

**FINAL RESOLUTIONS OF THE 14TH NATIONAL CONGRESS
OF COSATU
26th- 29th September 2022**



Build working class unity for economic liberation towards Socialism

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1. POLITICAL SECTION

1.1. The National Democratic Revolution and Socialism

Noting:

- a) That the NDR faces great challenges which have decisive implications on national development and national transformation.
- b) That the NDR still continue to be our beacon and programme for the forces of change.
- c) That the National Democratic Revolution remains our most direct route to socialism.
- d) That the political terrain in which the NDR is pursued is currently undergoing fundamental changes in as far it relates to correlation of political forces.
- e) That the NDR has been characterised as the one that is in a condition of stagnation and potential regression.
- f) That the regression of the NDR is manifested by the negative economic growth, the deindustrialisation of the economy and runaway unemployment.
- g) There is a tangible qualitative decline of the leadership and membership in general in terms of political consciousness; this poses a danger to the broad progressive trade Union movement such as COSATU.
- h) That patriarchy, tribalism, racism, regionalism, gate-keeping and the use of money have become the norm in our movement, gaining prominence in our body politic as a sign of the qualitative decline of the movement and the ruling alliance.
- i) The declining electoral support for the ANC led alliance from 2009 to 2021 with the trend set to continue in 2024 towards normalization of coalition governments at a provincial and national level as is the case in a number of key municipalities.
- j) The lack of service delivery, maladministration, fraud, corruption, wasteful expenditure and complete collapse of many municipalities, government departments and SOE's
- k) That there is an emergent tendency to abuse the noble and well-intended policy of cadre deployment by elevating the weakest and most unqualified comrades into positions of authority.
- l) That the working class as the primary motive force has experienced an increasing alienation from the ANC as leader of the NDR.
- m) That the building of socialism remains a key task of the working class as the revolutionary class.
- n) Several issues identified by the NDR document have not been addressed.
- o) The recently signed Municipal Systems Act bars all municipal workers from holding political office.

Believing:

- a) That the struggle for socialism takes place organically within the context of a radical national struggle.
- b) That the National Democratic Revolution continues to serve the most effective route towards socialism and thus needs protection from the socialist forces as it does from varying strands of nationalism.
- c) That the theoretical and ideological instruments for the socialist struggle do not exist outside of those that we wield for national democratic transformation.
- d) That despite the centrality of the radical national struggle in the building opportunities for socialist advance the forces of socialism are still required to continuously and independently shape the tactical action to build concrete prospects for advancement towards socialism.
- e) That the momentum for socialism takes form through deliberate action of the working class forces under concerted guidance of the vanguard Party, the SACP.
- f) That the current stagnation of the NDR has obvious implications for the socialist project and the struggle of the working class in general
- g) A politically conscious leadership and membership in any class formation forms the frontline defence of the concerned organisation and the struggle as a whole.
- h) Stable and long-term alliances, agreements or collaborations are needed to realize all the objectives of the NDR and Socialism
- i) The immediate challenge facing us is to intensify our struggle to defend, advance and deepen the national democratic revolution.
- j) The main content of our immediate challenge is to put the people and the environment before profits, to address the plight of the people.
- k) The building and popularizing popular socialist left are a vehicle to enable the working class to achieve state power.

Resolve That:

1.1.1 The ideological spectrum & the battle of ideas:

- a) That there is urgency for repositioning of the socialist programme in the face of stagnation of the National Democratic Revolution.
- b) That the South African Communist Party & COSATU should pay a greater focus on the building of popular socialist fronts for both the defence of the NDR and elevation of the socialist cause among the ranks of the motive forces.
- c) That COSATU should build an active socialist programme.
- d) That the revolutionary trade union should play a more deliberate role in popularising the socialist struggle as alternative to a stagnating national transformation.

- e) That the federation should reaffirm its stance on the recognition of the internationalist nature of the socialist struggle and thus implement the South African struggle for socialism as a critical component part of the international struggle for socialism.

1.1.2 Political Work

- a) That the Federation should reaffirm its previous Congress resolutions to revive and intensify the political education of leadership at all levels with clear programmes.
 - i. There should be a minimum of an annual political school targeting leaders of affiliates and the federation from local to the national level which can be done through hybrid platforms (both virtual and physical)
- b) COSATU should work with the SACP and develop programmes in the mould of the NUM's Elijah Barayi brigades that was rolled out jointly with the SACP.
- c) The ANC must be contested by the motive forces of the NDR as a programme of continuous class analysis in the entirety of the class struggle.

1.1.3 Immediate Tasks in Defence of the NDR: The Road to the 2024 National General Elections

- a) The Alliance should convene a Consultative process to assess the state of the revolution, the tempo of our class struggle and identify or confirm the proper vehicle to continue the struggle.
 - i. The Socialist Left Axis must convene an organised Preparatory Processes (avoid rituals and meetings for the sake of it)
 - ii. This National Consultative Process should be preceded by mass-based meetings, involving the entire Mass Democratic Movement as a build up to Regional and Provincial preparatory conferences convened by the Alliance.
- b) COSATU to convene a Special Congress in September 2023 to finalise our approach to the 2024 General Elections.
- c) COSATU shall engage the SACP to contest state power in the 2024 General elections and ensure full support by all means possible towards that end
- d) COSATU commits to this work as an important part of a sustained and ongoing assessment of the NDR in order to posture properly towards state power based on workers' aspirations. Further discussions in the CEC shall provide a clear process on the practical modalities of implementing this resolution

2. ORGANISATIONAL SECTION:

2.1. Building COSATU Engines to Revitalise the Trade Union Movement

Noting That:

- a) The federation's organisational configuration are obsolete and lack adequate engines to drive its programmes.
- b) There is a disjuncture between union affiliates and COSATU in taking up joint campaigns.
- c) All trade unions in the COSATU fold and outside COSATU are experiencing a myriad of challenges owing to the changing external environment.
- d) The labour movement is not only fragmented but is also in a state of flux
- e) There is a disjuncture between union affiliates and COSATU in executing systematic joint campaigns
- f) Trade unions, in general, are confronted with a myriad of challenges owing to the ever-changing internal and external environmental conditions

Believing that:

- a) COSATU should adapt & remain a campaigning and fighting union amidst the challenges that are facing workers in this era.
- b) COSATU should also adapt revitalise herself to be equal to the tasks that are posed by the system and the environment at large.

Resolve to:

- a) Re-affirm Chapter 10 of the September Commission, viz. "COSATU needs a national trade union centre with the following features:
 - i. Strong engines to drive and implement its programmes
 - ii. Strong provinces and locals to implement its programmes at those levels
 - iii. Centralised structures able to co-ordinate and support affiliates, and intervene in, or take corrective steps against affiliates where necessary
 - iv. Effective participation by affiliates in the centre whose primary role, both nationally and provincially, is to proactively coordinate and drive the implementation of the binding resolutions of the constitutional structures
 - v. A strong policy capacity within the federation and affiliates

Therefore resolve that:

- vi. The CEC Commissions established by the 13th National Congress should be strengthened and their functionality significantly improved in order to enhance the work of the CEC, these are:
 - Organising and Campaigns
 - Bargaining & workplace transformation
 - Education & Gender
- vii. The labour movement should be united in struggle and organisationally through a trade union federation that is democratic, non-sectarian and espouses for the working class to play its leading role in transforming society
- viii. COSATU's five core campaigns and others should be incorporated into the general work of trade unions

3. SOCIO ECONOMIC SECTION

3.1 Labour market transformation - in Defence of Collective Bargaining and Jobs

Noting that:

- a) **Whilst South Africa** is often touted as a trailblazer in defending fundamental rights the reality on the shopfloor is completely different as workers are often casualised and denied basic trade union rights. Even the Sectoral Determination benchmarking of hours is very low and by implication encourages this phenomenon. This undermines and negates the decent work agenda;
- b) **Our country** now has the highest levels on inequality despite our gallant struggles for an egalitarian society;
- c) Whilst our labour laws marked a significant advance from Apartheid labour laws, our experiences of the past 28 years point to the need for further amendments which should enhance the country's ability to pursue the decent work agenda;

Further noting that:

- a) The ILO has defined collective bargaining as a fundamental right that is rooted in the ILO Constitution and reaffirmed as such in the 1998 ILO Declaration on fundamental Principles and rights at work.
- b) The ILO also regards collective bargaining as a key means through which employers and their organisations and trade unions can establish fair wages and working conditions.

- c) Collective bargaining also provides for sound labour relations.
- d) The Federation's affiliates largely pursue their collective bargaining efforts without a coherent common Federation-wide approach
- e) The status of preference claims of workers have moved lower in insolvency distribution accounts.
- f) Some employers in private sector are following the bad precedence set by the state.
- g) The collective bargaining councils are under continuous attack in particular in public sector.
- h) The state has weakened the bargaining powers of the employees and is working towards rendering unions as toothless by negotiating with employees through the media.
- i) The National Treasury and Minister of Finance have taken over the public salary negotiations from the custodians of the process.

Believing that:

- a) The rise in acts of unilateralism which includes refusal to implement and/or terminating signed collective agreements both by the public and private sector employers as well as denial of basic trade Union rights including access and stop order facilities has set bad precedents for our democracy and has led to deepening inequalities and callous disregard for collective bargaining.
- b) Worker claims should always be preferentially treated; maybe add some wording as reference to Solvency Act)
- c) Fragmentation of the Labour Movement has impacted negatively on the power of organised workers.
- d) The Federation is an ideal organizational vehicle to help promote the common collective bargaining interests and unity of all workers.
- e) The undermining of the bargaining councils is intentional to weaken the unions and to disorganize the workers.
- f) The employer in private sector wants to re-negotiate the working conditions and benefits of employees hiding behind the reforms brought by the pandemic of COVID-19;
- g) Further believing that the policy perspective of the Federation contained in the growth path towards full employment outlines the following overarching proposal:
 - i. Labour market and employment policy must achieve the following set of **goals**:
 - **Full employment**; all those of working age who are willing and able to work must have access to decent and sustainable employment;

- **Redress** the legacy of labour market segmentation and discrimination based on gender, race and age, with the aim of improved quality and security of present jobs, and equal access to new jobs;
- Facilitate **workplace democracy** through enhanced worker control over decision-making;
- Close the **apartheid wage gap**;
- **Train and develop** the workforce.

