggle. It is a struggle against the politics of privilege, exploitation, secrecy and domination of many by a few. It is a struggle against those who wish to use the workers' organisation as a conveyor belt to get themselves into parliament and other positions of political power. We have nothing against the holding of political office – in fact we would like to see more worker leaders doing so – but we object when the interests of the organisation and the working class are ruthlessly sacrificed to enable an elite group of trade unionists to ascend to political power.
138. We are calling for, and building a massive mobilization in support of the struggle to re-assert democracy and worker control in our beloved Federation. As part of that struggle we are demanding
- A Special Congress to be convened immediately
 - That Comrade Zweli be immediately reinstated
 - That the victimisation of NUMSA and others is stopped
139. We refuse to be silenced, and to be bullied into submission and a detailed programme of action to mobilise members of all unions will be released soon.