

**ANC  
NATIONAL GENERAL COUNCIL  
2015**

**Reference  
Documents**

**VOLUME** *1*



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# **Declaration of the 53<sup>rd</sup> National Conference**

**20 DECEMBER 2012**

**W**E, the five thousand delegates to this 53<sup>rd</sup> National Conference of the African National Congress, gathered at the University of the Free State, united in the diversity of our nation, black and white, women and men, workers and business people, rural and urban, young and old, intellectuals and religious communities, hereby adopt this declaration as our collective message to our country and to the world.

We came from every corner of our land to Mangaung, the birthplace of our people's movement. We came representing the hopes and aspirations of all South Africans.

We were strengthened by the presence and contributions of fraternal parties from across the world, our Alliance partners, the South African Communist Party, the Congress of South African Trade Unions, the South African National Civics Organisation, and the mass democratic movement.

In response to the echoes of the call by Pixley ka Isaka Seme that brought the founding mothers and fathers of our people's movement to Mangaung a century ago, we returned here *"in order to review the past and reject therein all those things which have retarded our progress, the things which poison the springs of our national life and virtue; to label and distinguish the sins of civilisation, and as members of one house-hold to talk and think loudly on our home problems and the solution of them."*

The memory of our forebears who worked tirelessly and relentlessly to build the ANC into a powerful instrument of liberation in the hands of our people, pervaded our open and honest debates, conducted in the spirit of convincing others and allowing ourselves to be convinced.

As we conclude our year-long celebrations and reflections on the Centenary of the ANC, we paid tribute to many generations of freedom fighters who made supreme sacrifices to bring us where we are today.

We reiterate our commitment to the vision of a united,

non-racial, non-sexist, democratic and prosperous South Africa as enshrined in the Freedom Charter.

These include the guarantee of the fundamental human rights of all South Africans, reinforced by an entrenched Bill of Rights, a multiparty system of government, a representative and independent judiciary and regular elections.

We are conscious that these rights will be meaningless without the fundamental transformation of the economy to serve the interests of the people and far-reaching transformation in the areas of land distribution, housing, education, health, water and sanitation and social security.

Inspired by the theme of **UNITY IN ACTION TOWARDS SOCIO-ECONOMIC FREEDOM**, we reviewed the progress made over the last 18 years towards the building of a united, democratic, non-racial, non-sexist and prosperous South Africa.

We engaged in vigorous and searching debates on the persistence of the legacy of apartheid colonialism, reflected in the triple challenges of poverty, inequality and unemployment.

Responding to these challenges, we are boldly entering the second phase of the transition from apartheid colonialism to a national democratic society. This phase will be characterised by decisive action to effect economic transformation and democratic consolidation, critical both to improve the quality of life of all South Africans and to promote nation-building and social cohesion.

Consequently, in pursuance of these objectives, we embraced Vision 2030 and the National Development Plan as a platform for united action by all South Africans to eradicate poverty, create full employment and reduce inequality as critical building blocks towards a truly united, non-racial, non-sexist, democratic and prosperous society.

We recognise that these efforts cannot bear fruit if carried out by government and the ANC alone. We

therefore commit ourselves to build strong partnerships with community organizations and social movements, trade unions, religious bodies, business organisations, women and youth structures as well as other organisations to ensure that, in actual practice, South Africans – black and white – act as their own liberators.

At the core of the above, should be a united and revolutionary ANC and Alliance formations that are rooted amongst the people and have a committed, conscientious, competent, disciplined and capable corps of cadres.

We hereby declare the next ten years as the Decade of the Cadre and commit to implementing a decade-long programme of organizational renewal to safeguard the core values of the ANC and build its transformative capacity as a strategic centre of power and driver of fundamental change.

We pay tribute to Comrade Nelson Mandela, who during the long, hard decades of apartheid rule was the embodiment and personification of our collective spirit of resistance. As our first democratic President, he inspires our nation and the world and steered our organisation, not just with the values of collective resistance, but also with his example of determination, reconciliation and rootedness amongst the millions of ordinary people. We wish you a speedy recovery, Tata.

As we rise, we are conscious that next year marks the centenary of the 1913 Land Act, which should serve as a reminder of the urgent task of dealing with the historical injustice.

In 2013 we also commemorate the 50th Anniversary since the founding of the OAU, an organization who made it its mission to rid the continent of colonialism. We will continue to strengthen its successor, the African Union as it steers the continent towards integration, peace and prosperity.

We will also be gearing up towards the completion of our Second Decade of Freedom and the fifth democratic and non-racial elections.

We are mindful that this conference rises on the threshold of the second centenary of our glorious movement. We are deeply aware of the historical obligations that this imposes on us to implement our resolutions and ensure that the ANC has the resilience to survive and thrive as a people's movement for yet another century.

We emerge from the 53rd National Conference having reaffirmed our firm conviction that the ANC's culture of vibrant internal democracy enhances our unity of purpose rather than being a source of division and internal discord.

We arrived here with different viewpoints on many issues and are returning to our communities and branches with an unbreakable unity of purpose and a single-minded focus on ensuring that the ANC continues to be a loyal servant of the people, a dynamic leader of our society and an effective movement for transformation.

**Asinamona, asinanzondo,  
siyayidumisa, iANC!**

# **Resolutions of the 53<sup>rd</sup> National Conference**

*20 DECEMBER 2012*

## **I. ORGANISATIONAL RENEWAL**

### **Introduction**

1. Conference reaffirmed the emphasis of the 4th National Policy Conference on the urgent need for renewal, recognising that renewal is principally about building the ANC's resilience, enhancing its transformative and governance capacity and its ability to adapt to changing situations so that it can continue to serve and lead the people.
2. The continuous renewal of the ANC over the century of its existence has been guided by the nature and content of the struggle against apartheid colonialism and its legacy as elaborated in its Strategy and Tactics. The ANC has always understood that to lead the national democratic revolution successfully, it has to renew itself so that it remains relevant to the changing conditions of the struggle both locally and internationally.
3. Having agreed that the second phase in our transition from apartheid colonialism to a national democratic society will be characterised by more radical policies and decisive action to effect thorough-going socio-economic and continued democratic transformation, Conference concluded that this will require a renewed, united and more vibrant ANC, the Alliance and broad democratic forces.

broadest range of sectors of our society around this programme.
5. Conference agreed that we must continue to learn from the reviewed the experiences of the past 100 years of selfless struggle, as well as the experiences of other progressive movements. The ANC has survived due to, among others:
  - Its deep roots and connection with the people;
  - Vibrant internal democracy and collective leadership;
  - Readiness and willingness of its members to make sacrifices in pursuit of the cause of the people as a whole;
  - Readiness to acknowledge its weaknesses and decisively address them in order to escalate and accelerate the people's struggle;
  - Ability to adapt to changing conditions and rise to the occasion at critical moments;
  - Ability to uphold and build unity a cross section of South Africans and progressive forces in the world in pursuit of the cause of humanity;
6. In this regard, the movement's strengths and weaknesses and priorities for organisational renewal were identified in order to reposition the ANC as we commence the revolutionary journey towards the second century.
7. The 53rd National Conference discussed the Recommendations of the 4th National Policy Conference and agreed with the overall thrust, while making some amendments and additions as follows:

### On Cadre policy

- Believing that the neglect of cadre policy is at the centre of most of the current weaknesses and challenges faced by our movement in the post-1994 era. The Policy Conference reaffirms the perspective that our revolution will only succeed if the movement continuously produces a contingent of cadres who are conscious, competent, committed, disciplined and conscientious.
- Conference resolves that the ANC and the Alliance should, collectively and individually, should pay urgent and systematic attention to the task of developing a contingent of cadres who have attributes that accord with the tasks of the national democratic revolution in the second phase. Accordingly, the Policy Conference further recommend that the 53rd National Conference should declare the next decade a Decade of the Cadre in which there will be a key focus on the ideological, political, academic and moral training of a critical mass of ANC members.
- The One Million Members Campaign should be buttressed by a national programme to develop and transform most ANC members into activists and cadres who will be at the cutting edge of the on-going struggle fundamental political, social and economic transformation of our country. Accordingly, ANC members should understand fully what it takes for a member to go through the full cycle of becoming and remaining a tried and tested cadre. It must be clear that joining the ANC is the beginning of a long journey towards becoming a cadre.
- In the new phase of the NDR, deployment should always be preceded by systematic academic, ideological, and ethical training and political preparation. Cadre Deployment should be underpinned by a rigorous system of monitoring and evaluation of the performance of cadres deployed and elected to leadership positions. This will avoid a situation wherein leadership assessment and evaluation take place only in the run-up to conferences.
- It is in this spirit that the establishment and rollout of the ANC's comprehensive political school system – national, provincial, regional, sub-regional/zonal and branch level – is an urgent task during the Decade of the Cadre.
- The ANC veterans and former combatant of MK should be deployed in the programme of rolling out the political education cadreship development programme. This applies to individuals whose conduct is beyond reproach. The proposal that

cadre deployment should also consider academic qualifications.

- The ANC should adopt a programme to raise the level of literacy, education and skills among its members as part of the nation-wide campaign to make education and training a national priority.
  - The ANC should be a specific focus on the recruitment, political and ideological training of students and young intellectuals
8. Conference further instructs the incoming NEC to develop and implement programme to give effect to the next ten years being declared a Decade of the Cadre

### On safeguarding core values

- Having noted that the gradual erosion of the core values of the ANC threatens its continuing existence in the second centenary, Conference agrees unanimously that safeguarding and promoting the core values of the ANC constitute one of the key tasks of second phase of the transition. The promotion of our core values should be undertaken within the context the ideological struggle to cultivate progressive values among all South Africans as part of building a national democratic society.
- Conference reaffirms the NGC resolution on the setting up of the Integrity Commissions at all levels of the organisation. More urgent steps should be taken to protect the image of the organisation and enhance its standing in society by ensuring, among others, that urgent action is taken to deal with public officials, leaders and members of the ANC who face damaging allegations of improper conduct. In addition, measures should be put in place to prevent abuse of power or office for private gain or factional interests. The ANC can no longer allow prolonged processes that damage its integrity.
- Conference supports the rules on lobbying and called on the NEC to ensure that they are form part of conference rules. However, the idea that those wishing to stand for election should be given an organisational platform to campaign was rejected.
- o Conference emphatically condemned factionalism as well as the practice of slates during conferences. In addition, delegates called for the ANC to tackle the underlying roots of these problematic practices which undermine the unity and cohesion of the movement. A clarion call was made on the organisation to collectively develop new measures to stop these



negative practices and not just condemn them while practically allow them to take root.

- Conference reaffirmed that political discipline is a necessary ingredient without which no organisation can achieve its goals. In this regard, Policy Conference reaffirms the NGC's call for firm and consistent action to instil discipline across all levels of the organization without fear or favour. Instilling discipline is a process that includes political education, correcting personal and social conduct that impinges upon the integrity of the ANC as well as consistent disciplinary action against anyone who violates the ANC Constitution and Code of Conduct.
  - The Conference mandated the NEC to draft a separate booklet on the ANC Code of Conduct for discussion and adoption at the 53rd National Conference. While supporting the spirit of including veterans in the disciplinary processes of the ANC, the Policy Conference did not support the proposal that Disciplinary Committees (DCs) should be composed mainly by veterans because it is not practical due to the number of veterans required to be in DCs at all levels.
  - Branches should be given the full authority to take disciplinary action without applying to the PWC. Intensive training should be conducted in order to ensure that Branches will conduct disciplinary proceedings in accordance with the letter and spirit of the ANC Constitution.
  - The ANC members who are found guilty of wrongdoing in other institutions of society should also be subjected to internal disciplinary processes in line with the ANC Code of Conduct. This will send an unambiguous message in society that the ANC does not tolerate any wrongdoing, including corruption, among its members.
9. Conference further instructs the incoming NEC to:
- Urgently develop the guidelines and constitute the Integrity Committee of the ANC within three months after this Conference; and
  - Develop a code of conduct booklet and circulated to all branches within the first quarter of 2013.
10. Conference rejects the automatic appeal of public representatives to NDCA because all members should undergo standard process.

### **Strengthening organisational design**

- Conference agrees that, as a matter of principle, the ANC organisational structure should be based on the ANC Strategy and Tactics. In particular, the pillars of the NDR should be the main basis on which our organisation is structured.
- The number of the additional members of the NEC should remain 80. However, Conference resolves that in order to qualify for election into the NEC, a candidate should have been a member of the ANC for at least 10 years, with a proven track record of leadership at other levels or in other sectors of society. In addition, a candidate should have undergone training from the ANC political school system.
- Headquarters should be restructured along five departments: Political Education and Cadreship Development; Organisation and Mass Mobilisation; Information and Publicity; Governance, Research, Monitoring and Evaluation; International Relations and should be headed by full-time NEC members. Such NEC members should be appointed by the NEC in its first sitting, in accordance with their skills, competence and integrity. Those appointed should serve the entire five-year term and not be allowed to opt for other deployments during the course of the five-year term of the NEC. Although the SGO coordinates all departments, policy will remain in the ANC Presidency.
- The NEC and NWC should rotate their meetings in different provinces, after which there will be direct interaction with local structures and communities.
- The size of the PEC should be increased to 30. The number of full-time PEC and REC members shall be determined by the relevant structure empowered to do so by the constitution.
- Branches should be re-organised to strengthen their work in communities and be the champion of political leadership, socio-economic transformation, local democracy and development. It was further agreed that the current ward-based model should be retained, while sub-branches should be established at voting district level. The composition of the BEC should also be retained. The NEC needs to develop guidelines on the launch of branches and sub-branches.
- The membership audits should be continuous and not just for elective conferences. Audits should be done by cadres of the movement who understand the ANC and not inexperienced comrades. The audit

should verify the functionality and activism of the branch and membership, not just the numbers.

- Conference reaffirms the NGC resolution on the need to resolve the problems of the membership system as part of the modernisation of the ANC due to the failure of the ANC to issue membership cards discourages members from renewing their membership. There should be a temporary card for a new member before membership cards are issued.
- Probation period should be extended from eight weeks to six months. During the probation period, the applicants should undergo six months political education and undertake community work as part of preparing them to understand and practically appreciate the role of ANC members as the servant of the people and leaders in society.
- The practice wherein ANC members are elected to serve, simultaneously in more than one constitutional structure, should not be allowed. The ANC Constitution will be amended accordingly to prohibit this practice.
- In order to qualify for election into the PEC, members should have served for 7 years, 5 years for REC, 3 years for sub-region and 2 years for BEC.
- Having noted that it is currently not feasible to have full-time branch organisers across the country, it was agreed that all regions should have full-time Regional Organisers who should service branches regularly.
- People who are returning to the ANC after having joined other parties should be treated as new members who will have to serve six months probation, undergo political education and undertake community work.