We therefore resolve to:

- a) Re-affirm the above policy perspective and COSATU to initiate an aggressive campaign to overcome inequalities.
- b) That workers must rise and reclaim their bargaining rights as enshrined in Labour Relations Act.
- c) COSATU and all its affiliates must develop campaign power to defend the bargaining councils and that the employers must refrain in replacing the collective bargaining councils and the state and in engaging the employees through media.
- d) That COSATU should launch a proposal at NEDLAC for a change to the Insolvency Act to ensure that worker claims are accorded higher preference status;
- e) Mandate the CEC to rigorously drive the process aimed at uniting the trade union movement to fight attacks and defend collective bargaining.
- f) The COSATU Central Executive Committee (CEC) should annually develop one common and new collective bargaining demand which all affiliates should pursue, integrated into and in addition to their other demands, each bargaining year
- g) COSATU to have campaigns on protecting collective bargaining in both public sector and the private sector.
- h) Business rescue must be reviewed

3.2. National Health Insurance and Free Health Care for All

Noting that:

- a) The COSATU 12th and 13th National Congress Resolutions have become more relevant and urgent than ever and the long overdue implementation of the National Health Insurance (NHI) scheme.
- b) The existence of a dual healthcare system; one adequately resourced and dedicated to servicing the rich, and one poorly resourced and delivering substandard healthcare to the poor and the working class.
- c) The COVID 19 pandemic has laid bare the inequities of our already poor health care system and the predatory nature of the private health care system.

- d) The health system as a whole staggered under the weight of mass testing for COVID-19, health promotion and caring for large numbers of severely ill people within a short space of time.
- e) The Office of the Health Standards Committee HSC (OHSC) received its highest number of complaints to date in 2020/21 which shows that the public health sector is still characterized by poor quality of service as shown that only 5% of health establishments inspected in 2019/20 proved immediately certifiable, while the rest were sent compliance notices and needed, in many cases, to undergo re-inspection to establish whether compliance notices had been heeded.
- f) According to the OHSC annual report as an example on the investigation of the care of Mr Shonisani Lethole at Tembisa Hospital, and the circumstances of his death. The investigation concluded there were multiple breaches of basic standards of care and some of which could have been avoided and his life saved.
- g) We support the implementation of the government's National Core Standards, which were developed as part of quality assurance standards - against which the quality-of-service delivery by healthcare institutions can be assessed by the Office of Health Standards and Compliance.
- h) The instability of the Health Professional Council of South Africa
- i) The key bills (NHI and Medical Schemes Amendment Bills) amongst others, to enable an environment for the establishment of the NHI Fund and transitional measures aligning the existing system of medical aid schemes with the phasing-in of the NHI is long outstanding and it is not likely to be completed by end of 2022.
- j) As the NHI gains momentum, companies in the private health industry have escalated their interventions to oppose the NHI through the courts. The Medical Aid schemes through the Board of Health Funders has taken the Council for Medical Schemes to the high Court over low-cost benefit options, inclusive of Solidarity Trade Union application to the Pretoria High Court to have sections of 36 to 40 of National Health Act declare invalid and to have them reviewed, though judgment has been reviewed;
- k) The offensive of opponents to the NHI have been intensified through their consistent campaign in the media, using poor service delivery in the public sector as an excuse; (NEHAWU use word to link) the persistence of the vast vacancies and the continued contracting of temporary clinicians in Public Health.
- l) Pharmaceutical companies have monopolized pharmaceuticals industry on the back of Covid 19 and raking in billions at the expense of workers and the excessive profiteering by the private health industry at the expense of medical scheme members continuous unabated including poor service delivery, shortage of nursing staff and outsourcing.
- m) We have not used our gains to our advantage to counter pose the offensive against the NHI and have not done enough to build a sustainable campaigning coalition with likeminded organizations.

- n) The department of health is non-compliant with Occupational Health and Safety Act 85 of 1993

Believing that:

- a) COVID-19 exposed that South Africa of a healthcare system remains in a bad state
- b) Access to healthcare is a constitutionally enshrined right for all South Africans. Healthcare is not a commodity, but a right that must be accessed through state provided healthcare through a single integrated system.
- c) The NHI still remains one of the key transformation programs of the radical second phase undertaken by the ANC government. The growing inequalities in terms of access to essential and basic healthcare can be resolved by the introduction of Universal Health Coverage. The introduction and implementation of National Health Insurance will increase the capacity of the healthcare system to deliver on its mandate.
- d) The involvement of nurses and other clinicians at all stages/phases of NHI implementation will further facilitate and enhance transition to this new dispensation.
- e) Prioritization in budget allocation to this important project will make sure it materializes

Further Believing

- a) The implementation of the NHI cannot take place without resistance from the private hospital monopolies and other vested interests to keep in place the status quo.
- b) There is a need for a call for state intervention with regard to the exorbitant pricing of medical services charged by the three hospital monopolies (Netcare, Life Healthcare and Mediclinic) and specialists in order to combat price collusion and profiteering, in line with National Health Act.
- c) That it is important to develop and build our capacity to oppose the court applications and the media offensive publicly.
- d) Incompetent management of public care institutions, corruption, understaffing and the outsourcing of key functions at provincial, district and institutional levels contributes to poor service delivery in the public health sector, enables the private health sector to exploit and weaken the public health sector
- e) There are some models of improvement in the implementation of the NHI and the data management system essential to the operation of NHI has improved considerable;
- f) All health care facilities inclusive of private clinics must comply with NHI standards and the universal access to health care;
- g) The target date of 2025 for the full implementation of the NHI must not be moved, thus we should speed up the process of the NHI Fund and corresponding Bills being passed to ensure that we meet the target date.

Therefore, resolve to:

- a) Continue to condemn the overall bad state of the health infrastructure in the country.
- b) Reaffirm the COSATU resolution against compulsory or mandatory vaccination
- c) To participate in the campaign to encourage more vaccination especially amongst the youth to achieve the national immunisation target.
- d) To reaffirm our 12th and **13th Congress resolutions** that provide the broad framework of our perspective on the NHI, the transformation of the healthcare system in general and our health campaigns.
- e) COSATU and its affiliates general and those in the public sector in particular must develop a campaign of implementation of NHI without further delay **to** apply pressure on Government to speed up the process of passing the NHI Fund and corresponding bills
- f) To continue our efforts to develop district **level participatory** campaigns to ensure the democratisation and involvement of working-class communities in hospital boards, clinic-based health committees and improvements in the management and operations of health institutions.
- g) That COSATU and its affiliates must campaign and ensure that the implementation of the NHI is accompanied by the strengthening of the District Health System, including primary healthcare and the absorption for the Community Health Workers (CHWs) into permanent employment in the public service, the management and improvement of service delivery from clinics and across different hospital referral levels up to the tertiary level
- h) Rally COSATU to work at an overarching level to make sure that 2030 Human Resources for Health strategy is implemented as part of the preparations for the full implementation of the NHI.
- i) Call for the expansion of the Mandela-Castro Medical Programme
- j) **Intensify our efforts** to mobilise our members to fight against the extreme profiteering of the private health industry, rising premiums and declining benefits
- k) Intensify our efforts in defending the implementation of the NHI against the escalating attacks to derail and undermine its implementation, **to ensure** the state drive the implementation strategy itself without outsourcing it to private business
- l) Prioritise the building of capacity to deal with the offensive against the NHI
- m) To campaign against incompetent and corruption at all levels health institutions to ensure that they progressively improve their performance and ensure the successful implementation of the NHI, we must monitor and campaign for the implementation for compliance with the National Core Standards of the NHI COSATU affiliates organizing in health department must play a critical role in NHI Programmes and monitor/ensure the appointment of qualified cadres in influential positions;

n). Now is the time to strongly to call State-owned pharmaceutical company and campaign to support the strengthening and development of thereof as part of our NHI Strategy.

o). State buildings must adhere to occupational health standards.

p). The implementation date of 2026 must not be postponed in order to see implementation in our lifetime, as per set targets.

q). Intensify the fight for the professionalization of the health workforce, including improvements in pay, benefits, other conditions of work and morale to ensure that the working class and rural poor receive better service;

R). There should not be any retrenchments/job losses during the implementation of the NHI especially due to technology;

S). Recruit and organize community health care workers into the folds of COSATU

3.3. Justice, Crime Prevention and Security cluster

Noting:

- a) The Justice, Crime Prevention and Security (JCPS) Cluster is not synergized.
- b) The JCPS is subjected to austerity measures.
- c) The Agencies in the Cluster are plagued by internal squabbles and political influence impeding them to efficiently execute their statutory mandate.
- d) The Departments within this Cluster lack adequate resources to effectively execute its functions in-line with their mandates.

Believing

- a) Crime is a societal problem that requires a collaborative effort from all stakeholders, including the community.
- b) The collaboration in the criminal justice cluster will play a critical role in effectively combating crime
- c) There must be a value chain among all components of the Cluster.
- d) The Cluster fails to combat crime and provide security due to lack of funds and resources.
- e) Challenges within the Cluster results in vigilante groups taking the law into their own hands

Resolving;

- a) The JCPS must be synergized and adequately resourced to effectively prevent and fight crime.
- b) JCPS departments must be well funded
- c) The CPFs must be well funded to build a trust, confidence and relationship between society and the police.
- d) The street committees must be strengthened to help fight crime.
- e) All crime fighting agencies must be protected from political influence

3.4. Corruption in Public & Private Sector

Noting that:

- a) The corruption between the public and private sector is rife.
- b) The procurement of Personal Protective Equipment (PPE) exposed unprecedented corruption between government and business.
- c) The safety and protection of the frontliners was compromised resulting in medical and emotional sufferings.
- d) Because of corruption and structural incompetencies, the country is facing energy and service delivery crisis.
- e) That the corruption happening in the private sector is treated with kid gloves, as though there has not been any criminality involved.
- f) That in the main, only corruption that occurs in the public sector receives media attention, while that in the private sector is ignored and downplayed.
- g) That workers are witnesses to fraud and corruption in both sectors.
- h) That those workers who take a moral ground to report fraud and corruption are assassinated or harassed and victimised.

