

NATIONAL UNION OF MINEWORKERS



3rd -6th June 2015

15th National Congress

DECLARATION

1. Preamble!!!

“The road is long and full of difficulties. At times we wonder from the path and must turn back; at other times we go too fast and separate ourselves from the masses; on occasion we go too slow and feel the hot breath of those treading in our heels. In our zeal as revolutionists we try to move ahead fast as possible, clearing the way, but knowing we must draw our sustenance from the masses, and that it can advance more rapidly only if we inspire it by our example.” (Che Ernesto Guevara)

We, the 850 disciplined and militant members of the National Union of Mineworkers (NUM), fraternal and international guests gathered at Birchwood Hotel – Johannesburg, as delegates to the 15th National Congress under the theme **“Back to Basics – Members First.”** Our 15th National Congress was honoured by the attendance of up to twenty five international guests from the Revolutionary Cuba, IndustriAll, BWI, and some having presented their messages of solidarity. This was as an important underlining of our historic tradition of internationalism as the NUM.

This congress gathers at the time when our revolution is under severe pressure – facing mounting neo-liberal offensive challenging the very foundation of the majority rule principle. As part of this anti-majoritarian liberal offensive Parliament no longer find political solutions to political problems – courts are used, against the will of the majority, to reverse popular decisions.

The ANC finds itself having to fend-off the opportunistic opposition parties in major Metros in the country, including Port Elizabeth and Johannesburg. Cape Town in particular and the Western Cape Province are already captured! The racist Democratic Alliance governs in this Province and Metro. With this reality the consequence is that Cape Town remains the most unequal – the condition and services in the working class communities are appalling. It remains an exclusive city and Province that is segregated along racial lines with the black majority (including coloureds) at the receiving end of chronic poverty, out of control unemployment and inequality. The congress therefore calls on the millions of South Africans to vote for the ANC in the forthcoming local government elections. The congress pledge its support to the ANC and will intensify mobilisation of workers for the landslide victory in the 2016 local government elections.

Our 15th National Congress note with grave concern the state of our State Owned Entities (SOEs) that are facing various challenges, ranging from governance problems at Eskom, SAA and SABC and seemingly operational challenges at other entities including Petro-SA and Nuclear Energy Cooperation of South Africa. The congress notes with shock government intentions to sell interests in a number of State Owned Entities (SOEs) to raise funds for cash-strapped Eskom. The congress is also appalled at calls to privatise Eskom and other SOEs. This reflects a dominant view, advanced by Capitalists agents, that the free market is progressive. This is not true! The congress calls on the ANC-led government to stop any moves seeking to private strategic entities such as Eskom.

Since inception, the NUM has been one the South African trade unions that embraced international solidarity. The principle continues to characterise the operations of our union and NUM leaders are active leaders serving in prominent positions of international trade union Federations. President Piet Matosa serves as the President of BWI and a member of the Executive. The General Secretary, comrade Frans Baleni is a vice President of IndutriAll and comrade David Macatha Treasure General is a member of the Executive Committee and serves in the sub-committee on finance. This activism at the highest level of the NUM leadership reflects a union in touch with the international workers' struggles.

We also convene this 15th National Congress in the midst of economic growth disappointments which has the roots from the 2008 world economic crisis. The South African economy has not fully-recovered from the global economic crisis. This crisis has manifested into mass retrenchments throughout the economy, particularly in the manufacturing sector. South Africans are now paying more tax as announced by the Minister of Finance during his budget speech. The congress calls on government to devise measures to protect the poor during from the worst effects of the economic crisis.

NUM 15th National Congress has spoken and made a clarion call thus; **Back to Basics- Members First** – this is not a step backwards. It is a step forward. We must go back to basics; but when we come back we must be the most advance and resolute in championing the interests of the workers.

Yes, congress declares thus Back-Basics we mean reaffirming worker-democracy, worker-ownership over the union. This means the answerability of full-time officials to the base, Back-Basics means daily dedication to servicing member's needs. It means active and capable shop-stewards who do not rely on head-office to solve all problems. It further means re-affirming the traditions of collective leadership-not "big man politics", not a politics of "members", not "clientelism", not "cults of personality"

In addition, we are saying Back to Basics to appreciate the dialectic link of Our Past, Our Present, and Our Future. We are saying having grasped this dialectic link we must go back to all our sectors and recruit workers in order to build potent power.