### **On the Leagues, MKMVA, Young Pioneers and Volunteer Corps**

- Conference reaffirms the role and relationship of the Leagues with the ANC as stated in the ANC Constitution. However, Commissions agreed that the ANC needs to take active interest in ensuring that the Leagues understand and play their full role in line with the purpose for which they were founded. This includes making sure that the ANCWL and ANCYL undergo compulsory political training conducted by the ANC as part of cadreship development.
- Conference disagrees with the proposal that Presidents of the Leagues should be referred to as National Chairpersons.

- The resolutions of Polokwane Conference and the NGC on the status and role of MKMVA were reaffirmed. The status of the ANC Veterans League was also reaffirmed.

- There is a need to re-establish the Young Pioneers (Masupatsela) and launch the Volunteer Corps.

### **Specifically on the ANC Youth League**

11. Conference did not approve the recommendation of Policy Conference to change League Presidents to Chairpersons.
12. Conference reaffirms the twin tasks of the ANCYL as set out in the Strategy and Tactics and Constitution of the ANC to mobilise young people behind the vision of the ANC and to champion the interests of young people in society and in the movement.
13. Conference notes with deep concern the state of the Youth League and its increasingly antagonistic relationship with its mother-body, seemingly defining itself outside of the political framework of the ANC. It also notes the state of the NEC with key acting positions, and the emerging tendency in the League at different levels to recall and suspend members without due process. Conference further notes the call for the disbandment of the NEC of the YL.
14. Conference instructs the incoming NEC to urgently intervene to address the situation of the ANC Youth League. The incoming NEC must, amongst other things, engage with the leadership of the League at all levels in order to:
  - Assess the state of organisation of the League and its role and activities, and work consistently with the League to strengthen it organisationally and politically;
  - Engage the League on its relationship with the ANC;
  - Take all necessary measures to ensure that the League plays its proper role and acts within the policy and Constitution of the ANC.

### **On the Alliance**

- Conference reaffirms the on-going relevance and role of the Alliance in the national democratic revolution. Commissions further agreed that steps need to be taken to enhance the unity of purpose of the Alliance through the diligent implementation of an agreed joint programme of action.
- Conference further called for the development of a detailed programme of renewal in order to ensure



that all Alliance structures are positioned to play a complimentary role in carrying the tasks of the NDR. In particular, a call was made to improve relations and programmatic cooperation sub-national levels.

- The Alliance should also work together to build and revive structures of the mass democratic movement and progressive NGOs and civil society.
- The Alliance should also work together to clarify the tasks of and relationship between of public sector unions and the democratic state and further ensure that the civic movement is strengthened to play a strategic and proactive role in community development and local struggles for transformation.

### A Decade-long Programme of Action

15. Conference instructs the incoming NEC to develop a decade-long programme for organisational renewal that covers the priorities set out the Discussion Document on Organisational Renewal as follows:

- a) Building the ANC's capability to act truly as the strategic centre of power organised along, and effective, in all the pillars of transformation. Central to this is the need to structure the core organisation around the pillars of the NDR and ensure we build capacity to carry out fundamental transformation in each pillar.
- b) Building the ANC's capacity to act truly as a vanguard movement for transformation capable of leading a wide range of progressive social movements in transformative struggles to change the legacy of apartheid colonialism and overcome the triple challenges of unemployment, poverty and inequalities. The renewal of the Alliance and mass democratic movement, the revitalization and re-design of grassroots structures of the ANC movement and their re-organisation so as to enable them to focus on solving the problems of the people as well as the activation of the masses to take an active role in development and governance processes is central to the return to mass-based transformative politics – the people are their own liberators.
- c) Fast-tracking the implementation of a coherent cadre policy: The ANC must revitalise all aspects of its cadre policy: recruitment, cadre development, deployment and accountability and cadre preservation. It must take urgent steps to take forward the institutionalisation of political education and consciousness by expanding the comprehensive political school system at all

levels of the organisation in the next five years. The political education, general education, academic training and skills development of the membership and leadership of the movement will receive priority attention over the next decade. This includes a deliberate and extensive leadership programme at all levels of the democratic movement as part of giving effect to the call made in the 2000 NGC for a "New Cadre".

- d) Taking our programme of economic transformation to new heights by fast tracking the development of entrepreneurs, small-medium entities, including large-scale infrastructure development and enhancing the capacity of the state to intervene in key sectors of the economy in pursuit of inclusive economic growth and development, employment creation and broad-based empowerment. For renewal to have a far-reaching transformative impact, it has to propel the process of eradicating unemployment, poverty and inequalities in our society by dealing with structural manifestations of colonialism of a special type. It must further ensure the mainstreaming of women in the economy across all sectors as a deliberate commitment to increase their access to finance, employment, and assets;
- e) Taking urgent and practical steps to build the capacity of the democratic state, within the context of the National Development Plan so that it can act truly as a developmental state that has capacity to drive and implement our transformation agenda. Ensure that all spheres of government have the human resource capabilities and financial resources to contribute and implement the development and transformation priorities contained in the NDP. Ensure that all state institutions embark on massive training and re-skilling and develop a cadreship corps that has the strategic, ideological, political and technical skills to respond to national development priorities.
- f) Urgent and practical steps to restore the core values, stem out factionalism and promote political discipline: As we mark the centenary, we are determined to enhance the ANC moral standing and image among the masses of our people, and address the sins of incumbency. In this regard, we shall combine political education with effective organisational measures and mechanism to promote integrity, political discipline and ethical conduct and defeat the demon of factionalism in the ranks of the ANC,

Alliance and broad mass democratic movement.

- g) Urgent and practical steps to place education and skills development at the centre of our transformation and development agenda: The ANC shall lead by example by being the champion of education and skills development in this phase of the revolution. In this regard, all ANC members and leaders are called upon to take practical steps to improve their literacy rate, skills, levels of education and general knowledge on matters relating to global and domestic socio-economic and political issues. Every branch shall strive, through the education campaign, to improve the literacy rate and general level of education and skills among the people in the ward. Every ANC member should be involved in a project or programme to improve the quality of learning and teaching in all schools and raise the level of education, skills and literacy rate in a specific community. In 2012, each branch should begin the literacy campaign by focusing on eliminating illiteracy among the members and leaders of the ANC in each community.
- h) Urgent and practical steps to deepen our contribution to the renewal of the African continent and the progressive forces of the world: The ANC will continue to strengthen its relations with sister parties in the continent and contribute towards strengthening the progressive forces and multilateral institutions on the continent. As an internationalist movement, we shall continue to

work with other progressive forces in the world, towards a more just global social, political and economic order. As a disciplined force of the left, the ANC shall continue to influence and be influenced by the latest progressive ideas and policy about how best to improve the human condition and ensure the sustainability of the environment.

- i) Urgent and practical steps to professionalise and modernise the operations of the ANC, with immediate priority to the membership system: As we mark the centenary, we are fully aware that the world in which the ANC was born hundred years ago is very different from that of today. We shall take full advantage of the advances in the information and communication technology and management sciences to continue to put in place a better membership system, communicate effectively with its membership, core constituency and society in general and put out its views and policy perspectives without let or hindrance. Progressive modern management methods should be introduced in the running of the ANC.
- j) Urgent and practical tasks to do work amongst the new generations of young people, in all of different sectors and social strata: the ANC cannot leave the political and ideological task of winning over new generations of youth and nurturing them into being responsible citizens and active participants in social transformation.

## 2. SOCIAL TRANSFORMATION

### 1. Introduction

The ANC remains remain guided and committed towards the ideals of the Freedom Charter as we work towards building a national democratic society. In this regard we are enjoined by the Freedom Charter to build a society wherein; ***‘South Belongs to all who live in it Black and White...that only a democratic state, based on the will of the people can secure to all their birthright without distinction or colour, race, sex or belief’.***

The task of social transformation is about advancing the goal of the ANC as articulated in the Strategy and Tactics of 2007 which states that; “our strategies for social transformation must seek to empower people to lift themselves out of poverty while creating adequate social nets to protect the most vulnerable in our society”

In advancing the social transformation agenda, we noted that over the past eighteen years we have made significant progress in fighting poverty and building a national democratic society. Also noted and considered proposals emerging from the 4th National Policy Conference, and proposed that we adopt the thrust of the proposals emerging from the 4th National Policy Conference.

That in order to realise our goals, we must continue to ensure that we implement a comprehensive programme that focuses on the war on poverty, which addresses the challenges of poverty, inequality and underdevelopment and is based on advancing and defending human rights as articulated in chapter two of the constitution.

Having considered the National Development Plan, agreed that it forms an important basis for the development of a long term plan to build a national democratic society that is non-racial, non-sexist, democratic, united and prosperous and seeks to advance the National Democratic Revolution (NDR).

In order to realise the strategic goals of the NDR, the ANC, must therefore continue to mobilise all the motive forces in society behind the vision of building a national democratic society, continue to promote an active citizenry and social inclusion.

### 2. Specific Resolutions on Social Transformation

#### 2.1 On social cohesion and nation building

2.1.1 Noting that:

2.1.1.1 Our past was based on racial and ethnic

divisions devised to systematically exclude the majority of South Africans from full and unhindered participation in all aspects of national life, and left deep and persistent social, cultural and economic divisions and inequalities in society.

2.1.1.2 South Africa is a unitary and sovereign state based on democracy, the rule of law, pursuit of equal human rights, non-racialism, non-sexism and the equality of all persons.

2.1.1.3 in the past eighteen years of Freedom and Democracy, significant strides have been made in building a socially inclusive society.

2.1.1.4 Despite this progress we still face challenges of race, gender and slow economic growth which results in many excluded from the economy,

2.1.1.5 We must be mindful that it will take some time to eradicate these inequalities and divisions

2.1.2 further noting that:

2.1.2.1 We must continue to mobilise society in its entirety, to work together to build a caring society proud of its heritage, based on shared values and a vision informed by the following principles:

- Constitutional democracy;
- Ubuntu
- Human rights and equality
- Non-racialism, non-tribalism and non-sexism
- Inclusivity and social justice
- Redress and transformation
- Intercultural and community cooperation
- Social solidarity
- Empowered, fair, inclusive and active citizenship
- Civic responsibility
- Unity in diversity
- National consciousness and identity.

2.1.3 ***therefore resolve that:***

2.1.3.1 We must work towards the implementation of the recommendations of the 2030 National Development Plan as a long term vision which should serve as a basis for partnerships across society to attain the South Africa of our dreams, as eloquently articulated in the constitution.

2.1.3.2 We must ensure that social cohesion and nation

building underpins all national, provincial and local government strategic priorities, inclusive of integrated economic and social development, education, health, human settlement, land and rural development, safety and security, immigration policies and programmes, arts, culture, language, heritage development and preservation, technological innovation, research and development.

- 2.1.3.3 We must promote and preserve progressive indigenous cultures and knowledge systems that are not in conflict with the constitution.

**2.1.4 *further resolve that:***

- 2.1.4.1 The Charter of Positive Values adopted by the Moral Regeneration Movement in 2008 continued our commitment to respect human dignity.
- 2.1.4.2 To expand existing national, heritage and other honours and awards to recognise individuals, organisations and communities who have contributed significantly to social cohesion and nation building.
- 2.1.4.3 To develop a Nation-Building Project Management Manual and Toolkit, for application by practitioners at all levels, and to convene social cohesion and nation building summits at provincial, local and community level within the next twelve months.
- 2.1.4.4 To convene a National Social Cohesion Report Back and Monitoring Summit in 2014, as we celebrate 20 years of our freedom and democracy, and thereafter at five year intervals, to report on progress.
- 2.1.4.5 To accelerate change in improving the quality of life of all people, with special attention to the needs of the youth, women and people with disability
- 2.1.4.6 The state must continue to build capacity to drive the socio economic agenda in the country, including absorbing young people and women into economic activity, employing professionals, investing in skills required by the economy, and investing in research and development to respond to the demands of the knowledge economy.
- 2.1.4.7 To continue to fight any forms of discrimination, which are threats to social cohesion and nation building.

## **2.2 On social wage**

2.2.1 noting that:

- 2.2.1.1 In the 2007 ANC 52nd National Conference

we took a decision to equalise the pensionable age for the older persons;

- 2.2.1.2 That since Polokwane we have completed the Consolidated Government Document, that targets, coverage of social assistance and social insurance.

- 2.2.1.3 We have thus far been able to target more than 15 million people in this country benefit from social grants which allows the care-givers of children, the aged and those with disabilities to fulfil their basic needs and sustain their households

- 2.2.1.4 more than 94 % of our people have access to water, 84% have access to sanitation, 81 % of our people have electricity 71% of South Africans have refuse removed from their homes.

- 2.2.1.5 The State has supplied more than 3 million of households with formal dwellings.

2.2.2 further noting that:

- 2.2.2.1 Since 2007, we have developed a framework Comprehensive Social Security strategy, which includes the following key elements;

- 2.2.2.2 The expansion of the assets base of the poor through housing, small business and land reform programmes.

- 2.2.2.3 Retirement reform, unemployment and accident insurance and National Health Insurance.

**2.2.3 *therefore resolve that:***

- 2.2.3.1 We increase the capacity of the state to ensure the acceleration of the implementation of the comprehensive social security strategy

- 2.2.3.2 We increase the capacity of the state to ensure the provision of free basic services for the poor, quality free education for poor households, passenger transport subsidies; we increase access to social grants to children and older persons as outlined in the Consolidated Government Document on Comprehensive Social Security.

## **2.3 On Children**

2.3.1 noting that:

- 2.3.1.1 The StatsSA 2011 Census report, has found that Children make up 31.3% of the population

- 2.3.1.2 In Polokwane we took a decision to develop a comprehensive strategy on Early Childhood Development which has subsequently been developed.



- 2.3.1.3 We have increased the age of eligibility for social grants up to the age of 18, a goal that has been implemented progressively and given the positive impacts of the CSG, we need to consider universalising the Child Support Grant so that no deserving child gets excluded.
- 2.3.1.4 The country's social grants reduced the poverty gap by 63%, that early receipt of the CSG contributed to better educational outcomes for all children, especially the girl child, that early receipt of the CSG contributed to a decrease in risky sexual behavior in adolescence, that early receipt and continued participation in the CSG programme, tended to keep children in school longer.
- 2.3.1.5 we have achieved universal attendance at schools at primary school.