Believing that:

- a) The current levels of corruption are encouraged by weak governance system
- b) There is not much done to prosecute and successfully deter corruption in the public service
- c) The healthcare system has been crippled by the corrupt government officials and scrupulous business people.
- d) The frontliners, the nurses and doctors were left to fend themselves alone by the greedy officials and businesses.
- e) Individuals enriched themselves at the cost of the frontliners.
- f) The health sector has been fingered several times by the SIU reports regarding corruption/

- g) The PPE corruption and related procurement scandals have rocked the department and hampering its ability to deliver services
- h) Medico-legal costs are at the centre of chronic maladministration of funds
- i) Corruption in both public and private sectors has robbed South Africans of quality service delivery and the much need resources respectively.
- j) There is a recycling of leaders, especially those implicated in VBS an managers found to have stolen money from other municipalities
- k) There has been slow movement in the prosecution of those involved in the Steinhoff saga and manipulation of the Rand by South Africa's leading banks, which had devastating impact on jobs and the whole economy.
- l) That there is no protection for workers and community members who become whistle-blowers after witnessing and reporting corruption.

Resolving that:

- a. The process of bringing to book those officials and business people who are found to be involved in corruption must be fast tracked
- b. We further reaffirm additional capacity to deal with corruption and related wrongs, including strengthening and resourcing of the commercial crimes courts in order to expedite the prosecution of those involved
- c. COSATU must ensure that there is broader transparency around procurement through amendments of the public procurement bill
- d. That as COSATU, we should call for the protection of whistle-blowers in both public and private sectors.

3.5. The Adjustment of the Retirement Lumpsum Benefit, Investments Mandates and once off Payments.

Noting:

- a) That the minimum non-taxable portion of the retirement lump sum benefit from a pension, with the nil rate of tax is currently at R500 000 for the period 01 March 2014 to 28 February 2023.
- b) The figure remained unchanged for almost 10 years notwithstanding the erosion of inflation.
- c) The amount has substantially less buying power to the retiree than when it was originally implemented.
- d) The proposed amendments to Regulation 28 of the Pension Fund Act pertaining to the relaxation to capital allocations of pension, provident, preservation funds and retirement annuities
- e) That members are only eligible to a 1/3 of their pension fund

- f) That public servants cannot access any portion of their pension whilst employed
- g) that monthly payments to spouses are limited in percentage as opposed to what the principal member receives during pension
- h) That the dependants of pensioners who are above 21 years of age do not qualify for monthly payments
- i) Further the calculation formula for pension pay-outs is based on the average notch upon exit and has limitations.

Believing that:

- a) In South Africa, the poor and vulnerable are hit harder by inflation while workers in the middle-income groups are stressed to adjust accordingly to the inflation changes. Consequently, any significant price rise in cost of living would have a much bigger impact on households.
- b) By not adjusting the non-taxable lump sum will further perpetuate the hardship of workers in the country and further burden the poor even more in concurrence with the triple challenges of the country being inequality, poverty, and unemployment.
- c) If not adjusted, it will further disadvantage the workers who are already underfunded for retirement.
- d) The amendments to Regulation 28 of the Pension Fund Act relaxing restrictions on external investments by pension funds from 30% to 45% undermines the neoliberal claim by government and commentators that the lack of the culture of saving is the cause of the poor rate of investment and economic performance.
- e) Our pensions must be used for investment to grow our domestic economy rather than economies outside the country.
- f) There should be an increase in the once off pay-out upon exit from the public service by members of the scheme.
- g) Members should have access to a portion of their pension during their period of employment.
- h) There should be an increase in the threshold for spouses and dependants of members who have exited the system or shall have passed on.
- i) The formula on the calculation of the pay-outs should be reviewed

Therefore, we resolve that:

- a) That the current non-taxable lump sum of R500 000 be adjusted to R800 000, and that the percentage rate of tax will remain the same. However, the taxable thresholds over R800 001 must be adjusted by sixty percent (60%).
- b) Adjust the allowable amount to R1 000 000.
- c) Reject the two-pot system as it affects those who resign.
- d) Have a summit on Pension funds with the purpose of rationalising them.

- e) The federation should oppose the relaxation of restrictions on external investments by pension funds from 30% to 45%, whilst supporting the increase of allocations of investment in infrastructure by pension funds up to 45% domestically.
- f) The federation should convene a Conference on Retirement Funds to develop a shared policy framework on the investment mandates, emphasising the increased use of our savings in the sustainable development of manufacturing and domestic infrastructure.
- g) The once off payment upon exit should be increased to 50%.
- h) The current rules must be amended to allow public servants to access a portion of their pension whilst in service- The current laws must be amended to allow workers in both private and public sector to access their pensions.
- i) The current calculation formula of pension payment should be reviewed to ensure equitable pension pay-outs.
- j) Dependents should be allowed to access pension funds until the age of 25
- k) Public servants should be allowed to access their reserves/investments from the PIC through pension backed home loans and subsidy towards subscriptions, including payment holidays

3.6. Climate Change, Energy Supply Crisis and the Just Energy Transition Agenda

Noting that:

- a) The world is facing an unprecedented ecological crisis that should not be separated from the broader critique of the bourgeois political economy
- b) The concept of a Just Transition is not only highly contested, but also appropriated by the bourgeoisie
- c) The climate crisis has exacerbated existing socio-economic and political conditions affecting the developing countries.
- d) Global temperatures have been increasing as a trend over the last few centuries as a result of global warming mainly due to greenhouse gases produced by human activities.
- e) Coal-burning power plants are by far the biggest emitters of Carbon Dioxide in our atmosphere.
- f) The process towards a Just Transition is often utopian and takes out of sight, material productive relations, that are extractionist in nature
- g) Weather patterns have become more extreme, with more heatwaves and floods such as was the case in some of the country's coastal provinces like KZN and EC in early 2022. Other related phenomena include:
 - the loss of sea ice,
 - melting glaciers and ice sheets,
 - sea level rise & flash floods,

- increased frequency of wildfires
- h) The indirect as well as direct negative impacts of climate change on productive relations, child labour, migration patterns and gender relations
 - i) South Africa and many other developing countries heavily rely on fossil fuels-based energy resources consequently increasing its carbon footprint and the trend of increasing global temperatures is set to continue over the next century as developing nations seek to catch up with the rest of the heavily industrialized and advanced economies.
 - j) The crisis of Eskom is a synthetic crisis arising from its corporatisation, transforming it from a public utility directed to serving the country's energy needs, to now making a profit.
 - k) ESKOM still has the capability of transforming inputs from our natural environment such as nuclear fuel, water, wind, solar as well as diesel to produce 90% of electricity in South Africa and the region.
 - l) With its 30 power stations making up more than 46 thousand megawatts of generation capacity, underpinned by more than 38 thousand megawatts of base-load stations which are fired by coal and nuclear, ESKOM remains a national strategic asset that is indispensable in the future socioeconomic development of the country.
 - m) Pervaded by endemic corruption and poor governance, ESKOM has incurred qualified audit opinions over the past five financial years, including more than R37 billion in irregular expenditure in the last financial year.
 - n) The Renewable Energy Independent Power Producer Procurement Programme (REIPPP) has forced ESKOM into unfavourable Power Purchase Agreements (PPAs) that are deepening its indebtedness.
 - o) Government policy is creating conditions for the private sector to thrive off the ecological crisis (green capitalism)
 - p) The partnership with South Africa announced at COP26 in Glasgow in November 2021 contains unacceptable conditionalities and is a clear example of "green structural adjustment, which the government wants to generalise."
 - q) The Renewable Energy Independent Power Producer Procurement Programme (REIPPPP) is expensive, socially regressive, and an ineffective means of addressing climate change and it will compromise South Africa's energy sovereignty, making the country dependent on technologies produced abroad.
 - r) It will further exacerbate the flow of capital from the country in the form of the repatriation of profits and dividends.
 - s) In mitigating against climate change, South Africa's economic and transport policies are initiating a shift from road freight to rail freight, and from private to public transport, which should be considered impractical and unrealistic under the current conditions

Believing that:

- a) The rapid increase in global warming is a consequence of capitalist industrialisation, over-production and under-consumption with the industrialised economies of the “Global North” being the main drivers through the production of green-house gases.
- b) Developed countries are benefiting from the poverty of developing nations, through the latter seeking credit finance from the former, entrapping underdeveloped nations in an endless dependency cycle of unequal power and trade relations
- c) Factors such as gendered and structural inequality, poverty/ malnutrition, ethnic-based tensions as well as migration patterns are aggravated by the climate crisis
- d) The gravitational force of global capitalism that is at the root of global warming requires the human race to take a stand against the unfettered production of man-made greenhouse gases.
- e) To address the ecological crisis, there should be heightened efforts to mobilise and campaign on issues such as gendered and structural inequality, poverty, malnutrition, as well as migration patterns, within the climate context
- f) The ecological question should not be reduced to only its scientific component yet should also tackle other related socio-economic factors biased toward the working-class.
- g) A low carbon development path if directed at satisfying needs and driven by the state can create substantial climate jobs, i.e., jobs that help to bring down the emissions of greenhouse gasses; such a development path will need more state-owned enterprises, greater public ownership not less
- h) The proposed unbundling of Eskom is a precursor to privatisation and has been explicitly endorsed by the IMF and the African Development Bank.
- i) A “global public goods” approach is essential if the world is going to address the climate emergency.
- j) The labour concept of Just Transition is being co-opted to advance a “green structural adjustment” programme, i.e. austerity with privatisation.
- k) A “public pathway” approach to energy transition is essential and support for this alternative approach is gaining momentum
- l) The shift from road freight to rail freight, on one hand, and from private to public transportation, on the other, is unrealistic, without an implementable integrated public transport and intermodal transport system

Therefore Resolve that:

3.6.1 National Energy Supply Commission (ESKOM)

- a) The Federation should call for the implementation of the 2019 ANC election commitment on the repositioning of “ESKOM to play an active role in the renewable

energy infrastructure” rather than diminishing its future role and eventually eroding its sustainability in favour of the highly subsidised and profiteering IPPs

- b) The Federation should practically support measures of the Energy Action Plan to end load-shedding addressing criminality in and around Eskom, improving the performance of power stations and expanding its maintenance budget, whilst at the same time vehemently opposing the Electricity Amendment Bill to fast-track the liberalisation of the electricity sector and the creation of an independent transmission company.
- c) To welcome and support Eskom’s ongoing work and application to the National Nuclear Regulator to seek the extension of the operation of Koeberg for another 20 years beyond 2024/25.
- d) The Federation should condemn the stripping of Eskom’s assets through the bargain sale of its tracks of land and call for a moratorium.
- e) The Federation should initiate or support forming a united front across the trade union movements and its allies against unbundling and the expansion of the REIPPPP.
- f) We oppose the decommissioning and privatisation of coal-based power plants that have not reached the end of their life span.
- g) To oppose the ERRP’s “structural reforms” intended to allow for the profiteering private sector in public infrastructure, including in the electricity sector, as part of the struggle for building a progressive Developmental state.
- h) In the immediate, the Federation should call on the relevant lead department and Eskom to exempt key public service facilities from load shedding being:
 - Healthcare facilities (hospitals & clinics)
 - Public learning institutions including schools at all levels
 - Facilities in the food production value chain including the agriculture sector