Our 15th National Congress is very clear the intention of Members First is one of utmost importance because existence derives from the struggle of fighting exploitation of the workers by the greedy capitalist employers. This is a revolutionary duty to ensure that the very cornerstone of what we have done in the past, what we are presently doing, and what will catapult us into the future, is that of the mighty members of the NUM.

For the next three years, the pillars of our programmes shall be premised from this programmatic theme – **Back to Basics –Members First**. We emerge from this coherent and united 15th National Congress as a maturing 33 year old disciplined Cosatu affiliate with serious determination and confidence to building on all the advances we have made for the past years, equally tackle the set-backs we continue to confront in the fight against greedy Big Business.

2. POLITICAL FRONT

2.1. Liberal Offensive on the NUM

As we convene at the NUM 15th national congress, the union is facing mounting liberal offensive with the intention of liquidating our union and its legacy as the source of inspiration for hundreds of thousands of mineworkers. This offensive, as we have previously defined it, seeks to weaken the NUM and thereby weaken Cosatu and the rest of the revolutionary Alliance. The unfortunate part is that, supposedly fraternal unions have formed part of the neo-liberal sect, with some sections of the media and self-appointed political analysts that are leading the offensive against NUM. Indeed, an injury to NUM is an opportunistic gain to the leadership clique of this supposedly fraternal union.

Despite our efforts to raise awareness against the dangers of the vigilante unions – properly characterised by the vanguard Party of the working class – the South African Communist Party as yet another vigilante union, the offensive is mounting on our union.

It is, nonetheless, with a sense of elation to report to the country and members of this union in particular that NUM is stronger! And the future of the workers and mineworkers in particular is in safe hands!

2.2. We will Defend Cosatu to the Bitter End

Congress appreciates feedback on developments at Cosatu and in relation to leadership and organisational challenges that have characterised media reports on our Federation. Delegates expressed gratitude on the efforts the African National Congress (ANC) has played so far in intervening when differences seem to consume the Federation. Congress delegates appreciate the dangers posed by a cult of personality and its manifestations including factionalism. Mine, construction and energy workers are acutely aware that the anti-majoritarian liberal offensive has caught up with our own labour movement too. Congress makes a call to say, our federation, Cosatu can no longer afford to be run through courts and we will defend Cosatu to the bitter end.

The congress declares to defend Cosatu from the dangerous and narrow repercussions of factionalism, business unionists and pledge their support and confidence in the leadership collective of Cosatu.

2.3. Parliament – the strategic site of power

NUM 15th National Congress took place at a time where the anti-majoritarian liberal offensive is gaining confidence at all fronts. It is this tendency advanced by the DA-led opposition parties with its vanguard, the proto fascist and corrupt tenderpreneurs, hyenas masquerading as revolutionaries, the EFF, that continues to use the judicial on issues they have lost in parliamentary debates. It is within this context that

workers calls for the clear separation of powers between the judicial and the legislative arm of government. The congress calls on South Africans to isolate the racist DA and its para-military wing, the EFF, and expose these parties for what they are.

2.4. THE STATUS OF THE STATE OWNED ENTITIES

The state of the critical organs of the state such as the many components of the criminal justice cluster is a cause for concern to the mining, energy and construction workers.

2.4.1. HANDS OFF ESKOM FROM THE REMNANTS OF THE 1996 CLASS PROJECT

We are concerned with the hegemony of the remnants of the 1996 class project at the national treasury. In this instance, these remnants have the potential to undermine our agenda of building a developmental state. It is within this context that as part of our **Save Eskom Campaign** we call upon our government not to fall into the temptation of the neo-liberal view of seeking to private Eskom. The fact that the energy utility is a liability is a man creation by the corrupt and greedy tenderpreneurs.

On the one hand, as long as Eskom continues to be led by tenderpreneurs the power utility will continue confront challenges and weaken the country's economy. Within this context we extend our call even to the Hawks, NPA, Police, IPD, SARS and our SABC for the sake of our national democratic revolution. We therefore call on our government to intervene to these important organs of our state.