### 2.3.2 *therefore resolve that:*

- 2.3.2.1 We must accelerate the implementation of a Comprehensive Early Childhood Development Programme, taking into consideration the proposals in the NDP, which calls for:
- 2.3.2.1.1 Universal access for at least four (4) years of Early Childhood Development and the department of social development must take a lead in this area of work,
- 2.3.2.1.2 The strengthening of youth service programmes and the introduction of programmes that facilitate access to life-skills training and entrepreneurship training.
- 2.3.2.1.3 Efforts must be made to provide Child care facilities at public and the private sector workplaces.
- 2.3.2.2 We must ensure integrated services, including nutritional support to expectant mothers and children up until the fifth birthday.
- 2.3.2.3 We must ensure the provision of full funding assistance covering tuition, books, accommodation and living allowances to students from poor families.
- 2.3.2.4 We must continue to pay special attention to Child-headed households.

## 2.4 *On the youth*

2.4.1 noting that:

- 2.4.1.1 Youth aged 15–24 years account for almost 20% of the country's population while those aged 15–34 years account for 37%.
- 2.4.1.2 The majority of the youth are poor. More than half of all 18–24 year olds lived under the lower bound poverty line of R604 per month in 2011.
- 2.4.1.3 That more than two-thirds live under the higher bound poverty line of R1 113 per month and that about half are unemployed and about two-thirds are inactive.
- 2.4.1.4 Further noted that,
- 2.4.1.5 employment projections show that even if average annual growth were to rise to 5%, unemployment amongst 15–24 year olds would be 44% and 31% by 2020 and 2030 respectively, in the absence of special other interventions.
- 2.4.1.6 the youth were unduly burdened with all key social challenges including unemployment, substance abuse and HIV and Aids prevalence.

### 2.4.2 *therefore resolve that:*

- 2.4.2.1 We must ensure that our programmes and policies should focus on developing skills that are required by the economy so that the youth can become part of the mainstream economy, this will include accelerating the development and implementation of financial support for job-seekers, that is tied to compulsory learning and skills development as part of the Comprehensive Social Security System.
- 2.4.2.2 We must continue to develop strategies to retain young people in schools until they complete secondary schooling.
- 2.4.2.3 We must implement an optional national youth service for two year service which includes sporting, recreational, military and vocational training, with an intention to build a socially inclusive society.
- 2.4.2.4 We must continue to pay special attention to Child-headed households.

### 2.4.3 *further resolve that:*

- 2.4.3.1 we strengthen and implement policies and programmes to eradicate drug abuse and alcohol related harms as key component of youth development work.
- 2.4.3.2 We must implement a rights based comprehensive Sexuality education in schools.



- 2.4.3.3 We improve access to Sexual and Reproductive Health Services and family planning for the youth, including the implementation of a schools health programme.
- 2.4.3.4 Ensure the promotion of male and female condom use particularly important to prevent STDs and HIV.
- 2.4.3.5 We must teach and train the youth in particular men to become more responsible and supportive to partners in making sexual and reproductive health decisions.
- 2.4.3.6 We must also promote, responsible, healthy reproductive lifestyles amongst the youth;
- 2.4.3.7 we must continue to provide sanitary wear for the indigent Girl Child.

### 2.5 On Women

- 2.5.1 noting that:
  - 2.5.1.1 Approximately 52% of the population is female,
  - 2.5.1.2 In Polokwane we took a decision to establish a women ministry, focusing the development of women;
  - 2.5.1.3 We still need to continue to systematically fight against patriarchy and any other forms of abuse against women in society,
  - 2.5.1.4 Many of our women are not yet part of the economic mainstream, including access to economic opportunities
  - 2.5.1.5 Progress has been made in ensuring that women are now actively involved in the decision making structures in society and in government. This includes progress towards achieving the 50/50 parity
  - 2.5.1.6 In addition to the progress made by government in the development of women, civil society structures are now involved in the campaigns that focuses on establishment of centres that focuses on women abuse.

#### 2.5.2 *therefore resolve that:*

- 2.5.2.1 whilst progress has been made in the development of women, the establishment of a Ministry that focuses on women development, there is still a need to effectively implement programmes and policies geared towards the development of women, in particular those that live in abject poverty, the disabled and the most vulnerable in society this includes access to opportunities, access to free basic services and continue to systematically fight patriarchy in society.

- 2.5.2.2 we must increase access to economic opportunities for women, this includes targeted procurement from women companies, SMME's and this includes transforming the economy to represents women demographics

- 2.5.2.3 we must also ensure that we work with the rest of society and in particular the private sector to ensure that women are part of the decision making structures in society and ensure that women are part of the mainstreaming economy, in this regard we welcome the proposal by the Ministry on Women, which we must engage to ensure that it achieves its goal and we must continue monitor the implementation of this important policy proposal.

### 2.6 On disabilities

- 2.6.1 noting that:

- 2.6.1.1 There has been progress in ensuring that the disabled are protected and supported;
- 2.6.1.2 We have been able to establish a Ministry that focuses on the disabled in society
- 2.6.1.3 Whilst there is progress on addressing challenges facing the disabled in society, there has been a lack of providing facilities to support the disabled in society, development of braille, sign language.

#### 2.6.2 *therefore resolve that:*

- 2.6.2.1 We continue to implement policies and programmes that are geared towards the protection and promotion of the rights of people with disabilities, including embarking on a campaign for the protection of the disabled in society with relevant stakeholders,
- 2.6.2.2 we must also ensure that we make it compulsory that all public buildings make its easy for the disabled to access such facilities,
- 2.6.2.3 Our policies must be integrated to promote the participation of people with disabilities at all levels of the movement and in all spheres of governance

#### 2.6.3 *further resolve that:*

- 2.6.3.1 Whilst ensuring continuation of mainstreaming disabled people in schools and establishing full services in the schools, we must prioritise the establishment of special needs schools for specific disabilities where the need arises.

- 2.6.3.2 We must also develop mechanisms at the Early Childhood Development (ECD) level in order to be able to detect the needs and challenges of a child at an early age,
- 2.6.3.3 We must consider the establishment of a commission or a structure focusing on the disabled in society.

## 2.7 On Sports and Recreation

- 2.7.1 noting that:
- 2.7.1.1 Sport plays an important role in promoting, community development, social cohesion, and plays a critical role in the sharpening of the minds of children in schools.
- 2.7.1.2 The 2010 FIFA World Cup played an important role in mobilising society around the common vision and building patriotism and building much needed infrastructure for the development of sports facilities;
- 2.7.1.3 In the past eighteen years we have made significant improvement in the development of all sporting codes in the country, these includes:
- That physical education is now a stand-alone and a compulsory subject in schools,
  - The building of more infrastructure for sports and recreation particularly in township and rural communities.
- 2.7.2 further noting:
- 2.7.2.1 There is still a need to ensure the organisation and development of all sporting codes in the country, in this regard we welcome the adoption of the new sports and recreation plan which seeks to ensure the development and growth of the sports sector and the welfare of the sporting fraternity.

### 2.7.3 *therefore resolve that:*

- 2.7.3.1 That in order to fully realise the implementation of the vision of building a competitive sporting nation we must resource sport in the country from the public fiscus at all levels.
- 2.7.3.2 That the MIG must be ring-fenced so as to facilitate investments in sports and recreation infrastructure,
- 2.7.3.3 the utilisation of transformation charters and score-cards to transform Sporting Franchises', Sporting Councils and Federations and the High Performance Centres must focus on local talent development, this includes

targeting developing sporting facilities that are historically not available in other parts of the country, e.g. swimming.

- 2.7.3.4 The Adopted National Sport and Recreation plan (NRSP) must include the decision to implement the quotas as a means to attain sporting excellence in the medium term.

### 2.7.4 *further resolve that:*

- 2.7.4.1 We must continue to use school sport as the bedrock for sport development and excellence, this includes ensuring that sport becomes compulsory in schools
- 2.7.4.2 We focus on indigenous and grassroots sport development over the next 10 years so that the need for quotas is phased out.
- 2.7.4.3 All sport facilities must enable access to people with disabilities and that special attention must be paid to children with disabilities.
- 2.7.4.4 Sport development must also include targeting active ageing programme and this must be done working with all sectors of society and continue to promote community sport so as to nurture and develop local talent.

## 2.7.5 Arts and Culture

- 2.7.5.1 noting that:
- 2.7.5.1.1 Arts, Culture and Heritage play an important role in nation building.
- 2.7.5.1.2 This sector can play a role in contributing to the growth and development of society.
- 2.7.5.2 further noting that:
- 2.7.5.2.1 There has been progress in the implementation of the White Paper on Arts and Culture, which focuses on the promotion of arts, culture, and heritage as a contributor to addressing key economic, social and environmental challenges.
- 2.7.5.2.2 a strategy to enhance economic contribution of the of the arts, crafts and cultural talent has been proposed, which is coupled with the establishment of the National Academy, audience development which seeks to ensure that there are Arts facilitators in schools.
- 2.7.5.3 *therefore resolve that:*
- 2.7.5.3.1 Review the White Paper on Arts and Culture to ensure that this sector continues to play a role in the economy and build a socially inclusive society, this includes creating much needed work opportunities.
- 2.7.5.3.2 Working together with the Artist and other

government institutes we must ensure the protection of the artists, including the development of a strategy to fight piracy.

- 2.7.5.3.3 We should ensure the development and promotion of indigenous language, with a view to include the programme in the curriculum. And that an indigenous language policy which seeks to ensure that one African language should be compulsory in schools depending on the region should be developed in 2014.
- 2.7.5.3.4 That special emphasis should be placed on promoting the arts in indigenous and historically marginalised communities, to ensure the building of patriotism and national consciousness.
- 2.7.5.3.5 The ANC must actively promote the national anthem of the country as it currently exists, whenever the ANC sings the original Nkosi Sikelela iAfrika it should not be referred to as the national anthem.

### 2.7.6 **Cultural Heritage**

2.7.6.1 noting that:

- 2.7.6.1.1 Heritage plays a pivotal role in promoting nation building.
- 2.7.6.1.2 In order to promote and preserve our rich heritage, we have since adopted a comprehensive programme on liberation heritage
- 2.7.6.1.3 The South African society is diverse with many cultures;
- 2.7.6.1.4 The Freedom Charter enjoins us to protect the rights for all the people, regardless of race, colour or sex.

2.7.6.2 further noting:

- 2.7.6.2.1 In the past eighteen years, we have made progress in ensuring that there is respect for different cultural practices and that there is still a lack of understanding and respect of each other's culture.

2.7.6.3 **therefore resolve that:**

- 2.7.6.3.1 We promote and preserve our cultural heritage but ensure that all cultural practices are not in conflict with the South African Constitution with special reference to human rights and gender
- 2.7.6.3.2 All patriarchal practices must be discouraged and that practices such as ukuthwalwa and ukungenwa which are in their nature gender oppressive and abusive to women and children must be outlawed.
- 2.7.6.3.3 Measures to reduce Xenophobia and to

protect people from discrimination based on sexual orientation.

## 2.8 **On Water Provision**

2.8.1 noting that:

- 2.8.1.1 Water is a scarce commodity and that in the near future we will be faced with the challenge of water shortages.
- 2.8.1.2 That there have been efforts made by government to ensure that we preserve water, also produce clean quality water.
- 2.8.1.3 That our vision remains that of ensuring that people have access to clean and quality water.

2.8.2 **therefore resolve that:**

- 2.8.2.1 We must implement policy by reviewing current legislation, to facilitate the removal of unused and inequitable allocations from entitlement holders in order to ensure more equitable distribution of water.
- 2.8.2.2 The abolishment of water trading and changing the funding model for the development and maintenance of infrastructure.
- 2.8.2.3 The need for further exploration of conservation initiatives including restriction on the number of golf courses in a particular radius.
- 2.8.2.4 we must develop small dams especially in rural areas as part of water conservation.
- 2.8.2.5 We must urgently provide every household with quality, clean water which in the short term may include portable purification tanks and water tanks for rain water harvesting to promote food security.

## 2.9 **On Human Settlements**

2.9.1 noting that:

- 2.9.1.1 In the past eighteen years we have been able to create decent shelter for people through different forms of housing.
- 2.9.1.2 Having tested the integrated Human settlements e.g. N2 Joe Slovo project in Cape Town, Cornubia in Durban, COSMO City in Joburg and Lephalale in Limpopo. The ANC took a decision to move away from the concept of provision of housing to the creation of Human Settlements and therefore change of label and of the mandate. And we have now continued with a human settlements mandate which now includes safe haven in East London.

2.9.2 further noting that:

- 2.9.2.1 There are still challenges with regards to the availability of land for decent housing and also challenges with the establishment of residential areas in well located land closer to development and places of work
- 2.9.2.2 The situation has been made worse through towns and cities that are not being geared for increased level of migration as apartheid influx control policies stunted natural migration patterns.
- 2.9.2.3 There are still dysfunctional spatial development and planning systems and implementation across the country.
- 2.9.2.4 A substantial segment of South Africans continue to live in inadequate and precarious settlements.

2.9.3 *therefore resolve that:*

- 2.9.3.1 We must accelerate the development of a human settlements legislation, that is comprehensive.
- 2.9.3.2 We continue to build integrated settlements that includes all social amenities such as parks, crèches, clinics, schools, roads and this is in part also advancing the programme on SPECIAL INFRASTRUCTURE PROJECT (SIP)18 OF THE PICC, this includes.
- 2.9.3.3 As part of building integrated communities we must continue to transform hostels so as to conform to human settlements, e.g. Jabulani Hostels in SOWETO.
- 2.9.3.4 As part of human settlement development we will continue to use housing cooperatives so as to create much needed employment in communities and ensure ownership.
- 2.9.3.5 We accelerate the implementation of the decision to release state owned land, including municipal land to allow for development of human settlement, which will facilitate the deracialization and socio-economic integration of communities, through the Housing Development Agency.
- 2.9.3.6 We must continue to work with the private sector in particular financial institutions to provide housing for the gap market.
- 2.9.3.7 We must develop legislation to ban land invasion and in particular land earmarked for development.

## 2.10 *On Environmental Protection and the Green Economy*

2.10.1 noting that:

- 2.10.1.1 Climate change has a negative, economic and social impact on the lives of the people and in particular the most vulnerable in society.
- 2.10.1.2 We hosted the WSSD and COP17 to contribute towards a just and fair world that protects its environment and promote sustainable development.

2.10.2 *therefore resolve that:*

- 2.10.2.1 We must drive the global efforts to achieve the stabilisation of greenhouse gas concentrations in the atmosphere at a level that prevents dangerous anthropogenic interference with the climate system; and
- 2.10.2.2 We must implement green economy policy programmes
- 2.10.2.3 We must adapt to and manage unavoidable and potential damaging climate change impacts through interventions that build and sustain our social, economic and environmental resilience.
- 2.10.2.4 We have to move towards a more sustainable development path that will create new green jobs, which may help to offset employment losses experienced in other sectors; open up new investment opportunities and export markets; support the creation of a knowledge based economy and allow South Africa to set standards and demonstrate thought leadership.