3.6.2 Just Transition to a Green Economy

- a) COSATU should call on the government to increase spending on infrastructural and spatial development, to foster the transition from road freight to rail freight, and from private to public transportation, which is achieved through the formulation of coherent and implementation of practical policies focusing on an integrated public transport system on the one hand, and an intermodal freight transport system on the other
- b) The Federation should call on the government and Eskom to fast track the exploration of other forms of green energy such as hydrogen (blue-economy exploration), solar and wind power, within the context of an eco-socialist perspective
- c) The Federation should table proposals at NEDLAC for a Framework Agreement on Alternative Forms of Energy Generation to prevent and/or minimize production downtime in workplaces.
- d) Organised Labour should have its own widely accepted approach to the concept of Just Transition, that is centred toward an eco-socialist dispensation

3.6.3 Global Dynamics on the Climate Change Crisis

- a) COSATU should call on the government of South Africa to explicitly reject the Glasgow deal, and instead pursue an independent approach to energy transition that is anchored in a fully public energy system and a well-resourced public utility.
- b) The Federation should participate in the international effort to halt the “green structural adjustment” agenda promoted by the IMF and the World Bank.
- c) The Federation should join unions around the world in endorsing the “Trade Union Programme for a Public, Low Carbon, Energy Future” and its public pathway approach and encourage affiliates to do likewise.
- d) At COP27, the Federation should insist that the International Trade Union Confederation and Global Union Federations adopt a “global public goods” approach to energy transition and climate protection, as articulated by UN Secretary-General António Guterres, the UN Conference on Trade and Development.
- e) Demand transparency on the details of South Africa’s partnership with the IMF, World Bank and the European Union and the \$8.5 billion deal and to oppose the undermining of the country’s sovereignty in determining the future of our electricity industry.
- f) The Federation should commit research capacity to further develop the *One Million Climate Jobs* initiative

3.6.4 Climate Change Education & Physical Infrastructure:

- a) The Federation should call for all public infrastructure, including those in communities like schools, clinics and hospitals to be upgraded such that they rely more on green/alternative energy resources like solar.
- b) The same should apply to physical infrastructure use or owned by the private sector within the borders of our country, as a matter of law.
- c) The Federation should endorse and support the call for compulsory climate change education to be part of the schools’ curriculum as a matter of urgency. The main slogan
- d) Capitalism is the cause of climate change and is unable to address this crisis. Only the working class can fight to win back some reforms for a just transition through struggles from below. The main rallying slogan should be “system change, not climate change” as we should rally all social movements and to advance ecosocialism and avert a climate change
- e) The federation shall put forward demands for measures not just to prevent climate chaos from occurring, but to defend the basic interests of the working class in the face of the climate disasters that are now a recurrence. This includes greatly enhance flood defenses, hugely expanded fire services, strengthened rescue and the emergency services, as well as replanning of cities to mitigate against the effects of climate change.

Therefore Resolve;

- a. To ensure that COSATU and all its affiliates raise awareness, support and adopt the Climate Justice Charter as the basis for a deep Just transition in south Africa
- b. To work closely with the Climate Justice movement to accelerate and deepen the just transition from below to protect livelihoods and life itself as we ensure the transformation of the country
- c. COSATU and all affiliates support the call of the South African Food Sovereignty Campaign for a Peoples Food Sovereignty Act and the need for a Food Sovereignty Pathway building in every community, village, town and city to ensure Zero hunger and a resilient food system

3.7. Child Labour

Noting that:

- a) Almost 720 000 young people dropped out of the schooling system during the heightened COVID 19 period
- b) The overwhelming majority of learners dropping out of school are black and are mainly girls
- c) South Africa has high levels of illiteracy, lack of skills, unemployment, poverty and inequality
- d) South Africa recently hosted the ILO conference on Child Labour • South is a signatory to many international conventions, with many progressive National laws against child Labour.

Believing that:

- a) Children out of school are vulnerable and susceptible to cheap and exploitative child Labour practices
- b) The high dropout will perpetuate our painful reality of poverty, unemployment and inequality
- c) The girl child is susceptible to the brutal and ugly circle of patriarchy, abuse, poverty and exclusion
- d) Children out of school will in all likelihood be affected negatively by life expectancy and diseases
- e) South Africa must lead by example on the question of child Labour

Therefore Resolve that:

- a) The Federation should call and campaign for an amendment of the relevant labour laws such that there are high punitive fees for employers employing children who are of school going age e.g. 10% on their total income.
- b) That the Federation should demand for a minimum sentence of five years in prison for all employers employing children of school going age
- c) The Federation should call for the enforcement of the necessary laws on parents who allow children to work while they are supposed to be in schools

3.8. Gender Based Violence, the Dignity of Women & the Girl Child

Noting that:

- a) Women are still subjected to all forms of discrimination at the workplace and in certain instances are still earning less than men for the same work.
- b) In most workplaces, there is no provision of childcare facilities.
- c) In some instances, women are still subjected to the indignity of being compelled to provide sexual favours for their survival and job keeping at work.
- d) In most workplaces, there is still no provision of transport during early hours of shift
- e) Many indigent women and girl children regularly suffer the indignity of not having access to sanitary products which has an adverse effect on their general wellbeing.
- f) Research indicates that out of the 700 000 girls between the ages of 13 & 19 in SA, about 400 000 of them do not have access to regular sanitary products.
- g) The lack of access to sanitary wear can affect a girl's attendance of school by 25% per year (one week every month)
- h) There are concerted efforts by Government to implement the National Strategic Plan of GBVF led by the President.
- i) COSATU convened an Inaugural Gender Conference on 20-22 June 2022. The conference took number of progressive resolutions in addressing the daily struggles facing women.
- j) The committee acknowledged and agreed with the above resolutions, but made additions as in the paragraphs below herein;
- k) In order to build women leaders and increase woman participation and representation, childcare should be offered to woman when attending union meetings. Such must be documented in the policies.
- l) Issue of training on gender issues was emphasised. This involves developing training programs in the area of gender. Which will empower both male and female comrades.
- m) Gender-based violence and femicide must be first on the agenda, by raising awareness, and negotiating policies and agreements that contribute to the fight against GBV.

- n) Should continuously encourage building a team of male gender champions as allies in the gender struggle in support of women's emancipation. This will build consciousness and participation of males in gender structures and struggles.
- o) Every girl child has the right to education and should not be deprived the chance because they lack basic necessities such as sanitary packages. All public schools must ensure that sanitary packages are provided for free to all needing learners, this can be done through collaboration with the Department of Social development and the Department of Education by allocating budget for such.

Believing that:

- a) There are many unreported sexual harassment cases, but women are silenced by their pressing need to keep a job.
- b) The pre-existing pandemic of Gender Based Violence & Femicide often termed the shadow, or second pandemic has been worsened by COVID 19 and the pain and suffering of victims, survivors' families and communities continues unabated.
- c) Women are largely working under unsafe and life-threatening environments.
- d) Both the public and private sectors have an important role to play in assisting indigent women as a matter of human rights.
- e) The lack of access to sanitary products limits the potential of poor women in particular to reach their full potential to earn a livelihood.

Therefore resolve that:

3.8.1 The Direct Role of the Federation in Advancing the Gender Struggle

- a) The Federation and its affiliates should utilise all platforms of collective bargaining and social dialogue to advance the campaign of gender equality.
- b) The Federation should champion the enactment, implementation and monitoring of workplace policies to advance the agenda of gender sensitivity.
- c) COSATU must build and capacitate women leaders and negotiators to enable them to participate in collective bargaining matters.
- d) COSATU should ensure that there is continuous education, training, advocacy and social dialogue on the root cause of our social ills that affect women and children.
- e) The Federation should call on the National Treasury and campaign for the development of a strategy that will result to the scrapping of Value Added Tax (VAT) on sanitary products.
- f) COSATU should call on the government, working with the private sector to supply free sanitary products through among other mechanisms, a voucher system to all indigent women.

- g) COSATU should call on the government to ensure that sanitary products are available to all girl children in all no-fee and lower quintile schools urgently as done currently by 3 provinces out of 9 but at an extremely minimal level
- h) The Federation should fully support and implement the National Gender Conference declaration and its resolutions.

3.8.2 Gender Based Violence & Femicide

- a) The Federation should establish a programme to mobilise all sectors of society to do more to curb the GBVF pandemic, this includes the private sector which should contribute significantly in our collective effort to halt the scourge instead of running programmes and handouts which are tax free.
- b) To this extent, at the level of NEDLAC and other relevant platforms, the Federation should call on the private sector and campaign for it to play a more meaningful role in the implementation of the NSP GBVF as this pandemic is a societal matter.
- c) The Federation should improve on its links with anti-GBVF organizations to form tangible coalitions in pursuit of common objectives including on how we participate meaningfully in the NSP processes.

3.9. Decent work and Privatisation

Noting that:

- a) The root cause of corruption in municipalities is the casualization and privatisation of municipal services.
- b) Privatization does not increase the quality of services rendered but rather inflates the cost-of-service delivery.
- c) That the tendering system has become a platform to enrich politicians and their cronies.
- d) Workers employed by companies who got these tenders are in precarious work, they have no job security, but they are delivering municipal services.
- e) Municipalities continue using Extended Public Works Programme (EPWP) for the delivery of services.
- f) That the EPWP programme is a form of outsourcing which has resulted in precarious working conditions for these workers.
- g) That the programme is exploitative in nature with workers not having job security or any benefits at all. With the programme being used for other purposes which it is not intended for such as Cadre deployment.
- h) That EPWP workers are rendering municipal services and, in most cases, work alongside those permanently employed by municipalities.

- i) That this programme has become a conveyor belt for cheap labour to municipalities, leading them to no longer fill vacancies.
- j) EPWP and CWP are precarious workers who are currently unorganised and un-unionised.
- k) That there would be a cost benefit for government should services such as security and cleaning be insourced.
- l) That insourcing of these services would result in workers having job security and receiving benefits.