2.5. Reclaim the Freedom Charter from Demagogues

The year of our 15th National Congress is the year where we celebrate the 60th anniversary of the Freedom Charter-our guide to action. It is within this context that we call for the speedily implementation of the Freedom Charter in this more radical phase of the national democratic revolution. The second more radical phase must have a practical meaning to the workers in seeing to it that the radical economic transformation currently underway serve the workers and the poor not the white and the connected few black elite.

The NUM has the duty to reclaim the Freedom Charter as it is used as a flag of the corrupt demagogues.

2.6. Workers of Africa Unite and No to Xenophobia

Congress expressed solidarity with foreign national workers who were brutal killed by lumpens during the recent attacks in areas such as Johannesburg and Kwazulu Natal. The message is clear to all workers and the poor-our enemy is one, capital not foreign nationals. The current dominance of unorganised workers of foreign origin in all the sectors of the economy exposes the weaknesses of the labour movement and

thus we must recruit them because the NUM is a product of the unity of the workers beyond the South African borders.

3. COLLECTIVE BARGAINING

Through our **Siyaphambili Campaign** the National Union of Mineworkers has a dynamic Wages and Collective Bargaining Policy and concomitant strategies which have carried us up to today. This policy and strategies have set good precedents by improving wages and conditions of work at firms such as Eskom, Royal Bafokeng Platinum Mines, Kumba Iron Ore, Gold Field's South Deep Gold Mine and the Civil Construction sector.

Congress commits to build on these landmarks victories. The NUM will ensure that our negotiators navigate the forthcoming wage bargaining rounds with utmost care and diligence noting that our members are already having high expectations from the coming wage rounds.

Congress is acute aware that whilst our negotiators carry full mandates from the grass-root members, it refuses to ignore the fact that workers in the mining and quarrying and construction industries are agitating for a living wage. The current wage policies are still steeped in the apartheid mentality, which was promoting class exploitation, gender domination and racial oppression. These employers continue to pay workers according to the skills and education levels which continue to deny a black worker the right to a clear career-pathing. As we enter the arena of wage bargaining, we must have this baggage in our minds.

Congress is resolute on the fact our battle for decent remuneration must operate under that broad historical and contemporary environment. Our clarion call to negotiating teams therefore, is to embark on consultations and mandating processes all the way round.

Congress declared not to create negotiating gaps and the NUM shall remain a team player in negotiations. In this way we will be creating dynamic contact with workers in general and members in particular as part of going back to basics.

Congress thoroughly discussed the advances scored and struggles to be waged in our three sectors namely; the mining, construction and energy and reflected on both advances and the on-going struggles that need to be waged thus:

- a) **On energy-** we re-affirm our position on the debate about nuclear energy and we are prepared to take it to the street if need be.
- b) **On construction-** despite the many improvements since the 2013 national wage negotiations, the sector continues to face structural challenges on transformation, health and safety of the workers. Many accidents and deaths are under reported in the industry and thus we call for an urgent construction Indaba to reflect on the state of construction and the beneficiation of the workers. Employers must start building houses for the construction workers.
- c) **On mining** – in the 33 years of NUM's existence a lot of improvements have been registered in the mining sector. Nonetheless, the sector is facing a new serious enemy – mass retrenchments of workers throughout the mining

industry. The congress calls on the Chamber of Mines, the ANC-led government to intervene in consultation with the trade unions and find ways to avert the crisis.

Most important, the NUM has noted with disgust and irritation the lack of transformation in both the mining and construction sectors. We call on the relevant departments to wrap the knuckles of those executives and company boards for the failure to comply with relevant legislative frameworks, with the Department of Public Work blacklisting these rogue companies.

3.1. Forward to the Mining Charter Reviewal and Mining Phakisa

Our 15th National Congress mandate the NUM to approach the upcoming Mining Charter Reviewal and Mining Phakisa with the aim of ensuring that there is a minimum of 10% Ownership by employees and community trusts respectively. This should be followed by the alignment of all sector codes with the revised codes of good practice, which should also reflect the 10% minimum for employees. As the current challenge of 24% being given to 2 BEE entrepreneurs and 10 000 employees owning only 2% should be criminalised.

3.2. Unemployment, Inequality and Poverty

The National Union of Mineworkers vision for economic transformation is firmly rooted in the ideals expressed in the Freedom Charter, “the people shall share in South Africa’s wealth.” **THE LAND SHALL BE SHARED AMONG THOSE WHO WORK IT**, hence congress calls on the government to fast track the land reform process. The land dispossession is at the heart of poverty, inequality and unemployment.