### 3. ECONOMIC TRANSFORMATION

1. The ANC's economic vision rests on the Freedom Charter's call that the people shall share in South Africa's wealth. Through economic transformation we intend to build an equitable society in which there is decent work for all.
2. Over the last 18 years significant progress has been made in meeting the basic needs of our people, including through the growth of the social wage and the provision of social infrastructure. However, the redistribution of economic assets, and the growth of job creating industries have not met the expectations we had in 1994.
3. Therefore, as an integral part of the second phase of our transition from apartheid to a national democratic society, we need to accelerate growth and intensify our programme of economic transformation. Over the next five years, the ANC will take decisive and resolute action to overcome the triple challenges of poverty, inequality and unemployment, which are at the heart of South Africa's socio-economic challenges. We intend to transform the structure of the economy through industrialisation, broad-based black economic empowerment, addressing the basic needs of our people, including women and youth, strengthening and expanding the role of the state and the role of state owned enterprises.
4. Our most effective weapon in the campaign against poverty is the creation of decent work, and creating work requires faster and more inclusive economic growth. The challenges of unemployment, poverty and inequality require that accelerated growth takes place in the context of an effective strategy of redistribution that builds a new and more equitable growth path.
- iv. A comprehensive and clear rural development strategy.
- v. Reversing apartheid settlement patterns in both urban and rural areas.
- vi. Expanding the opportunities for sustainable livelihoods, through support for cooperatives and micro-enterprises.
- vii. Programmes that directly absorb the unemployed, including public works programmes.
- viii. Expanding the social wage with universal and subsidised access to basic social services.
- ix. Investing in priority skills and education, and improving the performance of South African learners in maths and science.
- x. Using South Africa's natural resources in a manner that benefits the nation as a whole.
- xi. Ensuring energy security and promoting clean and renewable sources of energy supply
- xii. Integration on a fair and equitable basis with the economies of Southern Africa and building stronger economic linkages across the continent as a whole
- xiii. Participating in world trade, pursuing strategic partnerships with countries of the south and agitating for a fairer world trade system
- xiv. Macroeconomic policies that support growth, job creation and poverty eradication on a sustainable basis.
- xv. Building the capacity of government to act as a democratic developmental state and implement the programme of economic transformation.
6. Significant progress has been made in implementing aspects of the Polokwane resolution, but much work still needs to be done to put the resolution into action, and implementation of its pillars is only just beginning. Amongst the key achievements of the last five years has been:
  - The creation of the national planning commission and the development of a national plan as the basis for mobilising and uniting all South Africans around a common vision.
  - The New Growth Path has defined our medium-term policy imperatives, while industrial and trade policies are increasingly active and well resourced.
  - We launched an ambitious infrastructure programme, which is gathering momentum every day. Large public investments in energy, ports, railways and roads, will help alleviate

#### Progress and Challenges

5. The resolution taken by of the 52nd National Conference of the African National Congress continues to define our perspective on economic transformation. The fifteen pillars of Polokwane resolution are:
  - i. Creating decent work is the primary focus of economic policy.
  - ii. Accelerating shared economic growth by overcoming obstacles to growth and intervening to promote equity.
  - iii. Transforming the structures of production and ownership.



supply bottlenecks in the economy, while social infrastructure will improve the living conditions of our people.

- The social wage has continued to expand, with greater government resources allocated to education, health and other basic services.
  - Macroeconomic policy remains sustainable and supportive of growth.
7. However, there remain huge challenges and areas where we have not made sufficient progress. These include the following:
    - Structural unemployment remains unacceptably high, particularly amongst the youth. Women, especially black women, continue to bear the brunt of structural imbalances in the economy.
    - The global crisis of capitalism asserted itself with vengeance from 2008. Despite concerted counter-actions on the part of our movement, the global shock led to the loss of more than 1 million jobs in South Africa, a tragedy from which we are yet to fully recover.
    - We have not succeeded in accelerating growth, and even as the global crisis has subsided somewhat, South Africa's growth rate is still below what it was in 2007.
    - Government has added greater resources to the social wage and service delivery, but there is increasing concern that these resources are not reaching the right people and are not having the expected impact on the ground.
  8. These shortcomings reflect the fact that the constraints to South Africa's growth are deep and structural. Despite macroeconomic stimulus, our recovery from the 2008 crisis has been weak. Investment, trade and employment growth remain hesitant. These structural problems require structural solutions that transform the trajectory of economic growth, reindustrialise the South African economy and accelerate social development. The second phase of the transition should thus mark a decisive break with unemployment, exploitation, inequality and poverty.
  9. As we noted in Polokwane, the changes we seek will not emerge spontaneously from the 'invisible hand' of the market. People acting collectively in the spirit of human solidarity must shape the patterns of economic development. In this process the state must play a central and strategic role, by directly investing in underdeveloped areas and directing and incentivising private sector investment, including through the effective deployment of state owned enterprises and development finance institutions.

10. A democratic developmental state, capable of intervening effectively to transform economic relations, is therefore at the centre of our economic agenda. At the same time, our objectives cannot be achieved by the public sector acting alone. It will also need South African citizens and firms who are motivated to invest in the future. This requires confidence in the future and a shared belief that tomorrow will be better than today.

#### Believing that:

1. The destination we are heading towards is a mixed economy, where the state, private capital, cooperative and other forms of social ownership complement each other in an integrated way to eliminate poverty and foster shared economic growth. The process of overcoming unemployment poverty and inequality and building a national democratic society will be complex, and requires a long term planning blueprint that creates certainty about where we are going and how we intend to get there.
2. Global developments have created new challenges and opportunities for our economic agenda. Despite its obvious dangers, the crisis indicates that the world is at a crossroads where taking decisive charge of our national destiny is even more important. Our responsibility to act in unity – duty bound to protect the livelihoods of the poor and enhance the welfare of our people with care and forethought – is greater than ever.
3. Despite the challenges facing the global economy, growth in Africa is strong and robust. In this context building intra-African trade is a key economic policy objective, and is in the vital interest of the people of South Africa and the entire African continent.
4. South Africa's endowment of mineral resources belongs to the people as a whole through state custodianship, and should be governed by the democratic developmental state in the interests of all South Africans. Exploitation of minerals must optimise their developmental impact, especially job creation, across the economy. Mining must catalyse broader industrialisation through the realisation of all the potential backward and forward linkages, including a much greater degree of beneficiation.
5. Through industrialisation South Africa should seek to construct a new comparative advantage based on our natural resources, in the context of stronger regional integration. This requires us to ensure the competitive pricing of key resource inputs to our downstream beneficiation activities, including on-going measures to address import parity pricing.

6. Government's ambitious infrastructure programme will support the growth of our supply sectors, unlock key bottlenecks in the economy and underpin the structural transformation that we seek. It is a programme based around strategic integrated projects that will have a catalytic impact on job creation, unlocking resources, developing the poorest regions of our country, overcoming spatial inequalities and developing the region.
  7. There are far too many young people who are out of work, and this is a growing problem. Urgent and extra-ordinary measures are required to address youth unemployment. Moreover, the structural gender imbalances in the economy impact negatively on women, especially black women and need to be addressed.
  8. A radical improvement in the outcomes generated by our education system is required if we are to change the structure of opportunities in our society, stimulate growth and ensure a more equitable distribution of wealth and income.
  9. In addition to creating jobs, eradicating poverty and overcoming extreme inequality, our transformation agenda also embraces the creation of a non-racial entrepreneurial class. SMME and BEE policies should focus on the development of entrepreneurs providing productive inputs into the real economy, rather than shareholder transactions, and should seek to build cooperative institutions and other forms of social ownership.
3. We reaffirm our commitment to promoting local companies, entrepreneurs and cooperatives through public procurement and infrastructure spend, and our intention to fully utilise the trade and industrial policy space available to South Africa. Our commitment to localisation extends to the materials used and distributed at ANC conferences. In this regard, the paraphernalia ordered for all ANC conferences and meetings, at whatever level must be made in South Africa.
  4. We will continue to construct an inclusive, democratic and fair system of workplace relations that builds on the constitutional right to collective bargaining and enables South Africans to work together in their common interests. Marginalised workers that are outside the current system of labour relations must be mobilised to realise their constitutional rights and join trade unions affiliated to COSATU. The ANC must campaign to ensure peace, stability and respect for the rule of law in the conduct of industrial relations.

### We therefore resolve:

#### The National Development Plan

1. The ANC must take the lead in mobilising and uniting all South Africans around a common vision of economic transformation that puts South Africa first. The National Development Plan is a living and dynamic document and articulates a vision which is broadly in line with our objective to create a national democratic society, and should be used as a common basis for this mobilisation. The ANC will continue to engage with the plan, conscious of the need to unite South Africans in action around a common vision and programme of change.
2. Within the NDP vision, critical instruments and policy initiatives will continue to drive government's medium-term policy agenda. These include:
  - The national infrastructure plan, which is an opportunity to change the structure of the economy, apartheid spatial distortions, support beneficiation and industrialisation and contribute to facilitating intra-African trade. As a flagship programme of the state, all departments and spheres of government must join in taking forward this programme.
  - The New Growth Path is the economic strategy designed to shift the trajectory of economic development, including through identified drivers of job creation.
  - The industrial policy action plan, which guides the reindustrialisation of the South African economy.

#### The Minerals Sector

5. The ANC's policy with respect to the further development of the minerals sector is based on the following elements:
  - South Africa is endowed with abundant mineral resources, including the following strategic and important assets:
    - Minerals for manufacturing: Steel (iron ore), polymers (coal or oil/gas), base metals (copper, zinc, nickel), Platinum group metals, chromium, vanadium, manganese, alumina-silicates.
    - Minerals for energy: coal, uranium (also limestone for washing emissions), natural gas, including shale gas and coal-bed methane gas.
    - Minerals for agriculture: NPK-nitrogen (gas), phosphates, potassium, conditioners (sulphur, limestone)
    - Minerals for Infrastructure: Steel (iron ore) cement (limestone, gypsum), copper.

- Within this list of minerals, those strategic minerals that require special public policy measures will be identified
- State intervention with a focus on beneficiation for industrialisation is urgently required. Instruments are required to support beneficiation and competitive pricing of these strategic resources include the use of targeted management of exports of minerals. In addition, SA's share of some resources offers possible producer power which could be used to facilitate backward and forward mineral economic linkages.
- At the forefront of state intervention should be the strengthening of the state mining company which will capture a share of mineral resource rents and equity. It should support, where appropriate, vertically integrated value chains that strengthen strategic industries, by ensuring that adequate amounts of raw materials are made available to them at affordable prices.
- The state must capture an equitable share of mineral resource rents through the tax system and deploy them in the interests of long-term economic growth, development and transformation.
- Mining should create safe and decent work, and mineral extraction should not compromise local communities or the environment. Government should urgently conduct a comprehensive review of whether mining companies are meeting their obligations regarding social and labour plans, including those stipulated by the Mining Charter and MPRDA. Social plans must be effectively integrated with community and municipal development programmes.
- There is a need to develop mineral knowledge linkages by encouraging youth to study science and engineering, and providing incentives for this including free education up to first year university level for these subjects. We must also expand investment in research and development that contributes towards innovation that supports beneficiation.

#### Youth employment, small business and cooperatives

6. Urgent action is needed to get more young people into the work-place. The private sector, public sector, youth organisations and trade unions must unite in action to address youth unemployment through interventions that do not jeopardise the jobs of existing workers, or undermine workers' rights more generally. Government must act to improve the quality of active labour market policies, and create incentives for absorbing the young unemployed, so that young, unskilled job seekers can gain entry into employment more easily. The expansion of vocational training, linking the skills development with industrial growth

and job creation and expanding the support for youth, especially black youth, in accessing and developing skills are also critical ingredients of our response. The effective working of our system of basic education is critical to economic growth and development.

7. We must continue to encourage the creation of new businesses, cooperatives and the expansion of small business, by reducing the costs of compliance with government regulations, making it easier for companies to 'do business' with government, making sure that government pays its invoices on time and strengthening the role of our development finance institutions.

#### Developmental state

8. We must make our government a more capable and effective state, with the technical and political capacity to lead development and transform the economy. This will require us to:
  - Ensure bold forms of state intervention, including through:
    - Financial regulation and control, including through a state owned bank.
    - Progressive and redistributive taxation
    - Wage and income policies that promote decent work, growth and address poverty and inequality.
    - Progressive competition policies that promote growth and employment, and address poverty and inequality
    - A well-resourced state-led industrial and trade policy
    - Increased state ownership in strategic sectors, where deemed appropriate on the balance of evidence, and the more effective use of state-owned enterprises.
  - Marshal our state-owned enterprises and development finance institutions taking account of recommendations of the Presidential Review Commission, with a view of transforming them to be one of the key instruments of the developmental state. This will require a comprehensive transformation of the policy framework and institutional architecture governing SOEs and DFIs.
  - Ensure a proper balance between political leadership and a professional public service. A critical objective for the next five years is to improve the quality of the social wage, by rolling back corruption, inefficiency and waste in the public service, improving the productivity of public servants and ensuring much tighter accountability, with firm consequences where there is a failure to deliver services.
  - Government should increase its own capacity to

deliver on its core obligations, including the provision of social infrastructure, where appropriate. This will require eliminating an over-reliance on tenders where this is consistent with the delivery of effective services. Tenders must be issued in an open and transparent manner that does not compromise our objectives in respect of service delivery and economic transformation.

### Macroeconomic policy

9. The starting point of our macroeconomic policy is the goals and objectives of the second phase of the transition to a national democratic society: confronting the triple challenge of unemployment, poverty and inequality directly. In this regard:

- The ANC will continue to strive for macro-economic balances that support industrialisation, are biased towards job creation, ensure long term stability and sustainable growth and development that bolster the growth of domestic industrial capacity and in making policy tradeoffs will select those that favour productive sectors of the economy. Macroeconomic policy must help to build an economy in which income inequality recedes.
- Key objectives of the macroeconomic policy framework in the period ahead will be to counter economic volatility, support sustainable growth and a competitive exchange rate. In this regard we must ensure social dialogue on the coordination of fiscal, monetary and incomes policies to achieve these objectives.
- South Africa requires a flexible monetary policy regime, aligned with the objectives of the second phase of transition. Without sacrificing price stability, monetary policy should also take account of other objectives such as employment creation and economic growth. In this regard, government should engage with the new wisdom developing on macroeconomic policy around the world in response to past failures and the global crisis.