Therefore resolve that:

- a) COSATU should launch an anti-casualisation campaign targeting EPWP, CWP and similar programmes.
- b) Demand an end to casualization of workers through the use of EPWP, CWP and similar programmes.
- c) That municipalities should stop rendering services through EPWP and related programmes
- d) That COSATU should demand that all EPWP and CWP workers be absorbed in the various sectors they are working.
- e) COSATU affiliates should recruit and organize workers in precarious employment.
- f) COSATU should reaffirm and reignite its previous resolution on insourcing of government services.

3.10 Single Public Service:

Noting that:

- a) Our resolution on the “Integration of Public Administration” at the 8th National Congress supports:
 - i. The integration of different spheres of government.
 - ii. The need for a stronger role for Local Government.
 - iii. The rationalisation of conditions of employment and remuneration of public sector workers across all spheres of government.
 - iv. The creation of parity between rural and urban public sector workers
- b) Since 2007 there has been some engagement between labour and government on the Single Public Service Bill until it was withdrawn before the 2009 elections.
- c) The Single Public Service Bill is intended to:
 - i. Provide a single administration between the spheres of government.
 - ii. Bring about harmony in conditions of employment between all the spheres of government.

- iii. Bring about increased access to communities in single, but multiple centres of access.
- d) That government has indicated its intention to re-introduce the Single Public Service Bill.
- e) Recently government re-tabled the Public Service Amendment Bill and the Public Administration Management Bill at NEDLAC which amongst others, seek to prohibit public servants from being members of and to hold office in political parties and to forcibly transfer and second public servants wherever government would determine.

Believing that:

- a) The Single Public Service Bill also introduced fundamentally problematic clauses that:
 - i. Allowed for the establishment of government agencies.
 - ii. Sought to amend certain conditions of employment, which should be part of collective bargaining.
 - iii. Sought to make the transfer of staff between spheres much easier - our concern being that this could be used to avoid the filling of existing vacancies in the public service.
 - iv. The prohibition of public servants from participating in political parties and to forcibly redeploy them in the public service is a violation of their constitutional rights.
- b) The introduction of a Single Public Service Bill should be a step towards building the
- c) Developmental State, and that this process should include:
 - i. Integration and unification of conditions of employment and remuneration between all spheres of government.
 - ii. The integration and unification of access to service delivery in communities and across all spheres.
 - iii. The creation of parity between rural and urban areas both for public sector workers as well as access to services.
 - iv. professionalization does not mean public servants should be active in politics

Therefore resolve to:

- a) Re-affirm our support of the 8th National Congress resolution on Integration of Public Administration
- b) Call for engagement between labour and government before the re-tabled of the Single Public Service Bill in Parliament.
- c) Ensure that the public service affiliates of COSATU develop a common position prior to engagement with government.

- d) Engage the Alliance partners and other organisations of the Mass Democratic Movement in discussions on the Single Public Service.
- e) Reject the current hastened process towards the finalisation of the Public Service Amendment Bill and Public Administration Management Act and call on government to engage with public service unions on these bills at the appropriate public service collective bargaining level before they are deliberated upon at NEDLAC and Parliament.
- f) Furthermore, the Federation should not engage on the bill at the NEDLAC level until it is subjected to the appropriate bargaining chambers.

3.11 Amendments to the Municipal Systems Act (MSA)

Noting that:

- a) Government has re-introduced the amendments to the Municipal Systems Act which has now been gazetted.
- b) Government claims that the Bill will professionalize local government.
- c) That SAMWU previously challenged the MSA amendments at the Constitutional Court which ruled that the amendments were found to be unconstitutional.
- d) SAMWU contended in its application that the amendments would infringe on municipal workers' constitutional right to freedom of association.
- e) The Constitutional Court ruled that the Bill was not passed properly and granted the National Assembly 18 months to rework the Bill.
- f) The initial Bill which SAMWU opposed only barred Municipal Managers and those who report directly to Municipal Managers (Section 57 and 56 respectively).
- g) In public, the ANC has been on record that the Bill will only affect Section 57 and 56 employees.
- h) The new bill now bars all municipal workers from holding political office.
- i) The Bill has been complemented by the regulations by the Department of Cooperative Governance and Traditional Affairs (COGTA) which covers disciplinary and recruitment processes in the sector.

Believing that:

- a) The new Bill infringes on the rights of municipal workers to freedom of association.
- b) That there is no empirical evidence proving that the barring of municipal workers from holding political office will enhance service delivery or fast track the professionalization of the sector.
- c) That the regulations by COGTA are an attack on collective bargaining by introducing a dew disciplinary procedure in the local government sector.

- d) That other sectors all public sector workers are now at risk of having similar Bills introduced in the public sector also barring them from holding political office.

Resolve that:

- a) COSATU and SAMWU should work together in challenging the MSA amendments.
- b) COSATU should develop a parallel legal program through Court to demand the immediate repeal of the Bill.
- c) COSATU should at all material times be vigilant and guard against Bills that seek to attack collective bargaining and reverse the gains made by workers.

3.12 Economic Crisis and the Neo-liberal Growth Path

Noting that:

- a) Since the imposition of GEAR, macroeconomic policies have remained fixed within the Neoliberal parameters and there has never been engagement on the fiscal and monetary policies implemented by the Treasury and the South African Reserve Bank.
- b) The historical isolation of South Africa has engendered the development of monopolies in almost all sectors of the economy, and this has created structural barriers of entry for new participants, undermines competitive dynamism and growth.
- c) The social relations of Colonialism of a Special Type largely remain intact, marked by the fact that the ownership of the means of production and wealth is predominantly in the hands of the white oligarchy and that de-industrialisation, financialization and the expansion of the low-wage service sectors have been the main features of the changes that have taken place since 1994.
- d) Since the global capitalist crisis of 2008 and the South African recession in 2009, the economy has basically been stagnant amidst the worsening crises of employment, poverty, inequalities and social reproduction.
- e) The President has called for a Social Compact with social partners at NEDLAC.
- f) The land question is a central strategic objective of the NDR and yet the ownership patterns of arable agricultural land still reflect the historical social relations of the CST.
- g) The crisis of social reproduction, which is aggravated by the lack of adequate social wage in terms of public transport, housing and municipal services such as sanitation, electricity, water due to their commodification.
- h) The proposed amendments to Regulation 28 of the Pension Fund Act pertaining to the relaxation to capital allocations of pension, provident, preservation funds and retirement annuities.

Believing that:

- a) Despite the persistence of the Neoliberal macroeconomic framework, since GEAR period the ANC has adopted progressive and developmental socioeconomic resolutions in its conferences that have not been implemented by its consecutive governments.
- b) The phenomena of de-industrialisation, financialization and the expansion of the low-wage service sectors represent a regression for an economy of the global-south and undermine the creation of decent jobs, investment in productive sectors and the reduction of inequalities and poverty.
- c) The current public debt-burden and fiscal deficit are the by-products of dogmatic Neoliberal economic policies, elite corruption and wastefulness on a vast scale.
- d) Outsourcing and the creation of agencies has eroded the capabilities and fragmented the capacity of the post-Apartheid state, which has engendered corruption and poor public service delivery, especially at the municipal level.
- e) As the labour movement we have been passive and allowed our pension funds to be misallocated into the risky and unproductive schemes of financialization at the expense of job creation and returns to our pension funds.
- f) The fact that about two-thirds of our youth are unemployed and closer to half of the working population are unemployed represents a threat to the stability of the country and the NDR.
- g) Divergences and disagreements on economic policies has been at the heart of the tensions and contradictions within the Alliance.
- h) Working class women and women in rural areas continue to bear the worst brunt of unemployment, poverty and the crisis of social reproduction.
- i) South Africa's self-determination with regard to macroeconomic policies has been increasingly eroded by the growing influence of the IMF, sovereign rating agencies and the domestic finance monopoly capital.
- j) The 2019 ANC Manifesto, at the centre of which was the "Rebuilding a capable and developmental state", articulated a progressive macroeconomic framework and represented a developmental growth path that was aligned with our Growth Path Towards Full-Employment, which have since been displaced by the Neoliberal austerity programme and "structural reforms" opening up public infrastructure for capitalist profiteering.
- k) To reverse de-industrialisation, financialization and the expansion of the low-wage service sectors requires an alternative developmental economic policy driven by a progressive Developmental State, supported and campaigned for by the active mobilisation of the working class.
- l) The land reform process has not been accompanied with effective forms of tenure security and adequate farmer support programmes to ensure that the newly settled farmers have access to working capital, skills training and access to markets.
- m) The amendments to Regulation 28 of the Pension Fund Act relaxing restrictions on external investments by pension funds from 30% to 45% undermines the Neoliberal

claim by government and commentators that the lack of the culture of saving is the cause of the poor rate of investment and economic performance.

- n) Our pensions must be used for investment to grow our domestic economy rather than economies outside the country.

Therefore, we resolve:

- a) To call for the review of the trade regime to ensure that domestic manufacturing is protected to the maximum extent possible in terms of the WTO rules to encourage the sustainable emergence and development of infant manufacturing enterprises and to support industrialisation and diversification.
- b) To call for stronger action by the Competition Commission to reduce the market power of the monopolies across the economy, especially in the production and retailing of basic consumer products, the production of raw materials, including in tackling AMSA's import-parity pricing of steel.
- c) To call for the establishment of the Land Reform Fund as recommended by the report of the 2019 Advisory Panel on Land Reform and Agriculture, which must be directed at supporting the building and strengthening of cooperatives and the new black farmers as well as measures for skills training and access to markets.
- d) To reject any engagement on a Social Compact that excludes fiscal and monetary policies and that seeks to further erode the workers' rights and conditions of work in favour of measures to deepen labour market flexibility.
- e) To oppose the relaxation of restrictions on external investments by pension funds from 30% to 45%, whilst supporting the increase of allocations of investment in infrastructure by pension funds up to 45% domestically.
- f) The federation to convene a conference on retirement funds to develop a shared policy framework on the investment mandates, emphasising the increasing use of our savings in the sustainable development of manufacturing and domestic infrastructure.
- g) Resuscitate our advocacy of the Basic Income Grant as part of our Jobs and Poverty Campaign to build a coalition with other progressive organisations and to fight for its implementation and the provision of adequate social wage and municipal infrastructure in the townships and rural areas.
- h) To use engagements on the Health Master Plan to place the establishment of a state-owned pharmaceutical company at the centre.
- i) To campaign for the roll-back of outsourcing and agencification as part of the project of advancing the course of building a progressive Developmental State.
- j) To campaign for the expansion of commuter rail network, increase in subsidies for commuters using public trains and busses rather than the further extension of support for the elite Gautrain.