The congress noted with concern that at the first quarter of 2015, the unemployment rate increased to 26.4% -- a 12 year high since 2003. Unemployment remains one of the three chief enemies of the democratic dispensation along with inequality and poverty. The congress noted and appreciates the efforts demonstrated by the ANC-led government in fighting unemployment. This congress is not convinced that the business and industry are as committed in fighting unemployment, poverty and inequality.

Indeed, we are concerned that the grave impact of the 2008 global capitalist economic crises that it continues to be heavily felt by the workers and the poor. The retrenchments currently under-way in all the sectors of the economy seeks to deepen the triple crises of unemployment, poverty and inequality in our country despite our government’s interventions.

4. INTERNATIONAL FRONT

4.1. Forward to International Solidarity

The 15th National Congress received the report on the international front and further discussed the many developments in the international front and particularly in the Latin America. It is within this context that congress joined the Cubans and the rest of the world in celebrating the release of the Cuban Five heroes; Gerardo Hernandez, Antonio Guerrero, Ramon Labanino, Fernando Gonzalez and Rene Gonzalez who spent years languishing in the US jail for years after they were framed by imperialist. We welcome the ANC led alliance initiative on inviting these Cuban Five heroes to the country of Nelson Mandela.

However, the NUM is still going to campaign strongly for the unconditional uplifting of the economic blockade in the revolutionary Cuba.

As part of our international solidarity work in defence of the Bolivian Republic of Venezuela, congress calls for:

- The immediate withdrawal of the executive order by the US led imperialist
- An end to provocative acts perpetrated by the United States of America against Venezuela
- The respect for the Sovereignty and territorial integrity of Venezuela, the democratically elected leadership and her people
- An end to acts of destabilisation as part of the US agenda of regime change in Venezuela

We are resolute as the NUM in our call that the Bolivarian Republic of Venezuela has an inalienable right to self-determination and as progressive forces and mine, construction and energy workers shall fight to defend the Venezuelans right to sovereignty.

Furthermore, as part of our historic symbol of international solidarity work we pledge solidarity with the Palestine people and call for the boycotting of Pick N Pay, G4S, Mc Donald, Woolworths. We call on the South African government to cut trade ties with the apartheid Israel. As part of our campaign, the NUM is going to develop both the regalia and pamphlets written meant to raise awareness about the atrocities perpetrated by Israel against the people of Palestine: **Isolate Apartheid Israel.**

Our 15th National Congress pledges solidarity with the people of Swaziland under Mswati monarchy bent to harassing and suppressing the working people in Swaziland. We further call for the release of all political prisoners and the return of those in exile to their country of birth.

15th National Congress further pledge solidarity with the legitimate struggles of the people of the Western Sahara and condemns with the strongest terms the violation of Human Rights by the Morrocan Authorities in the Western Sahara.

In the next three years and beyond, the NUM shall support UGTSARIO (Saharawi Trade Union) in its struggle against the exploitation of Saharawi workers in the occupied Western Sahara.

The 15th National Congress joins both ITUC and BWI in welcoming the resignation of Sepp Blatter as Fifa President. The NUM will remember Sepp Blatter not only as a person who awarded the World Cup to Qatar but further shielded brutal kafala system from reform.

Congress calls on Fifa to use its extra ordinary conference not only to look at the replacement of Sepp Blatter but also to undo the damage Fifa has done by instructing Qatar to respect the international labour laws as strict condition to host the world cup.

Congress agrees with the General Secretary of the BWI comrade Ambet Yuson that the biggest crime with FIFA is not the corruption. It is ignoring all the thousands of workers who get trapped in the modern-slavery or to death while building for the World Cup.

5. OUR LINE OF MARCH MOVING FORWARD

Our 15th National Congress is resolute on making a call thus:

- No to retrenchment
- No to the transfer pricing, offshore listing mergers and acquisition
- No to labour broking
- No to E-Tolls
- No to the Minister of DMR stance on seeking declaratory order on ownership element of the Mining Charter
- Demand an unwavering enforcement of legislative and regulatory frameworks that benefit workers and communities at large
- Demand a living wage and enforce equal pay for equal work principle across the industries
- Accelerate the implementation of Nedlac endorsed social accord

| Amanda