### Rural development and land reform

10. In the 52nd Conference, we identified land reform and rural development as a priority. As we approach the centenary year of the 1913 Natives Land Act, the African national Congress recommit itself to urgently accelerate the pace of land reform in South Africa.

11. In giving expression to this urgency:

- land reform must represent a radical and rapid break from the past without significantly

disrupting agricultural production and food security.

- The state must mobilize resources to reverse both the human and material conditions of those displaced by previous land policies; and therefore resolves as follows:
- Transformation imperatives, dealing with the triple challenge of poverty, unemployment and inequality in rural areas ought to be addressed, without any further delay.
- Equitable land allocation and use across race, gender and class, must be ensured.
- Agrarian reform: Balancing land transformation with production discipline for food security must be implemented.

### Land Audit

12. We re-affirm the Polokwane resolution that a comprehensive audit of state owned land be completed urgently.

### Willing Buyer willing seller

13. We affirm the following proposals:
- Replace willing buyer willing seller with the “Just and equitable” principle in the Constitution immediately where the state is acquiring land for land reform purposes.
  - Expropriation without compensation on land acquired through unlawful means or used for illegal purposes having due regard to Section 25 of the Constitution.
  - Expedite the promulgation of the new Expropriation Act.

### Land Tenure system

14. A four-tier system is recommended:
- State and Public land: leasehold
  - Privately owned: freehold with limited extent.
15. Land owned by foreign nationals:
- No ownership of land by foreign nationals as a principle.
  - Convert current ownership into long term lease after land audit has been finalized.
16. Communal land: communal tenure with institutionalized use rights.
- Taxation of under-utilized land, in both communal and commercial areas.
  - Expedite the Tenure Security Policy and bill against farm evictions.
-



### Institutions in support of land reform

17. Land is a fundamental feature of ownership and control and whilst racial, gender and class concentration of ownership of land still persists, the setting up of institutions to regulate land use, standardize land valuations and normalise land use and distribute is important.
18. We recommend the following institutions in support of the land reform:
  - Office of the Valuer General (OVG).
  - Land Management Commission (LMC)
  - Land rights management board
  - We resolve that land be recognized in the Constitution as a socio-economic right and that indigent households be allocated minimum landholdings.

### Rural Development

19. We make the following recommendations with regards to rural development:
  - A rural development sustained by rural co-operatives bank.
  - Sustainable rural settlements, which could grow into rural town/cities.
  - Prioritize roll-out of bulk infrastructure in rural areas e.g. construction of new dams and irrigation, rail, roads, communications, ICT, energy and green economy.
  - Finalize without further delay the Spatial Planning and Land Use Management Bill.

### Food Security

20. We further implementation of the Freedom Charter's call to help those who work the land with implements, seeds, livestock, tractors, irrigation infrastructure and other material support:
  - Scale up the recapitalization and development programme and the comprehensive agricultural support programme, including in communal areas.
  - Rationalize various existing food security initiatives.
  - The commission reaffirmed land as socio-economic factor.

### Re-opening Restitution

21. The commission recommends as follows:
  - Reopening of the lodgement date.
  - Provide for exceptions to the cut-off date

of 1913 so as to accommodate the Khoi and San descendants, heritage sites and historical landmarks.

- That this forms part of the 1913 Natives Land Act centenary observation.

### Capacity of the State

22. Build the organization and capability of rural communities to be champions of their own destiny:
  - Various Cooperatives including a rural cooperative bank.
  - Rural development agency.
  - Strengthen the coordination amongst local structures.
  - Include local governments and traditional leaders in the local management of land administration.
  - Revive agricultural colleges and make agriculture a compulsory part of the curriculum in primary school.



## 4. LEGISLATURE AND GOVERNANCE

### *“Towards More Integrated Cooperative Governance as Part of a Developmental State”*

#### 1. Policy Framework

- 1.1. The transformation of the state issues dealt with in this Commission on Legislature and Governance have to be understood against the background of the Strategy and Tactics document and the NDP (National Development plan) and NGP (New Growth Path).
- 1.2. To deepen the NDR (National Democratic Revolution), and accelerate service delivery and development, we need a stronger developmental state and a more integrated cooperative governance system. The more we build a developmental state, the more we create the conditions for a more integrated cooperative governance system. And the more we strengthen the cooperative governance system, the more we create the conditions for a developmental state. There is a mutually reinforcing relationship between a developmental state and cooperative governance.
- 1.3. It is within this framework that the Commission dealt with the issues below.

#### 2. Report in Context

- 2.1. There was general agreement with the positions set out in the Policy Discussion Document prepared for the ANC's June 2012 Policy Conference. The issues reported on below should be understood in terms of the Policy Discussion Document.
- 2.2. The resolutions below mainly do not cover decisions taken at previous National Conferences of the ANC – unless it is necessary. Previous decisions are endorsed. The Commission calls for their effective implementation.

#### 3. Need for More Integrated Cooperative Governance

- 3.1. The Commission noted the need for more effective cooperative governance to advance service delivery and development.
- 3.2. **And resolved:**
  - 3.2.1 The powers and functions of the 3 spheres of government should be reviewed to provide greater clarity and facilitate more effective service delivery and development.
  - 3.2.2 National and provincial government should monitor and support local government in

ways that strengthen municipalities, not erode their powers and functions.

- 3.2.3 There should be greater integration of planning across the spheres and public entities, with alignment between the NDP, PGDS (Provincial Growth and Development Strategies) and IDPs. Such planning should seek to address spatial segregation, including through an integrated urban development framework and more effective rural development policies. Municipalities should be encouraged to develop explicit spatial restructuring strategies as part of their IDPs. Municipalities should develop effective land-use management policies to achieve their spatial objectives. They should strengthen the link between public transport and land-use management.
- 3.2.4 Decisions taken at Inter-governmental Forums should be implemented effectively.
- 3.2.5 There should be greater cooperation of legislatures.
- 3.2.6 All 3 spheres of government should work closer with SOEs (State-Owned Enterprises), DFIs (Development Finance Institutions) and other public entities, and with civil society.
- 3.2.7 The NEC should provide guidelines to government on its draft Bill on national government interventions in provincial government and provincial government interventions in municipalities as soon as possible. This Bill should take into account the experiences of recent national interventions in provinces; the need for national interventions in provinces to be in synergy with provincial interventions in municipalities; and the need for the Bill to be in synergy with relevant financial and public service legislation.
- 3.2.8 Outstanding issues relating to the creation of a single public service should be finalized through taking into account:
  - The complexities of the issues that need to be addressed
  - The need to ensure greater coherence and cohesion of the local government public administration as an important part of ensuring a single public service.

- The need to take into account the NDP.
- The need for the ANC NEC to further consider the implementation challenges and take a final decision on the viability of a single public service within 6 months.
- The issues be discussed within the Tripartite Alliance and finalized within 9 months.

3.2.9 The proposal by the Education and Health Commission that the President appoints a Remuneration Commission for public servants in general.

#### 4. Future of Provinces

4.1. The Committees noted the decisions of the December 2010 ANC Summit on Provincial and Local Government, and the options in the L&G Policy Discussion Document.

4.2. The Committees **resolved**:

- 4.2.1 Provinces be reformed, reduced and strengthened.
- 4.2.2 A Presidential Commission be appointed to review the provinces, and make proposals on, among other issues, the role of provinces and the number the country should have and their possible boundaries.
- 4.2.3 The Report of the Presidential Commission be presented to the next ANC NGC and any changes that have to be made to the provincial system be given effect to in the 2019 national and provincial elections.

#### 5. A Differentiated Local Government Model

5.1. The Commission noted the significant differences in the character of municipalities that belong to the same category, and the previous decisions in this regard.

5.2. And **resolved** that there should be a differentiated local government model which should include:

- 5.2.1 Municipalities exercising different powers and functions from a common list, with differences based on such criteria as human settlement types; spatial characteristics; economic activity; revenue base; finances; and capacity.
- 5.2.2 Differentiation in scope of IDPs, funding support and capacity building.
- 5.2.3 Devolution of certain provincial functions to stronger municipalities.
- 5.2.4 New revenue raising powers for some municipalities.

5.2.5 Strong local municipalities not being located in Districts.

5.2.6 Government developing a policy and regulatory framework on differentiation.

#### 6. Role of District Municipalities

6.1. The Commission noted the proposals in the Policy Discussion Paper.

6.2. And **resolved**:

- 6.2.1 District municipalities should focus on coordinating, planning and support to local municipalities functions.
- 6.2.2 District municipalities should exist only in areas where there are weak local municipalities.
- 6.2.3 There should be a new funding model for District municipalities.
- 6.2.4 The government's massive new infrastructure development programmes should be used to strengthen District municipalities.

#### 7. Municipal Governance

7.1. The Commission noted the lack of clarity on the role of different functionaries in the governance of municipalities and the need for more effective governance of municipalities.

7.2. The Commission **resolved**:

- 7.2.1 There should be greater separation of the executive and legislative arms of municipalities
- 7.2.2 There should be more effective oversight of the executive committees by council and council committees. The council oversight committees should be properly resourced and capacitated. Where affordable, Chairs of Council committees should be full-time.
- 7.2.3 The plenary type of municipalities should be abolished.
- 7.2.4 The roles of the Mayor, Deputy Mayor, Speaker and Chief Whip should be clarified.
- 7.2.5 A policy paper be developed on the greater separation of the executive and legislative arms of the municipalities, taking into account the need for a differentiated model of local government.

#### 8. Strengthening Ward Committees as Part of Community Participation

8.1. The Commission noted the vital importance of ward committees and community participation in ensuring that municipalities function effectively.

### 8.2. The Commission **resolved**:

- 8.2.1 Ward committees should be made up of a diversity of community interests, not be dominated by political activists.
- 8.2.2 Ward committees should comprise up to 30 people in geographically large wards, in which there could also be area structures of the Ward Committee.
- 8.2.3 Within an incremental framework, some powers should be delegated to the more effective ward committees. Ward committees could take responsibility for fixing potholes, pavements, street lights and similar issues.
- 8.2.4 Municipalities should be obliged to consider proposals from ward committees and inform them of their responses.
- 8.2.5 To the extent possible, municipalities should provide resources to ward committees and provide members with some financial support.
- 8.2.6 To consider whether a CDW (Community Development Worker) is attached to each ward committee as a field worker.
- 8.2.7 Consider whether School Governing Bodies, Community Policing Forums, Health Forums and other structures should be part of Ward committees.
- 8.2.8 Ward Committees should engage more with Thusong Centres.
- 8.2.9 Ward committees should be linked to other forms of community participation.
- 8.2.10 A spirit of volunteerism should be encouraged so that residents take more responsibility to improve the communities in which they live without expecting a material reward for this.
- 8.2.11 Municipalities should also respond more effectively to community participation outside of the state structures.
- 8.2.12 Municipalities should engage more with community organizations in ways that reduce the prospects of service delivery protests.

### 9. Local Government Finances

- 9.1. The Commission noted the major challenges in the local government financial system.
- 9.2. The Commission **resolved** that there should be major review of the local government financial system, which should include:
  - 9.2.1 A review of the equitable share formula.

- 9.2.2 Municipalities to maximize their own revenue.
- 9.2.3 Improving the capacity of municipalities to spend more effectively.
- 9.2.4 Unviable municipalities to be addressed.
- 9.2.5 Further research into the viability of a local business tax for municipalities.
- 9.2.6 Lowering the cost of borrowing from DFIs for municipalities.
- 9.2.7 Greater transparency in procurement processes and ensuring better value for money.
- 9.2.8 Avoiding over-regulation of local government finances.
- 9.2.9 Greater alignment between national and provincial government with local government in view of differing financial years.
- 9.2.10 Greater recognition of the importance providing electricity to local government finances.
- 9.3. Consideration needs to be given to the following:
  - 9.3.1 An insurance scheme or some other way of catering for councillors' houses and other properties that are destroyed because of the position they occupy as councilors. The national budget meets the cost of this.
  - 9.3.2 A once-off grant to municipalities to offset the backlogs in service delivery backlogs.
  - 9.3.3 A transitional restructuring grant for municipalities whose boundaries were changed following the May 2011 local government elections.
  - 9.3.4 A review of the remuneration of councilors and the resources allocated to them, taking into account the enhanced role of ordinary councilors in the new model of municipal governance proposed in section 7 above. The National Fiscus should contribute significantly to the remuneration of councilors.

### 10. Role of Municipal Demarcation Board

- 10.1. The Commission noted several challenges in the role of the Municipal Demarcation Board (MDB) and previous decisions in this regard.
- 10.2. And **resolved**:
  - 10.2.1 There should be a review of the role, scope and composition of the MDB.

10.2.2 The government should appoint a Panel of Experts to assist with this.

10.2.3 The MDB should take into account the financial implications of its re-demarcation for municipalities; the challenges of unviable municipalities; the need for ward boundaries to break down racial barriers and a reduced frequency of re-demarcations.

10.2.4 The ANC should develop its capacity to engage with the demarcation process.

## 11. Relationship Between ANC Structures and Municipalities

11.1. The Commission noted that for municipalities to be effective, the ANC and Alliance need to be stronger, more cohesive and stable. Many of the tensions within the ANC get translated into municipalities and vice versa.

11.2. And **resolved**:

11.2.1 ANC structures, especially RECs and BECs, should exercise political and strategic oversight without seeking to micro-manage municipalities and use them as sites to wage internal party struggles.

11.2.2 The ANC should develop a policy framework for how structures, from BEC upwards, should relate to municipalities, councilors and officials.

## 12. Strengthening the Legislatures

12.1. The Commission noted the challenges facing the legislatures in being more activist and developmental.

12.2. And **resolved**:

12.2.1 There should be a more activist people-centred model of legislatures should be developed.

12.2.2 Legislatures should be strengthened as part of building a developmental state.

12.2.3 The legislatures oversight model and capacity should be improved.

12.2.4 Constituency work should be used more effectively to link the legislatures to the people.

12.2.5 The legislatures should play a more effective role in shaping the national agenda.

12.2.6 The ANC as the majority party should play a more effective role in the legislatures' budgets, structures and human resource issues.

12.2.7 The Chief Whip's Offices in all 3 spheres should be the centre of decision-making and

should be appropriately resourced.

12.2.8 The Chief Whips in all 3 spheres should work more effectively together.

12.2.9 The ANC Political Committees in the legislatures should be strengthened.

12.2.10 A Paper should be developed within 6 months to give more content to the above proposals, and provide a strategy and implementation plan, after having discussed the above issues with the legislatures.