3.13 Unemployment and Labor Migration Policy

Noting that:

- a) The rate of unemployment in the country is escalating in a worrisome manner and currently sitting at 44% on broad definition
- b) Observations are also being made that most companies especially in the tourism, retail, manufacturing, farming and transport industries are employing mostly foreign nationals and pay them low salaries

Therefore, resolve that:

- a) The State should arrest the situation and reduce the unemployment rate of South Africans, a law must be promulgated to place a quota on companies for employment of foreign nationals
- b) That the unions need to propose at least 20% to 30% employment in all sectors
- c) That engagement is conducted through COSATU in NEDLAC for this purpose.

3.14 Unemployment of Newly Qualified Young Graduates

Noting that:

- a) The youth of South Africa forms high percentage of unemployment.
- b) The economy is unable to absorb young and new graduates.
- c) In the crisis we are facing, the state is unable to come with intervention programmes to address the situation.
- d) The state is shedding jobs by implementing moratoriums in all the departments.
- e) Newly qualified graduates of nurses and other healthcare professionals remain unemployed at home while the department is facing a crisis of gross shortage of healthcare workers.

Believing that:

- a) The high unemployment rate among the youth is the security threat in the country.
- b) The moratoriums in freezing the posts in government is intentional and is driven by the capitalist system.
- c) The state has silently and singly engaged in the retrenchment processes.

Resolving that:

- a) The employees must rise and fight against retrenchments in all sectors.

- b) COSATU and affiliates must develop a campaign that is directed to the state to employ all newly qualified professionals immediately after completion of their respective qualifications.
- c) The state must conduct head count for the employees who are in the system.
- d) The state must deal decisively with corruption, maladministration and wasteful expenditure of resources to improve the revenue.
- e) The state must strengthen its internship programmes to accommodate many young people.
- f) The state must uplift all the moratorium mechanisms with immediate effect to create jobs.

3.15 Post-Schooling Education Training System (PSET) & the Copyright Amendment Bill

Noting that:

- a) Education is not ideologically neutral as it perpetuates the interest of the ruling class since it owns the means of production and therefore decides on how is produced and distributed.
- b) The neoliberal policy orientation of the state posts the democratic breakthrough has seen a persistently stagnant allocation of subsidies and student funding in the post-schooling system, amidst rising student enrolments, demand for student housing, infrastructure and fee hikes which has undermined the transformational agenda.
- c) The current archaic Copyright Bill that limits access to educational material for the poor and working and significantly increases the cost of education; this is despite the availability of various digital platforms in the era
- d) There is a Copyright Amendment Bill that has been turned back to parliament by the President of the Republic under duress from Western capitalists lobby groups that seek to cement their monopoly of the space.
- e) Inadequate funding by the state has been used to justify the corporatisation by the managements of universities, which through commercialisation.
- f) The proposed draft policy for the recognition of South African higher education institutional types determined in terms of section 3 of the higher education act (act 101 of 1997, as amended).

Believing that:

- a) The Post School Education and Training (PSET) system is an essential instrument to respond to the needs and developmental agenda of our society.

- b) The commodification and commercialisation of education remains the principal obstacle towards the broad vision of opening the doors of learning for all as encapsulated in the Freedom Charter.
- c) Our people, largely from the poor and the working-class backgrounds, are denied access to higher education simply because they do not have monetary means to buy education.
- d) Education is one of the key socialization factors in nation building and central in addressing all the social ills
- e) Institutions such as SETA's, TVET Colleges, community colleges, specialized technical high schools and Higher Education do and will continue playing cardinal role in the skills revolution agenda in the country
- f) The neo-liberal austerity programme of government has impacted the post-schooling education training system which has led to under-funding of students, inadequate academic and student support services, restructuring of institutions, retrenchments, and outsourcing and privatization of service in institutions.
- g) The COVID-19 pandemic exposed the inequalities within our post school education and training system with glaring disparities in our institutions especially on access technological infrastructure [WIFI, Online Learning Platforms] etc. The pandemic exposed the existing structural inequalities in our institutions.
- h) The transformative Copyright Amendment Bill if passed by parliament and signed off by the President of the Republic can have a significant impact towards removing the barriers to access to educational material for the poor and the working class.

Therefore resolve that:

- a) The federation working with the Progressive Youth Alliance and Education Alliance must take forward the struggle for the realisation of transforming the Post-Schooling Education Training System and link this struggle with our overall struggle of transforming the South African society.
- b) COSATU must relentlessly lead the fight against austerity, commodification and corporatisation of the post-schooling education and training system and also campaign for the strengthening, improvement in quality and expansion of the entire post-schooling system, especially the TVET and CET sectors.
- c) The Federation should call on the government to urgent resolve questions of three stream education to attend to the needs of all learners with different interest, skill and potential to feed into the Post Schooling & Training System.
- d) Particular attention should be paid on intensification of adult basic education including functional literacy
- e) COSATU to campaign for Historically Disadvantaged Institutions, TVETs and CET colleges to be well funded by Government for the purpose of research and learning and development in all other aspect that encompass the PSET.

- f) The Federation should campaign vigorously for the Copyright Amendment Bill to be passed through the parliamentary processes expeditiously without any further delay
- g) COSATU must call on the Department of Higher Education and Training (DHET) to embark on a consultation process with relevant Stakeholders in the PSET on the proposed draft policy for the recognition of South African higher education institutional types. COSATU must work with progressive student formations and academics on the proposed policy.

3.16 National Credit Regulator - Debts Council

Noting that:

- a) In terms of section 48 of the National Credit Act No. 34 of 2005 (the Act) the National Credit Regulator (NCR) imposes the conditions and regulations of Debt Councillors.
- b) Debt Counselling or Debt Review is a legal process that is designed to help over-indebted South Africans regain control of their finances by restructuring their debt according to a legally approved plan and therefore a professional service is required by a registered Debt Councillor to ensure protection against creditors threatening to take legal action.
- c) An application fee (R50.00) as well as an administration fee (R300.00) per debt councillor is required as an upfront fee in full.
- d) A further restructuring fee either equal to the distributable amount or a maximum fee of R8 000, whichever amount is the lesser for an individual applicant while consumers married in community of property will pay a maximum fee of R9 000 excluding VAT, payable to the debt councillor to prepare proposals, attend to the Form 17.2(b) process and negotiate with credit providers.
- e) The restructuring fees are payable within 1 month after drafting and submitting the proposals to the creditors.

Believing that:

- a) The South African working class is faced with the challenges of over-indebtedness which is a national crisis.
- b) As a result of this phenomenon, measures were introduced to assist people (consumers) to manage and control over-indebtedness. One of the measures introduced is debt counselling to assist over-indebted people to approach a Debt Councillor to assist them to rearrange their debt obligations.
- c) Due to the high upfront costs, many South Africans will avoid seeking the help of a professional Debt Councillor whilst the process may further exacerbate on the already over-indebted consumer and further aggravate rather than mitigate the proposed solution.

- d) The working class may find themselves in desperate situations and will resort to resigning from their jobs in order to gain access to their Pension or Provident funds just to settle the outstanding debt.
- e) Being listed or being under Debt Counselling is a disqualifying criterion for prospective job seekers in the various industries; over-indebtedness is a social-ill and a barrier to accessing employment opportunities in South Africa.

Therefore, resolve that:

- a) The National Credit Regulator (NCR) who provides fee guidelines should revisit this fee structure to lessen the burden on the consumer while they seek relief.
- b) Government should subsidize the costs or a portion of the debt restructuring fees to prevent consumers from accessing their long-term investments i.e. Pension and Provident funds thereby encouraging and promoting a savings culture for South Africans.
- c) The purpose of the Temporary Employer/Employee Relief Scheme (TERS) benefits is to alleviate the financial impact of workers and therefore resolve that this fund could be utilized to support the debt restructuring fee for workers who wish to pursue restructuring of their debt.
- d) That where possible Debt Councillors together with the (NCR) be empowered to consolidate debt and/or write off a portion of the outstanding amount and/or reduce the interest rate and lower the repayment instalment terms; where circumstances justify with the view to making it more affordable to the consumer; ensuring that the debt is expunged with the Credit Provider or on a more sustainable basis.

3.17 Right to Housing for All

Noting that:

- a) The government has provided free housing to the poor and mostly unemployed
- b) The demand for housing for workers both in public and private sectors has been approached narrowly within the confines of the workplace benefit
- c) Workers have largely been excluded as they don't meet the threshold set as a requirement to access these houses through the RDP scheme
- d) The commercial banks remain hostile with unnecessarily difficult requirements for workers to meet to access loans to acquire residential property
- e) A fair majority of workers, both from Private and Public services do not have their own residential property.
- f) The Freedom Charter said "All people shall have the right to live where they choose, to be decently housed, and to bring up their families in comfort and security; Unused housing space should be made available to the people".

Believing that:

- a) A residential property remains amongst those key rights that we should all be entitled to.
- b) The exclusion and deprivation of millions of public and private sector workers of access to decent housing was not just caused by the pathetically low housing allowance given by the employers. Therefore, this is more than a workplace issue
- c) It is an issue that is part of the socio-economic structural exclusion dictated by peculiar architecture of South African political economy which continues to exclude broader section of working people
- d) All workers deserve to have the dignity and integrity that comes with residential property.
- e) Proper housing could serve as a key pillar for confidence and motivation for all workers and this might have a positive impact on the levels of productivity and consequently economic growth

Therefore resolve that:

- a) The Federation should develop and roll out a distinct campaign to intensify the call for a comprehensive social security framework that will also prioritize access to housing for workers.
- b) Financial Sector Campaign Coalition, which COSATU and SACP spearheaded over the years must be intensified and continue to raise the issue of such exclusions which condemned our people to asset-poverty.
- c) The Federation should call on the government, working with the private sector to avail serviced land for free to allow workers to build their own houses.
- d) The demand must address the deprivation experienced by workers in terms of home ownership - according to the needs of the workers. This need must also be addressed wherever the spatial location workers' choose, be it in peri-urban townships, inner-cities, suburbs or communal rural areas.
- e) The state must play a leading role in a manner that uses the resources at its disposal, including the workers' pension savings, to disrupt and transform the current structure of the housing markets that are dominated by monopoly-finance capital and white-owned real-estate companies

3.18 Police Killings

Noting;

- a) There is an increased number of police officers killed in South Africa
- b) Killing of a police officer undermines the authority of the state

- c) The hostility created deliberately by apartheid system policing methods still prevails, despite the new democratic conditions.
- d) This historical role leads to sentiments of antagonism between the police and communities.
- e) The degree to which the police are maimed and killed in the country signifies the extent to which social fibre is eroded.