## 13. Single Elections

13.1. The Commission noted:

13.1.1 Election campaigns give the ANC an opportunity to connect with the masses and renew our mandates – so we shouldn't reduce them.

13.1.2 Without separate local government elections, which open spaces in the state, it will cost the ANC more financially to reach our constituencies.

13.1.3 Elections help to build the organization and capacity of our cadres.

13.1.4 Provincial ANC leaders currently oversee the finalization of our local government candidates, and they will not be able to do so if they themselves are candidates to be public representatives.

13.2. And **resolved**:

13.2.1 That the current system of separate elections be retained.

13.2.2 However, in future, should conditions warrant it, consideration should be given to reviewing the issue of elections.

## 14. Allocation of Seats in Municipal Councils after Elections

14.1. The Commission noted:

14.1.1 The allocation of fewer PR seats to parties that win many wards.

14.1.2 The allocation of residual votes to parties that have not qualified to win a seat.

14.2. And **resolved**:

14.2.1 That the principle of "fair representation" in the allocation of seats in municipal councils after elections in the Constitution be retained.

14.2.2 However, the formula to give effect to this should be reviewed, including the way residual



votes are allocated to parties as this tends to be unfair.

- 14.2.3 The L & G Commission undertakes research into this and prepares a position paper for the NEC to take decisions on.

### 15. Gender Mainstreaming

- 15.1. The Commission noted inadequate progress on gender equality in the public sector.

15.2. And **resolved**:

- 15.2.1 To more effectively implement resolutions on this taken previously.

### 16. Traditional Affairs

- 16.1. The Commission noted:

- 16.1.1 The significant progress on issues related to traditional affairs.
- 16.1.2 The need for greater clarity within the ANC on the role of traditional leadership.
- 16.1.3 The need for the L&G Sub-Committee and the NEC to give greater guidance on traditional affairs.

- 16.2. The Commission **resolved**:

- 16.2.1 There should be further changes to the system of communal land administration..
- 16.2.2 Relations between councilors and traditional leaders should be improved in the interests of service delivery and development.
- 16.2.3 The process of settling disputes and claims on traditional leadership should be expedited..
- 16.2.4 The ANC NEC L&G Sub-Committee should prepare a paper for the NEC to take decisions on outstanding issues on traditional affairs.

### 17. Corruption

- 17.1. The Commission noted that there is significant corruption in many sections of society, including in the private sector

17.2. And **resolved**:

- 17.2.1 As the leaders of society, ANC comrades in every sphere of activity, need to be the champions in the anti-corruption campaigns.
- 17.2.2 The ANC should take tougher action against corruption.
- 17.2.3 Systems to detect and act against corruption should be strengthened.

- 17.2.4 There should be greater cooperation across the spheres of government in dealing with corruption.

- 17.2.5 Corruptors should be punished as well.

### 18. Further Issues in Strengthening the Local Government System

- 18.1.1 The capacity of councilors and officials should be significantly improved.

- 18.1.2 SALGA needs to be properly resourced and strengthened. Consideration needs to be also given to:

- 18.1.2..1. SALGA having permanent representatives in the NCOP with the right to vote.

- 18.1.2..2. SALGA having full-time office-bearers.

- 18.1.2..3. The national budget meeting the costs of the above.

- 18.1.3 Given the importance of the NDP and NGP, LED (Local Economic Development) should be strengthened.

- 18.1.4 There should be a more effective deployment policy, with a greater retention of councilors after elections.

- 18.1.5 There should be more full-time councilors.

- 18.1.6 Changing municipal boundaries alone, including by merging municipalities, will not solve the problem of unviable municipalities. Other issues of the viability of municipalities should also be addressed, including the financial, economic, capacity and other challenges.

### 19. Implementation of resolutions Adopted at the 53rd National Conference

- 19.1. The Commission noted the challenges of the ANC NEC L&G Sub-Committee.

19.2. And **resolved**:

- 19.2.1 The L&G Sub-Committee should be strengthened, including through full-time personnel and resources.

- 19.2.2 The Commission should hold members of the executive to account more effectively and should seek the assistance of the SGO's Office in this regard where necessary.

- 19.2.3 Within 3 months of the establishment of



the new ANC NEC L&G Sub-Committee, a strategy and programme to implement the above resolutions should be developed.

19.2.4 There be an Annual Assessment of the work of the L&G Sub-Committee.

## 5. PEACE AND STABILITY

The Commission affirmed the 52nd National Conference Resolutions and noted the progress made in their implementation.

The Commission considered that at the 4th National Policy Conference we recommended various policy changes to be considered by Conference. In charting the way forward we therefore considered the following questions:

1. Whether to adopt the substance and text of the policy amendments proposed by the Policy Conference;
2. Whether the Commission wished to review the policy changes proposed at Policy Conference; and
3. Whether the Commission proposes to put forward additional policy proposals for further consideration, in Correctional Services, Defence and Military Veterans, Justice, Home Affairs, and Police.

The proposed resolutions that follow incorporate both the National Policy Conference recommendations and the current refinements introduced in our recent discussions in Commission. As such the report is comprehensive.

### CORRECTIONAL SERVICES

#### *Recidivism*

Noting that:

- There is a high rate of recidivism as a result of among other things, the quality of the rehabilitation programmes and decisions of parole boards; and
- Correcting offending behaviour is a societal responsibility.

#### **Therefore resolves that:**

1. The capacity of the parole boards and case management committees be strengthened to ensure effective standard operating procedures and improvement in the quality of decisions;

2. There should be a deliberate effort to involve the community in the integration of former inmates into society;
3. The ANC should play a leading role in ensuring victim participation in the parole process; and
4. The ANC should mobilise communities to play a positive role in offender re-integration.

#### *Remand Detention*

Noting that:

- The high number of inmates who spend long periods in Remand Detention; and
- Challenges still remain in ensuring that victims of crime participate and make inputs in parole hearings.

#### **Therefore resolves that:**

1. The Department should provide support and information to victims of crime to enable their increased participation in parole hearings;
2. The Departments of Correctional Services, Justice and Constitutional Development and the Police should ensure that the issue of inmates who spend long periods in Remand Detention is addressed through better case flow management.

### DEFENCE AND MILITARY VETERANS

#### *Exhumation and Repatriation of Cadres Buried Outside the Country*

Noting that:

- Many of our fallen comrades remain buried outside the country;
- The original view of the ANC was not to take responsibility for the exhumation and repatriation of the remains of its members who died in exile.
- The overwhelming desire of the families and comrades of those who are buried outside of the

Republic is that their mortal remains should be re-buried at home.

### **Therefore resolves that:**

1. The newly elected NEC should expeditiously resolve this matter, including the manner in which the state should take charge of the exhumation and repatriation of comrades who are buried outside the country.

### **Welfare of Military Veterans**

Noting that:

- Many former MK members remain destitute, unemployed, poor, and do not receive much assistance from the state; and
- Some of these former members were demobilized from the SANDF with little safety nets for their survival.

### **Therefore Resolves that:**

1. There should be programmes to uplift and attempt to reintegrate former MK members within the structures of the ANC and broader society in order to utilise the skills which they acquired in their training and education, particularly in politics and security.

### **Creation of a Stand-alone Ministry for Military Veterans**

Noting that:

- The 52nd National Conference resolved that a Military Veteran's Ministry should be established; and
- the Department of Military Veterans was subsequently established under the auspices of the newly reconfigured Ministry of Defence and Military Veterans; and
- Unhappiness still persists among others, that the Department of Military Veterans is under resourced.

### **Therefore resolves that:**

1. There should be a dedicated budget for the Department of Military Veterans which should be adequately resourced.

### **POLICE**

Noting:

- That the ANC resolved in 1994 to establish a single Police Service;
- That the resolution relating to a single police service has not been fully implemented

- The existence of several police services under different municipalities and entities ;
- The different training, disciplinary standards in these police services as well as the different remuneration levels;
- The constitutional injunction that there should be a single police service
- The constitutional provision that provides that national legislation must provide a framework for the establishment, powers functions and control of municipal police services;
- The current statutory responsibilities of the different police services

### **Therefore resolves that:**

1. The newly elected NEC must further interrogate the challenges inherent in the execution of the resolution by the end of 2013.
2. The National Commissioner should ensure the implementation of general, training, operational and discipline standards in relation to policing to foster synergy, uniformity and consistency throughout the Republic.

### **Conditions of Service for SAPS members in the lower levels**

Noting that:

- It is problematic for members of the security forces to be unionized, and
- the conditions of service in the SAPS are not satisfactory and need attention at the lower levels.

### **Therefore resolves that:**

1. The Department of Police should review the conditions of service for members of the SAPS at lower levels.

### **STREET COMMITTEES**

Noting that:

- The 52nd Conference took a decision to establish street committees in order to help fight crime;
- The resolution has not been implemented.

### **Therefore resolves:**

1. To urge the incoming NEC to ensure that its structures implement this resolution.

## TRANSFORMATION IN SECURITY DEPARTMENTS

Noting that:

- The transformation of the security departments has in the main been hampered by the middle management that continues to resist change and targets progressive personnel for dismissal.

### Therefore resolves that:

1. Tools of transformation and employment equity should be directed at transforming the middle management of security structures;

## RHINO POACHING

Noting:

- The upsurge in rhino poaching and the detrimental effects thereof to our national heritage; ecology; environment and tourism.

### Therefore resolves that:

1. Harsher sentences be handed down on those convicted of this crime.

## COMPREHENSIVE NATIONAL SECURITY STRATEGY

Noting that:

- Some of the National Key Points are being secured by private security companies and the risks that this state of affairs poses to national security.

Further Noting

- The country does not have a comprehensive National Security Strategy to ensure cooperation and synergy between security organs.

### Therefore resolves that:

1. Government expedites the crafting and execution of a Comprehensive National Security Strategy;
2. National Key Points be secured by National Security Agencies.

## HOME AFFAIRS

Noting that:

- The presence of undocumented migrants in the Republic poses both an economic and security threat to the country;
- There is empirical evidence that the majority of asylum seekers do not qualify for refugee status and protection;

- The cross-departmental responsibility and competencies for border management creates duplication of tasks; weak data collection and control; and

- There are challenges relating to legislation regulating access to citizenship by foreign nationals.

Further noting that:

- The Department is embarking on a modernization process to develop a single national identity system which is based on biometrics, and which will be used in the Integrated Justice System to fight crime more effectively; and

- There is a need to balance the inward flow of low skilled labour to curtail the negative impact it has on domestic employment.

### Therefore resolves that:

1. Government should reconsider its policy relating to centers for asylum seekers during consideration of their status;
2. There should be awareness programs to combat xenophobia and educate society against narrow nationalism;
3. Home Affairs should take a lead in the border management agency as a department which is seized with immigration issues.
4. Legislation should be introduced to criminalise the fraudulent acquisition of vital documents such as Identity Documents and provide for such crimes to be treated as a serious offence;
5. ANC branches should be involved in Stakeholder Forums of the Department as a demonstration of “the people” governing as per the Freedom Charter; and
6. There is a need for a single national identity system which will contain a profile of all South Africans and documented foreign nationals who comply with our laws.

## JUSTICE AND CONSTITUTIONAL DEVELOPMENT

Noting that:

- Newly appointed judges get assimilated by the dominant culture in the judiciary and hence do not enhance transformation;
- Black lawyers not being briefed sufficiently by the

government impedes the development of black lawyers as future judges;

- Some court jurisdictions are not aligned to municipal demarcations and as a result affect negatively access to justice; and
- There has been no comprehensive approach by the ANC to traditional leaders in general and the Traditional Courts Bill in particular.

Further noting that:

- The principle of separation of powers means that we should discourage the encroachment of one arm of the state on the constitutional terrain of another, and that there must be no bias in this regard
- The Progress Report on the implementation of some of the recommendations since the 52nd National Conference. In particular the Commission noted that the Constitution 17th Amendment Bill and the Superior Courts Bill have now been passed by the National Assembly to advance the transformative objective of the Constitution and further enhance the independence of the judiciary.
- The state seems to consistently lose cases in courts.

### Therefore resolves that:

1. The ANC reaffirms the position that the branches of the state are co-equal parties entrusted with distinct constitutional powers in their quest to realize the ideals of a democratic South Africa. Each branch of the state must therefore observe the inherent constitutional limitations regarding its own power and authority and that no branch should undermine the others when exercising its constitutional mandate;
2. There should be holistic criteria for eligibility to judicial appointment which include amongst others social activism;
3. Government should strengthen briefing black lawyers so as to acquaint them with defending the state and not individuals, thus creating a pool for potential judges;
4. In order to facilitate access to justice, court jurisdictions should be aligned to municipal demarcation as much as it is reasonably possible; and
5. The LOCUM system in the Magistrates Courts, should be regulated to eliminate its abuse and to enable transformation of the judiciary.
6. The Criminal Justice System should redouble efforts to ensure that case flow management is optimized in order to reduce backlogs.
7. The NEC should be seized with the contradictions pertaining to the constitutional provisions relating to Traditional Leaders and their role and function in society with particular reference to their adjudicating powers.
8. The state should investigate the reasons for the perception that it has a poor success rate at courts, and inter-alia consider the quality of its legal advice.

## 6. INTERNATIONAL RELATIONS

### Introduction

Believing that:

1. The ANC in pursuit of its international relations objectives as directed by the Freedom Charter which states that “there shall be peace and friendship”. Therefore, International Relations is utilised by the ANC to form friendships and to work towards peace in the continent and in the world, whilst pursuing South Africa’s national interest.
2. ANC’s international relations policy is directly informed by our domestic policy, and vice versa, and they are mutually reinforcing.
3. The ANC remains committed to its founding values of a struggle for a humane, just, equitable, democratic, and free world.
4. The development and prosperity of Africa remains the central objective of the ANC’s international perspective and policy for purposes of advancing the African Renaissance.
5. ANC’s international relations work is underpinned by a commitment to development, democracy, human rights, peace and security in the world.

Recognising that:

6. As the governing party, the ANC has used its progressive internationalism as a prism through which it views the world. Its independent views and courage on the international stage has been acknowledged by many countries.
7. The current balance of forces provides challenges and opportunities for progressive forces, particularly manifest in:
  - a. The global contest between progressive and reactionary ideological perspectives on world affairs.
  - b. The global economic crisis.
  - c. Continued dominance of countries of the North.
  - d. Militarism and regime change doctrine.
  - e. The emergence of powers of the South.
  - f. The rise of Africa as an important actor in world affairs.
  - g. The uprisings in North Africa and the Middle East.

- h. Global governance institutions remain untransformed.
- i. A growing global civil society movement targeting capitalism.
- j. The new scramble for Africa.

Recalling and Reaffirming:

8. All previous international relations resolutions of the 2002 National Conference in Stellenbosch and the 2007 National Conference in Polokwane including the 2010 General Council in Durban, particularly on:
  - a. Peace, Stability and end to Conflicts in Africa;
  - b. African Union Government;
  - c. South African Development Partnership Agency (SADPA);
  - d. Refugee Policy and Immigration Policy;
  - e. Business Code of Conduct on the African Continent;
  - f. Parliamentary Diplomacy;
  - g. Political Party Foundation Funding;
  - h. Rebuilding bodies with the AU (PAWO & PAYM);
- i. Rebuilding a Progressive Movement in Africa and the world.
9. The 2010 National General Council resolution identifies the six pillars of ANC’s international work as follows:
  - a. Contributing to building a better Africa and a better world;
  - b. Continental and international solidarity;
  - c. Party-to-party, intra-lateral party and multilateral relations;
  - d. The transformation of global governance institutions;
  - e. Policy development issues;
  - f. Campaigns.
10. The ANC continues to work on the African continent and in the world through party-to-party relations, participation in relevant international forums, conflict resolution on the continent, involvement in campaigns, dealing with some of the transformational global governance issues and ensuring ongoing policy development.
11. The International Relations Department at the ANC Headquarters remains inadequately capacitated to co-



ordinate the development of policy, lead campaigns and partner with like-minded organisations in doing international work

12. The ANC and the ANC-led government remain committed to the promotion of a humane, just, equitable, and free Africa.

**Therefore Resolves:**

### **ON PILLAR 1: CONTRIBUTING TO BUILDING A BETTER AFRICA AND BETTER WORLD**

#### **BUILDING A BETTER AFRICA**

##### ***The African Union (AU):***

- a. The ANC remains committed to the ideals and objectives of African Union, the operations of its institutions and the implementation of its programmes.
- b. It joins the continent in celebrating the 50th anniversary of the African Union commencing in May 2013, recognising the important role it played in the struggle against colonialism and apartheid. It believes that this provides the continent with a strategic opportunity to reflect on the past 50 years and map out the way forward.
- c. The ANC further congratulates the African Union for the election of the woman to be the chairperson of the AU Commission and calls upon the ANC-led government to provide the AU Commission with all the necessary support required.
- d. The ANC resolves that the pivotal role that South Africa has played should continue, especially with regard to the strengthening of the AU institutions, particularly the AU Commission.
- e. Recognising that the Regional Economic Commissions (RECs) are the building blocs of the AU, the ANC resolves that South Africa should continue working with other countries to strengthen RECs with special emphasis on SADC.
- f. The ANC also resolves that South Africa should continue to play a meaningful role in the AU and in the implementation of its programme of peacemaking and peace building through dialogue.
- g. The ANC strongly encourages that the ownership, control and utilisation of natural, marine and land resources as well as essential infrastructure must be to the benefit of the peoples of Africa.
- h. The ANC calls on the AU to promote the regulation of multi-national companies without inhibiting investment, whilst simultaneously encouraging domestic industrial development and local investment.

- i. The ANC-led government should continue to participate in the AU-led discussions on strengthening the role of the African Diaspora in the development of the continent.
- j. The ANC encourages all African countries to pay their membership subscriptions to the AU and that the AU should continue to explore alternative sources of funding.
- k. The ANC calls on the AU to encourage African countries to assist countries in great need, especially as a result of conflict and poverty, in the spirit of African solidarity.
- l. The ANC encourages active participation of non-state actors and African citizens in AU and other African programmes for the purposes of deepening and broadening continental integration.
- m. The ANC calls on the AU to continue to encourage African countries to diversify their economies and broaden their resource pool so as not to heavily depend on external sources of funding.

##### **13. *Pan African Parliament (PAP):***

- a. The ANC will continue to play an active role in strengthening the PAP and its work.
- b. The ANC will lead the debate on the future of the PAP on the transformation of the parliament by giving full legislative powers.
- c. The ANC will promote and celebrate the institution of PAP in South Africa.
- d. South Africa resolves to assist the PAP to revitalise its role as a key catalyst for the unity and further democratisation of Africa.
- e. South Africa should assist the PAP to establish or support regional parliaments in line with the regional bodies of the AU.

##### **14. *South African Development Community (SADC):***

- a. The ANC will encourage SADC to play a more meaningful role in the promotion of democracy within the region.
- b. South Africa should ensure that the process of regional integration in Southern Africa is fast-tracked in accordance with SADC decisions.
- c. South Africa should encourage the review of bilateral and SADC agreements with the view to strengthen their implementation.
- d. The ANC and the ANC-led government should encourage SADC to promote the process of transformation of the SADC Parliamentary Forum into a SADC parliament.

### 15. *Pan African Women's Organisation (PAWO):*

- a. The ANC will work together with other countries to strengthen the PAWO, particularly the Secretariat in which the ANCWL currently holds the Secretary-General position.
- b. The ANC will ensure that the resolution on the formation of a Young Women's structure within PAWO is expedited.

### 16. *Pan-African Youth Union:*

- a. South Africa as the 15th country to ratify the African Youth Charter, the ANC should work to strengthen the movement's ability to mobilise youth and the implementation of the Charter.
- b. The ANC supports the AU's Decade of Youth Development (2008-2018) and the implementation of the related programmes.

### 17. *All-Africa Student Union:*

- a. The ANC calls upon the AU to support the resuscitation of the All-Africa Students Union, which, in turn, must support student movements at regional and national levels. In the case of the region we specifically refer to the Southern Africa Student Union (SASU) and at national level referring to the student organisations that form part of the Mass Democratic Movement and the Progressive Youth Alliance. The ANC sees the establishment of the Pan-African University by the AU as an important opportunity in this regard.

## BUILDING A BETTER WORLD

### 18. *South-South Cooperation:*

- a. The ANC views the strengthening of south-south cooperation and strategic relationships as crucial to its vision of a better world.
- b. The ANC resolves to strengthen the IBSA forum and its ability to respond to strategic developmental challenges facing developing countries.
- c. The ANC will continue strengthening the structures of multilateralism in the South including the Non-Aligned Movement and others.

### 19. *Brazil-Russia-India-China-South Africa (BRICS):*

- a. The ANC resolves that South Africa will start an awareness and educational programme to deepen the understanding of the importance and relevance of BRICS among citizens and in civil society. The occasion of our hosting of BRICS meetings in 2013 is an opportunity to accelerate

this popularisation campaign.

- b. The ANC will work towards ensuring that the BRICS Bank is established for the benefit of south-south development cooperation including Africa's development.
- c. The ANC and the ANC-led government should effectively use our membership in BRICS to deepen the alignment of our policies with each of the individual BRICS countries.
- d. The ANC will discuss with BRICS countries how the G20 can be better utilised to promote a progressive agenda.
- e. The ANC will consolidate party-to-party relations with BRICS countries to strengthen the relations and work towards a common understanding on issues.
- f. The ANC will promote student exchange programmes for South African students with the BRICS countries as part of skills development and deepening people-to-people relations.

### 20. *Peace, Security, Reconstruction and Development:*

- a. South African peacekeeping, post-conflict reconstruction and development initiatives cannot be separated from national interest where this is broadly defined to include the fostering of genuine peace and reconstruction initiatives in Africa.
- b. In this regard, the ANC resolves to develop policy guidelines for South Africa's engagement in peacekeeping.

### 21. *Swaziland:*

- a. The current conflict in Swaziland has negatively impacted the economy and human rights of the Swazis.
- b. As the tripartite alliance we should merge our solidarity campaigns on the basis of a commonly-agreed framework of action.
- c. The ANC calls on the Swazi monarch and leaders in Swaziland to create the space for open and free dialogue to find a lasting solution to the challenges facing Swaziland.
- d. The ANC confirms its strong support for the people of Swaziland and will engage the Swaziland government to find solutions to the problems facing the people of Swaziland.
- e. The ANC supports the campaigns for the unbanning of the political parties and the release of all political prisoners.
- f. The ANC urges the Swazi government to

adhere to the Memorandum of Understanding on the loan conditions, especially regarding democratisation.

### **22. Sudan and South Sudan:**

- a. The ANC will continue to support the process aimed at finding a lasting solution towards the full implementation of the Comprehensive Peace Agreement (CPA) including the issues of Blue Nile, South Kordofan and Abyei, taking into account recent agreements.
- b. The ANC will engage with all political parties in both countries so as to ensure that as and when tensions arise there are mechanisms for dialogue and engagement.
- c. The ANC will assist the new state of South Sudan to resolve its political, economic and developmental challenges.
- d. The ANC will support the resolution of the complex political, security and developmental challenges in Sudan including Darfur.

### **23. Zimbabwe:**

- a. Through party to party relations, the ANC will continue to engage and support the efforts of SADC towards the implementation of the Global Political Agreement (GPA) in Zimbabwe.

### **24. Madagascar:**

- a. ANC commits to a peaceful resolution of conflict in Madagascar and, therefore, supports the efforts SADC in this regard.

### **25. Somalia:**

- a) The ANC welcomes the formation of the new government which marked an end of the transition period.
- b) The ANC will continue to promote political dialogue and provide development support to assist Somalia to achieve peace and development.
- c) The ANC calls on the AU to galvanise collective action to stop piracy, illegal fishing, waste dumping on the Somali coastline, including international maritime formations, in order to secure its sovereignty and territorial integrity.

### **26. DRC**

- a. The ANC supports the efforts of the AU and the UN in finding lasting solutions to the conflict in the DRC including strengthening the relationship between DRC and Rwanda and Uganda.

### **27. Mali**

- a. The ANC is concerned about the conflict in Mali and the Sahel and supports the efforts of ECOWAS, the African Union and the UN in resolving these conflicts peacefully.

### **28. Guinea-Bissau**

- a. The ANC recalls the role played by Guinea-Bissau's liberation movement, the PAIGC, in supporting the liberation struggle in South Africa and resolves to mobilise the support of other former liberation movements on the continent for a peaceful resolution of the challenges in Guinea-Bissau.
- b. The ANC supports the efforts of the African Union, ECOWAS, the Community of Portuguese Speaking Countries and the UN in resolving the challenges and ensuring a return to constitutional order, an end to militarisation of institutions of governance, and the release of political prisoners.

### **29. Iran**

- a. The ANC supports the right of Iran and other signatories to the Nuclear Non-Proliferation Treaty to develop nuclear energy for peaceful purposes.
- b. The ANC calls for continued multilateral dialogue on the issue of Iran to reach a peaceful consensus.
- c. The ANC reiterates its opposition to unilateral action against Iran.
- d. The ANC supports the establishment of a nuclear-free zone in the Middle East.

### **30. Syria**

- a. The ANC calls on all parties in the conflict in Syria to embark on dialogue to find a peaceful solution to the current situation.
- b. The ANC continues to support the UN-led peace efforts in Syria including a cessation of all hostilities.
- c. The ANC condemns the violence that is perpetrated by all parties to the conflict including the arming of Syrian parties.

### **31. Middle East and North Africa**

- a. The ANC is opposed to the escalation in the use of force by governments against peaceful demonstrations particularly in the Middle East and North Africa.
- b. The ANC condemns the selective treatment

of these developments by the international community, the media, NGOs and military alliances like NATO.

- c. The ANC undertakes to develop a strategy for engaging motive forces in this region.

### 32. *Sri Lanka*

- a. The ANC will be steadfast in ensuring its role serves to enhance global support for a political process which is characterised by integrity, fairness and empathy for the efforts Sri Lanka is engaged in to create lasting peace.
- b. The ANC supports the fundamental approach of ensuring the creation of an environment conducive for fair and equitable participation of all credible representatives in genuine negotiations towards a lasting political solution in Sri Lanka, including the question of Tamil minority.

## PILLAR 2: CONTINENTAL AND INTERNATIONAL SOLIDARITY

### 33. *Western Sahara*

- a. The ANC re-affirms its solidarity with the Frente Polisario/Polisario Front and the inalienable right of the people of Western Sahara to self-determination and independence.
- b. The ANC condemns Morocco's pull-out of the UN-led peace process and calls on the UN to urge parties back to the negotiating table.
- c. The ANC will engage with allies of Morocco to persuade them to pressurise Morocco to implement UN Resolutions on Western Sahara.
- d. The ANC calls on the UN to amend the mandate of the MINURSO in order to include provisions on human rights monitoring including the exploitation of natural resources in the occupied territories.
- e. The ANC calls upon the African Union and progressive forces in the world to support the Frente Polisario/Polisario Front-led struggle and give diplomatic recognition and developmental support to Saharawi refugees.
- f. The ANC should mobilise the international community to pressurise Morocco to immediately lift the military, security and media blackout imposed in the occupied territories of Western Sahara
- g. The ANC supports the existence of the Saharawi Arab Democratic Republic and encourages its

recognition by other African and other countries.

### 34. *Cuban solidarity and the release of the Cuban Five Campaign:*

- a. The ANC continues to support the campaign for the Release of the Cuban Five that is profiled and re-iterated in its commitment to the cause of the Cuban people.
- b. The ANC calls on the international community to remove the economic embargo against Cuba as per UN resolutions.
- c. The ANC calls on the South African Parliament to pass a resolution calling for the release of the Cuban Five (5).
- d. The ANC is to increase the trade between South Africa and Cuba to reinforce our foreign policy position on our solidarity with Cuba.

### 35. *Palestine:*

- a. The ANC re-affirms the resolution of its 52nd National Conference in Polokwane on the on Palestinian question.
- b. The ANC supports the application of Palestine for statehood and full membership to the UN and, therefore, supports the UN General Assembly Resolution granting Palestine a non-member observer state as an important step towards that goal.
- c. The ANC is unequivocal in its support for the Palestinian people in their struggle for self-determination, and unapologetic in its view that the Palestinians are the victims and the oppressed in the conflict with Israel.
- d. The ANC will continue its solidarity efforts supporting a just solution including the strengthening of a sovereign independent state of Palestine, which will help to bring peace to the region and end conflict between Israelis and Palestinians.
- e. The ANC calls on the Israeli government to release all political prisoners, to immediately cease the expansion of settlements in the West Bank and to stop the wanton and consistent attacks on Palestinian people in the Gaza Strip.
- f. The ANC calls on all organisations in support of the people of Palestine to form a united solidarity campaign in a view of strengthening the South African solidarity forum.
- g. The ANC calls on all South Africans to support the programmes and campaigns of the Palestinian civil society which seek to put pressure on Israel to engage with the Palestinian people to reach a just solution.