Believing

- a) The continuous killing of the police undermines the social order and if not stopped, it will lead to a national catastrophe.
- b) Police personnel must be increased to augment personal safety and service to society
- c) Police officers must be adequately resourced to improve safety and service delivery.
- d) Policing is, by its very nature, a high-risk occupation, members are therefore exposed to dangerous situations and cold-blooded criminals
- e) Killing of police officers undermines the proper functioning of the Criminal Justice System
- f) There is a need to reinforce stringent penalty towards the perpetrators of police killings
- g) The police and community relations must be improved to curb the scourge of police killings
- h) Easy access to firearms exacerbates the rate of police killings

Resolving

- a) To engage government to strengthen the current legislation on sentencing people who found guilty of killing police officers
- b) Criminal Procedure Act must be amended to classify killing of police officers as treason
- c) Improve the compensation on killed police officers to sustain a better life for the dependents
- d) Various stakeholder within the Criminal Justice Cluster must collaborate to effectively resolve this deep-rooted challenge

3.19 Towards Sustainable Local Government

Noting:

- a) That municipalities are the closest sphere of government to residents and have a constitutional obligation to deliver services to residents, irrespective of the economic status of the people whom they serve.
- b) Over the last years, the number of municipalities that require intervention due to political instability and financial distress has been growing.
- c) That out of the country's 257 municipalities, 64 (25%) are currently dysfunctional, 85 (33%) municipalities on the brink of dysfunctionality while only 18 municipalities 7% are well functioning.
- d) The constitution allows for both provincial and national government to intervene in struggling municipalities through the use of Section 139 of the Constitution.
- e) That 26 municipalities, representing 10% of the total are currently under government intervention through Section 139.
- f) That most of these municipalities have been repeatedly placed under administration without any improvement.
- g) The application of Section 139 has been largely used to settle political battles instead of addressing the root causes of the challenges faced by these municipalities.
- h) Due to the geographic and economic situation of the mostly rural municipalities, its residents are unable to pay for rates and taxes due to high levels of poverty and unemployment. As a result, many municipalities have continually struggled to generate enough revenue to fulfill their mandate.
- i) That the National Treasury allocates funds to municipalities through the equitable share which has been increasing but not proportional to the needs of communities.
- j) That the equitable share provided to municipalities is insufficient due to limitations in the formula used to determine equitable share.
- k) As a result of the insufficient cash flow, municipalities are therefore unable to fulfill their contractual obligations towards employees such as salaries and wages.
- l) Municipalities have become a breeding ground for corruption wherein these much needed resources are looted with impunity.

Resolving that:

- a) Equitable share allocation for poorer municipalities should be increased by reviewing the formula used to determine equitable shares and the actual expenditure needs of every individual municipality should be taken into consideration.
- b) Government should fund the general expenditure of poorer municipalities, including salaries to ensure the continuity of service delivery. Whilst municipalities are

capacitated to ensure that they collect the much-needed revenue from those who are able to pay, more especially businesses.

- c) That municipalities should be incentivized for good governance and performing better in their audits while imposing harsher punishment to those who regress in the audit outcomes.
- d) The application of Section 139 intervention in the Municipalities should be more stringent so to reduce the abuse that it is currently prone to.
- e) That Provincial Governments should rigorously execute their constitutional mandate of playing an oversight role over the affairs of municipalities and constantly monitor municipalities that are placed under administration even after such Municipalities have been removed from the Sec 139 intervention process.

3.20 Walmart/Massmart

Noting that:

- a) South African developmental agenda requires of this country to subject its economic developmental goals to collaborate with all other nations in the world over in pursuance of our developmental imperatives.
- b) The phase of engagements on GATT, which was preparing this country for the post trade and economic sanctions and reintegration of South Africa with the economies of the world, opened opportunities for the flooding in of foreign direct investments; which we now can conclude that the regulations enacted place the working class in a more vulnerable state across all economic sectors culminating in the undermining of job insecurity, social security and threats to livelihood, and unabated exploitation.
- c) The current labour regime of monopoly capital, in this case exceptionally represented by Walmart and demonstrated in the 2011 acquisition of 49% of Massmart ownership, coupled with further 288 stores in 14 other Sub-Saharan countries, demonstrate the imperialist tendencies on highest note.
- d) The current adjudication regime of the Competition Commission in transactions of this magnitude is rather weak and in fact favours, in all instances and respects the aspirations of capitalist conglomerates over working class and developmental agenda.

Further noting that:

The Union had raised serious concerns with the Walmart Bid based on the following reasons:

- a) The Walmart deal will undermine efforts aimed at achieving the developmental objectives of our country.
- b) Massmart is a significant local asset that should not be placed in foreign hands;

- c) The deal will have a devastating impact on local jobs, including the nature, the quality and, importantly, the quantity of jobs, in a country that already has unacceptably high levels of unemployment;
- d) The deal will significantly affect the local market, including by having a negative impact on upstream suppliers, manufacturers and service providers, including small businesses;
- e) It will lead to a smaller supply base as Walmart imports more than 70% of its products;
- f) International research which is corroborated by Unions in the US and Canada, quoted in the New York Daily News last week suggests that for every two jobs created by a Walmart store, three other jobs are destroyed.
- g) Walmart has a terrible industrial relations history and poor reputation as it seeks to maintain a Union free environment in countries where it operates. The Company has a dossier that guides its managers on how to maintain a Union free environment;
- h) Already, the declared intentions by Walmart to invest in this country has caused a panic amongst Retail and Wholesale sector employers resulting immediately into massive job losses, unilateral restructuring, intensive global technology installation coupled with intransigence and sudden anti-Union attitude and Union bashing. This manifested itself in sporadic to continuous industrial turmoil within the sector. Since 2007/8, SACCAWU and the sector chains got entangled in a series of disputes, ranging from wages and termination of collective agreements with utterances to the effect that Companies are repositioning themselves for the eventual entry of Walmart.
- i) Massmart is no exception as all its brands were at some point, during this period, involved in these disputes and industrial actions coupled with unilateral introduction of technology which impacts on working conditions as well as massive retrenchments and dismissals given rise to by this unilateral re-engineering, imposed extended working hours and the evident repositioning to fit in and suit the Walmart philosophy, practices and trading patterns/policies.

Believing that:

- a) South Africa is faced with huge numbers of company closures which result in massive retrenchments of workers and escalating of atypical forms of employment, labour brokerage, and casual labour.
- b) The latest cautionary announcement to the effect that, potential offer to Massmart to acquire the remaining shares will culminate to Walmart owning 100% of this local brand.
- c) The offensive and intransigent attitude of this Walmart and all its successors in title, poses a severe threat to the already bleeding economic state of this the Republic, to the detriment of the developmental imperatives of this country.
- d) The Competition Commission continues to approve deal ignores the fundamental effects and impact of the Walmartisation of the South African economy by this global

retail giant, manifesting in stifled competition, corporate bullying, destruction of smaller local businesses and local economies whilst ultimately undermining the labour legislation through of flawed industrial relations informed by Walmart's trade union-free workplace enshrined in the Manager's Toolkit to Union-free workplace. Approving these kinds of deals is as good as selling out on the struggles of workers and the jobs security.

Therefore Resolve:

- a) That the Federation, working with SACCAWU and all Unions affected by the negative effects propelled by the non-committal and the at all costs obsession with FDIs into our fragile developing economy without compelling conditions towards domestic economic growth and development instead of Capital flight , must champion opposition to such transactions as are willy nilly are approved by the Competition Commission that seems to have no oversight and monitoring powers post such transaction; despite numerous objections from SACCAWU. Instead we have subsequently observed companies Acquired through the so-called FDI transactions being run down; the latest case in point being the Edcon Group that has been run down by Bain.
- b) The Competition Commission to be engaged on its approach towards mergers, acquisitions and related processes, with a view to review, redefine and consolidate its mandate to be in line with the economic imperatives of the Country, job creation, retention and security as well as ensuring accountability of all companies that acquire or merge with each other.
- c) That Walmart/Massmart be duty-bound to observe the legislative provisions that encourage employers and employees as parties to, through Relationship Agreements, Collectively Bargain with the Union in the season prescribed within and regulated by such signed Relationship Agreements. The Walmartisation and Walmart Union Free work place should be vehemently opposed as having no place in the South African Labour Market and related Labour Legislation Regime.
- d) That this 14th National Congress pledges her support for the pending Industrial Action by SACCAWU MEMBERS at Makro, who have resolved to undertake - arising from an unresolved wage dispute almost immediately after consultation with general membership; where Management seems hell-bent to down-vary working conditions and collective agreements on the pretext of ensuring that Makro is brought to the level of all Massmart Divisions or Brands that at the moment are below Makro in terms of wages and related benefits whilst having no centralized bargaining forum but decentralized negotiations and notwithstanding the excellent financial performance of Makro at the moment.

3.21 Building of Cooperatives

Noting that:

- a) The trade union movement shares common values and interests with the progressive, democratic and class conscious co-operative movement, especially the values of democratic worker or member control, solidarity and co-operation amongst the working class.
- b) COSATU has played an important role in advancing policy on co-operatives at international levels through our active participation at the ILO Conference, which adopted Recommendation 193 on Promotion of Co-operatives in 2002.
- c) The 2005 policy and legislation on co-operatives in our country is a direct result of campaigns led COSATU and its allies.
- d) Several COSATU affiliates have been promoting co-operatives for their own members, especially through the development of co-operative banks.
- e) Previous resolutions of COSATU which protect worker-owned co-operatives from abuse by employers.

Believing that:

- a) The building of co-operatives must be aligned with our programme for radical social and economic transformation in favour of the workers and the poor.
- b) The building of the co-operative must be led by the working class as part of our pool struggle for socialism.

Therefore resolve:

- a) Establish a COSATU Commission on Trade Union Based Co-operatives, made up of participating COSATU affiliates, with the task of promoting and coordinating co-operative development within the trade union movement;
- b) Drawing on existing capacities and resources and working closely with the SACP to promote the establishment of co-operative banks and other types of co-operatives amongst affiliates, for their members and large sections of the working class.
- c) Building collaborative relations with the emerging class-conscious co-operative movement on issues of common interests and aspirations.

4. INTERNATIONAL SECTION

5.1 Cuba

Noting that:

- a) The National Union of Mineworkers supports the numerous resolutions of the United Nations General Assembly calling for the lifting of the illegal United States embargo on Cuba.
- b) This embargo has been in place for more than 60 years and has caused tremendous suffering to the people of Cuba.
- c) The NUM sees this as part of the same imperialist drive of the US to impose its dominance on all corners of the world and build up a new cold war with rival powers such as China and Russia.
- d) The blockade is contributing to growing social instability in Cuba, especially amongst young people, as the strains of the blockade and the Covid 19 pandemic intersect and take their toll.
- e) The NUM and many other South African and international unions have always stood in solidarity and support of the Cuban people and their right to determine their social system without interference.
- f) We recognise and salute the Cuban people's international effort to help stop the spread of the pandemic by sending their best doctors and nurses to countries where they are needed despite their own domestic needs.
- g) Cuba has developed five different Covid vaccines but is being denied the right to a vaccination rollout due to shortages of basic supplies.

Believing that:

- a) The United States' continuing economic embargo especially within the context of a raging pandemic is unjust, inhumane and cruel.
- b) This policy continues to be the principal obstacle to the growth of the Cuban economy and to the full enjoyment of all the human rights of the people of Cuba, constituting a serious challenge to the implementation of Agenda 2030 and its Sustainable Development Goals.
- c) This extraordinary act of selflessness and solidarity does not go unnoticed.
- d) Our call for solidarity with Cuba and the ending of the blockade is practical and concrete

Therefore resolve that:

- a) US President Joe Biden should immediately revoke all 243 new blockade measures implemented by the Trump administration, including the more than 50 measures which were imposed at the start of the COVID-19 pandemic.
- b) Our solidarity with Cuba is needed more than ever as the illegal blockade causes major impacts on the Cuban people amid the pandemic.
- c) Mine, Construction, Energy and Metal workers in SA pay tribute to this by amplifying, more than ever, the call for the immediate and unconditional lifting of the US embargo against Cuba.
- d) With the Friends of Cuba, we will mobilise our members, families and friends to donate syringes and other much-needed medical supplies and have these shipped to Cuba as soon as possible.

5.2 Palestine

Noting that:

- a) Palestinians have been calling for the recognition of Israel's rule as apartheid for several decades.
- b) Yesh Din and B'Tselem, Israeli human rights organisations, have called out Israel as an apartheid state, and internationally respected organisations such as Human Rights Watch and, most recently Amnesty International have published detailed reports providing evidence of Israel's acts of apartheid against Palestinians as a cruel system of domination and crime against humanity.
- c) Apartheid is a violation of public international law, a grave violation of internationally protected human rights and a crime against humanity under international criminal law.

Believing that:

- a) This adds to the report issued by the South African Human and Sciences Research Council in 2009, where renowned South Africans such as international law expert John Dugard and Archbishop Tutu said that the situation for Palestinians is worse than apartheid in South Africa.
- b) South Africa knows well from our struggle against apartheid that the international community must play its part in support of the resistance and freedom struggle of the Palestinian people by isolating the pariah Israeli apartheid state.

Therefore resolves to:

- a) Publicly recognize that international crimes, including the crime of apartheid, are being committed in Israel.
- b) Support in action and engage with sister unions on the call for Boycott, Divestment and Sanctions against apartheid Israel.
- c) Commit to educational programmes through its structures on the resistance of the Palestinian people to settler-colonialism, racism and apartheid.
- d) We call on the South African Government and regional actors to:
 - i. Ratify the International Convention on the Suppression and Punishment of the Crime of Apartheid.
 - ii. Ensure that South African legal and institutional frameworks are developed and implemented to enable the effective investigation and prosecution of perpetrators including their collaborators in South Africa who aid and abet the crime against humanity of apartheid and consequently prosecute South Africans serving in the IDF under the Regulation of Foreign Military Assistance Act.
 - iii. Support the Boycott, Divestment, Sanctions (BDS) movement by breaking ties - diplomatic, trade, sporting, cultural and academic - and develop a policy on BDS.
 - iv. Declare Palestinians visa-free entry into South Africa
 - v. Work towards the removal of Israeli accreditation to the AU, which is in contravention of the Constitutive Act of the AU and the African Charter on Human and Peoples' Rights.
 - vi. Work towards a UN resolution on Israeli apartheid calling for international sanctions and an arms embargo.

5.3 Sanctions on Zimbabwe

Noting that:

- a) Zimbabwe used to be the food basket of the SADC region and the entire African continent
- b) Zimbabwe was part of the frontline states and contributed immensely to the liberation of many countries and our country in particular
- c) The SA government's decision to extend the Zimbabwe Exemption Permit to June 2023
- d) Enduring political, and socio-economic instability in Zimbabwe
- e) The Lancaster agreement and the decision to renege by the British government
- f) The high levels of unemployment in our country, and the periodic fights between the locals and disenfranchised Zimbabwean economic migrants in particular.

Believing that:

- a) The Federation embraces and believes in progressive internationalism
- b) The challenges in Zimbabwe are caused by both subjective, internal weaknesses experienced by a liberation movement but also a revengeful imperialist force led by Britain, supported by the US to destroy all promising, independent developing states
- c) The sanctions are affecting the workers, the poor, and the working class more than the elite in Zimbabwe
- d) The sanctions are now stripping poor Zimbabweans as they are now compelled to scavenge all over the world, as immigrants in search of a better life
- e) Zimbabwe continues to lose the best skills which is a key factor in any development trajectory

Resolve that:

- a) The Federation should reaffirm its' previous CEC, Central Committee and Congress decisions and resolutions on how to resolve the Zimbabwe question, that is:
 - i. To support the ZCTU in their struggle against the ongoing violations of worker rights. Further, encourage the already continuing dialogue by various parties in Zimbabwe.
 - ii. To support the call by the international community for free political activity; the repeal of the draconian laws that limit freedom of speech and free political activity, and the restoration of the rule of law in Zimbabwe.
 - iii. To demonstrate active solidarity with the workers of Zimbabwe by supporting their actions and demonstrations.
 - iv. To maintain constant contact with the ZCTU via the International Relations Department.
 - v. To consistently use the media to highlight the demands of the trade union movement in Zimbabwe
- b) The Federation should intensify its' call for an immediate end to the sanctions against Zimbabwe and lobby the broader MDM structures and our international friends to join this call. This must be subject to the implementation of the recommendations of the Motlanthe Commission and the creation of an environment for free and fair elections that are not accompanied by political violence and are conducted within the framework of the new Zimbabwean constitution:
 - i. A practical and vigorous campaign should be developed in this regard.
 - ii. Urge our government to lobby SADC, AU, and all international FORA including BRICS and the United Nations to resolve a call to end sanctions against the workers, the poor and the working class subject to the above conditions.

- c) The Federation should call on the Department of Labour to ensure that the labour inspectorate unit is efficient enough to curb the super-exploitation of desperate Zimbabwean workers by ruthless companies and as a consequence distort the labour market.
 - i. Harsh penalties should be imposed on companies found to be exploiting Zimbabwean workers.
 - ii. The government should amend the law and impose heavy fines and or a term of imprisonment for the employment of foreign workers that are not categorized as having special/scarce skills. which are not from the categories of special skills.

5.4 Responding to American aggression and imperialism

Noting that:

- a) Even after the collapse of the Berlin Wall and the demise of the USSR, the world was never “Unipolar.”
- b) The USA always viewed both China and Russia as arch-enemies that it must deal with, for them to toe the line and tilt the global balance of power economically and politically.
- c) The USA recognises Taiwan and thus deliberately flouts the globally accepted “One China Policy” to undermine China’s control and sovereignty over its territory.
- d) The War that is currently raging between Russia and Ukraine is deliberately engineered by the USA through NATO, to strangulate and sandwich Russia.
- e) The Russian self-defence and response to America’s global expansionist programme is seen as aggression.

Further noting that:

- a) The often touted “International Law” does not exist or exists only in so far as it does not trample upon American interests.
- b) The whole of the developing and least developed countries are not spared from the brunt of American imperialism and colonialism.
- c) The USA uses the Bretton Woods institutions as well as the WTO to further its aims of making the developing and least developed countries to be its dominions and client states, particularly through the Dollarization of the global economy and currency manipulation.
- d) Some African countries are a host to USA Military Bases called Africom under the guise of security cooperation and combating terrorists and terrorism.
- e) COSATU has in the past staged pickets at the American Embassy

Therefore, resolve that:

- a) COSATU through the reputation that it commands globally, should coalesce with progressive forces and trade unions globally to dispel the myth of a world through the lens and barometer of the USA.
- b) COSATU should champion the language of the poor and marginalized victims of inequality in international forums, no matter how unpopular those views will be.
- c) COSATU through the Alliance Forums like the ANC International Relations Department should emphasise the quest for the national sovereignty of countries around the world, especially the developing countries in continents and through regional and continental blocks like SADC and African Union.
- d) COSATU should step up and mobilize its affiliates' participation in American Embassy and Consulate pickets in large numbers on a variety of global issues.
- e) The Alliance Partners should in unison, desist to kneel to the USA's interests and agenda-setting globally, starting here in the Republic of South Africa.

6 CONSTITUTIONAL AMENDMENTS:

Background

The Proposed Constitutional amendments to Congress could not meet the required threshold of a 2/3 majority in the vote and therefore, could not be effected.

The only Constitutional matters remaining in the Resolutions, are the identified typos, editing and alignments for consistency in the 2018 version of the COSATU Constitution.

6.1 Constitutional and Organisational Commission Proposals

a) Typing errors:

Second sentence under preamble: to correct **under**.

1. Point 2.2.3 correct **confirm** in the last sentence.
2. Point 2.2.2.2 complete the sentence “in which the **(applicant) union operates**”
3. Point 3.5.2 The NC elects people to the following NOBs’ positions: -
 - 3.5.2.1 **General Secretary**; and
 - 3.5.2.2 Deputy General Secretary
4. Point 5.3.1.4 *complete the sentence by adding* **“did not receive the notice and agenda”**

b) Alignment and Consistency:

1. The word **Federation** should be spelt out with the capital **F** throughout the constitution.
2. Point 2.2.2.2 **(industrial section should be replaced with employment sector)-**
3. Point 3.2.1.4 & 3.5.1.4 *replace Treasurer with* **National Treasurer**
4. Point 15.3.1.. *Gender as a sub-structure, should be represented by the* **Chairperson and Secretary** in all constitutional structures of the Federation.
5. Point 15.3.3.1.2 *delete treasurer and replace it with* **Deputy Secretary**
6. Point 15.3.1.1.3 *to be placed under* **Representation as 15.3.1.2.3**