- h. The ANC calls upon all Palestinian political formations to put aside their differences and continue to work together for unity.
- i. In support of the Non-Aligned Movement's call, the ANC-led government will continue to insist on the labelling of imported goods indicating their areas of origin.
- j. The ANC abhors the recent Israeli state-sponsored xenophobic attacks and deportation of people of African origin and request that this matter should be escalated to the AU.

### **PILLAR 3: PARTY-TO-PARTY, INTRA AND MULTILATERAL RELATIONS**

36. Building on the resolutions of the 52nd national conference, the ANC reaffirms its commitment to participation in international organisations.

#### **37. ANC participation in international organisations:**

- a. The ANC needs to urgently develop a clear policy on international participation to ensure that proper international protocols and conduct is followed by comrades in all spheres of government and in the ANC when conducting their international work.
- b. The ANC needs to strengthen its affiliation with like-minded international organisations and participate actively in them, including strengthening our proactive participation in structures like the Socialist International, Sao Paulo Forum, and Non-Aligned Movement, etc.

#### **38. Party-to-Party Relations:**

- a. The ANC will increase interaction with former liberation movements and other progressive-minded political parties of commitment towards strengthening relations.
- b. The ANC will develop clear guidelines for existing relationships and new party-to-party relations informed by the ANC's values.
- c. The party-to-party relations of the ANC will go beyond Africa including relations with the progressive forces across the world to take forward our national and continental endeavours.

#### **39. Building a global progressive movement**

##### **International solidarity conference:**

- a. The ANC is pleased with the successful hosting of the third ANC's International Solidarity

Conference (ISC) held in 2012 under the theme, *"United for a Progressive, Better World."*

- b. The ANC welcomes the ISC resolutions and therefore commits to set up the ISC's steering committee responsible for the follow-up and implementation of the ISC resolutions.

### **PILLAR 4: TRANSFORMATION AND GLOBAL GOVERNANCE**

#### **40. United Nations:**

- a. The ANC is committed to the reform of the UNSC to make it more democratic, accountable and representative.
- b. The ANC continues to advocate for expansion of the UNSC in both permanent and non-permanent categories and improving its working methods and supports the demand for two permanent seats for Africa.
- c. The ANC encourages the AU to reinvigorate discussions and seminars on the reform of the UN, particularly the Security Council towards a renewed consensus.

#### **41. IMF and World Bank:**

- a. The ANC continues to call for the reform of the IMF and World Bank to reflect principles of equity and fairness.
- b. The ANC will partner with international organisations and alternative think tanks in this transformation endeavours.
- c. The ANC will call on the SA government to utilise platforms like the G20 to lobby for transformation.
- d. The ANC encourages the formation of alternatives like the Latin American Countries have begun in the formation of Banco Sur (Bank of the South).

#### **42. The International Criminal Court:**

- a. As much as the ANC does not condone impunity, authoritarian and violent regimes, it is concerned about the perception of selective prosecution of Africans and urges the ICC to also pursue cases of impunity elsewhere, while engaging in serious dialogue with the AU and African countries in order to review their relationship.
- b. The ANC calls on the United Nations Security Council (UNSC), which has referred some African cases to the ICC, to recognise the work done by the AU, its

RECs and individual African countries to promote the peaceful end to and settlement of conflicts on the continent, the peace agreements signed and commitments made in regard to post-conflict justice.

#### 43. G20:

- a. South Africa continues to play a role in the G20, which has eclipsed the G8 configuration of developed countries as premier platform for international cooperation.
- b. South Africa will continue to bring to the fore the importance of development outcomes of discussion within the G20 by developed countries, particularly those within the G8.
- c. South Africa will ensure that the G20 discussions are focused on stabilising the world economy by building global partnerships to eradicate global poverty and realise a more equitable global economic system.

### PILLAR 5: POLICY DEVELOPMENT

#### 44. Foreign Policy Review:

- a. As the SA foreign policy edges towards 20 years, the ANC decides to undertake its review including:
  - i. the appraisal of its relationship with South Africa's national interest,
  - ii. the effect of membership in international organisations, the quality of the foreign service,
  - iii. the impact of international migration,
  - iv. the coordination of para diplomacy,
  - v. the state of bilateral relations and strengthening of Africa and southern Africa.
  - vi. In line with the National Democratic Revolution, the national interest should not lead to sub-imperialism and dominance but should take on board the conditions and interests of countries South Africa relates with.
- b. The ANC resolves that the foreign policy of the ANC-led government should incorporate the challenges of human trafficking and migration, and worker rights as part of its human rights focus.
- c. Linked to this, the ANC resolves to undertake a review of its international relations and solidarity work since 1994 including how it has been given effect through the foreign policy of the ANC-led government.

#### 45. Parliamentary Diplomacy:

- a. The ANC will assist in equipping Parliamentarians deployed in global forums like the Inter-Parliamentary Union, SADC Parliamentary Forum, Commonwealth Parliamentary Association and others to promote South Africa's foreign policy objectives.
- b. The ANC will ensure adequate public education in both urban and rural areas on South African Foreign Policy including issues such positions taken in multilateral bodies like the United Nations (UN).
- c. The ANC will continue to strengthen the IBSA Parliamentary Forum and efforts towards the establishment of a BRICS Parliamentary Forum.

#### 46. Business Code of Conduct:

- a. The ANC reiterates the resolution of the 52nd National Conference on the need for a Business Code of Conduct to regulate South African companies doing business in Africa in order to ensure that their conduct accords with South African business norms and standards such as upholding good business practice, labour standards, and ethical conduct.
- b. The Code of Conduct should, however, should not inhibit the comparative advantage of South African companies and organisations in the business environment .
- c. The ANC will work with COSATU to promote the ethos of good labour practice in the business environment.

#### 47. Economic Diplomacy:

- a. Economic diplomacy reinforces our vision of a better Africa and better world as well as the achievement of national development objectives, believing that there can be no peace without development nor development without peace.
- b. South Africa's economic diplomacy should serve as a tool of foreign policy including the utilisation of state-owned-enterprises in development projects on the African continent.

#### 48. Xenophobia:

- a. The ANC should develop a position paper on international migration, immigration and xenophobia as contained in the 52nd Conference resolution, which should discussed provincial levels before finalisation.
- b. The ANC recognises the rights of international migrants as a vulnerable group of persons and

the responsibilities that they have towards their host country.

- c. The ANC should increase awareness of South Africans about the causes and dangers of xenophobia as well as the role foreign nationals play in the country's economy and national life using dialogue, the media and other engagement modalities.
- d. The ANC will join COSATU in educating foreign nationals, especially those from the African continent, on their labour rights, particularly the minimum wage.

### 49. SADPA:

- a. The ANC encourages government to accelerate the establishment of the South African Development Partnership Agency (SADPA) to assist the ANC and government in pursuit of its vision of a better Africa through African solidarity and mutual assistance as well as partnership with other development actors.

### 50. National Development Plan and Vision 2030

Noting that:

- a. ANC-led government has developed the National Development Plan as the overarching framework to guide and accelerate the development of South Africa to 2030 and beyond.
- b. The NDP links national development to active international relations and cooperation.
- c. But the NDP was adopted without the benefit of drawing from a White Paper on International Relations, which led to a limited perspective on international relations.

The ANC, therefore, resolves that:

- a. NDP's content on international relations strengthened.
- b. The ANC's foreign policy objectives, particularly on the renewal of Africa, should be reflected in the NDP.
- c. More emphasis be placed on the need to change the political economy of Africa that still reflects the legacy of colonialism and neo-colonisation, particularly with respect to mineral and natural resources of Africa.
- d. The global economic recession as depicted in the NDP should be seen as an opportunity for Africa's development and unity and for building an alternative continental and global economic system.

### 51. Climate Change:

Noting that:

- a. Global climate patterns are changing with evidence also in South Africa's changing weather patterns.
- b. There is a marginal debate on whether there is climate change or not, rather than whether the climate is changing because of humankind or because as a natural phenomenon.
- c. Climate change technologies, systems and skills are likely to be imported from the developed world.

The ANC, therefore, resolves that:

- a. The adoption of adaptive technology to address the problem of carbon emissions should not be driven by the appetite for markets on the part of developed countries for the market to supply new green technology, equipment and skills at the detriment of home grown responses that are cost effective and build the country's skill base.
- b. The ANC will investigate the science of the debate about the causes of climate change in order to better understand how South Africa could be inventive in response.
- c. There must be a focus on indigenous skills and technology that promote energy efficiency.

## PILLAR 6: CAMPAIGNS

### 52. AFRICOM:

- a. The ANC reaffirms its position that African states should be resolute in their stance against United State's AFRICOM presence in Africa under the guise of "War on Terror", while actually militarising the continent.
- b. The ANC recognises that the AFRICOM is more than just the building of American bases on the African continent, but it includes more subtle programmes involving the US and NATO military in military training of African militaries, the funding of NGOs for anti-African agendas and increasingly the introduction of drones under the guise of technological assistance in conflict areas.
- c. The ANC respects the territorial integrity and sovereignty of fellow African countries, and calls on the US and military organisations like NATO to do the same.

### 53. Africa Day:

- a. As part of popularisation of Africa's renaissance and the African Union, the ANC resolves to

mandate its structures and government and the broader South African public to promote the Africa Day.

- b. The ANC calls for the routine adoption of African Union symbols including the flag and the singing of its anthem in South Africa's part of our commitment to the African continent and the recognition of our African Heritage.

#### 54. Mandela Day:

- a. Increase the role of the ANC, particularly ANC branches, in co-ordinating events on Mandela Day, which should not be dependent on government sponsorship and coordination.
- b. The ANC will promote Mandela Day across the continent and the world, understanding that Mandela is a symbol of ANC's commitment to a humane and caring society through the promotion of human rights, solidarity, peace and unity.

### CAPACITY BUILDING AND COORDINATION

#### 55. Capacity and work of the International Relations Department:

- a. The ANC resolves to develop the International Relations Department into a fully-fledged department with adequate staffing and a full-time political head, so as to ensure it works effectively on all 6 (six) pillars of International work.
- b. All ANC provincial structures that have not established International Relations Sub-committees are encouraged to do so with the assistance of the NEC Sub-committee. Furthermore, IR desks should also be established at regional and zone levels and where possible, at branch level.
- c. The resolves that the IR Sub-Committee should convene regular information workshops/seminars on IR policy in each province, while find ways to communicate more effectively with the various ANC structures on IR issues.
- d. In consultation with provinces, IR practitioners should be identified, who can serve as volunteers in the ANC's international work.
- e. Retired ANC diplomats and international organisation employees must be utilised by the ANC to build the capacity in IR in provinces and regions.
- f. The relationship with fraternal organisations and individuals who constituted part of the anti-apartheid movement internationally should be revived so that they are engaged to express the

ANC's perspective and activities in various areas of the world and assist in enriching the ANC understanding's and perspectives on broader international matters and country specific dynamics. For example, the anti-apartheid movement in Austria assisted in ensuring that the remains of Klaas and Tvoyi Pienaar were returned back to South Africa.

- g. Protocol training should be provided in all ANC structures, amongst employees and within Alliance structures to ensure that comrades conduct themselves appropriately when embarking on ANC international relations work.
- h. The IR Sub-Committee must take on the responsibility to communicate and popularise ANC international policies, especially in the absence of a progressive mass media.
- i. The ANC calls on the SABC to invest in the coverage of African news and developments including through the re-establishment of SABC Africa.
- j. The ANC will open an International Relations Office in the City of Tshwane for engagement with the large diplomatic community found in the city.

#### 56. Key capacity building tasks for the Department of International Relations and Co-operation:

- a. The ANC-government needs to publicise the national guidelines for the coordination of international relations work in all spheres of government, which was adopted by Cabinet. Government officials at all levels should adhere to these guidelines.
- b. The ANC-government will explore the possibilities of using their expertise and facilities of their Diplomatic Academy to provide international relations training to South Africans outside of the government.
- c. The ANC-government will investigate the regularisation of international twinning agreements of provinces and cities.
- d. The ANC-government needs to assist relevant government departments to strengthen our infrastructure development capacity and capabilities to monitor our economic maritime zone referred to as sea borders.

#### 57. Alliance programme on international relations:

- a. A combined programme on IR involving Alliance partners should be developed and it should incorporate issues of:
  - Climate change, trade, foreign direct



investment, industrialisation of Africa and transformation of multi-lateral institutions and global governance; and

- Solidarity campaigns on Cuba, Western Sahara, Palestine and Swaziland, with a special discussion on our position on Swaziland.

- b. The Alliance should convene an International Forum to strategise and plan joint campaigns.
- c. The Alliance should share critical information on international relations as the information arises.
- d. The Alliance should hold an annual meeting to assess the events of the year, and plan for the next year.
- e. The ANC will lead in the establishment of an International Solidarity Forum to ensure that all campaigns fall under one umbrella and enable the alliance to manage the solidarity efforts.

- f. In addition to business delegations, other non-state sectors should be considered for inclusion in planning international visits.

### **58. *ANC participation in international organisations:***

- a. The ANC will urgently develop a clear policy on international participation to ensure that proper international protocols and conduct are followed by comrades in spheres of government and in the ANC when conducting their international work.
- b. The ANC will strengthen its affiliation with and active participation in like-minded international organisations, including structures like the Socialist International, the Sao Paulo Forum, the Non-Aligned Movement and so forth.

# 7. COMMUNICATIONS AND THE BATTLE OF IDEAS

## ON THE BATTLE OF IDEAS

### Noting

1. The serious advances made by the ANC, the Alliance and democratic formations in transforming South Africa into a non-racial and non-sexist democratic society.
2. The real advances that have been made by the NDR to change the lives of the people of our country for the better through focussed service delivery that impacts on real people's lives in areas like health, education, rural development, access to amenities and general services.
3. The democratic conditions that have been created to deepen peoples' participatory democracy, access to regular government activities and information.
4. Despite all these the battle of ideas is being waged between the theoretical and practical underpinnings of the democratic developmental state and neo liberal paradigm.
5. This ideological battle is being waged mainly through the market forces which seek to dislodge the democratic forces as the drivers of change and to substitute the objectives of the NDR with a neo-liberal market driven paradigm.
6. The Democratic forces need to assert hegemony, propagate and popularise our ideas of transforming South Africa into a non-racial, non-sexist and democratic society. The on-going problem facing South African society is that the media and Information and Communication Technology (ICT) reflect patterns of ownership, control and distribution of the past.
7. There is a need to focus on redressing and correcting past discriminatory practices as well as provide firm foundation in policy for a communications sector that embraces all South Africans and treats them equitably.
8. The greatest source of negative portrayal of ANC is misconduct and public ill discipline of ANC members and the use of the media and other platforms to advance their personal and factional interests.

### Believing

9. The hegemony of the ANC and the democratic forces in the battle of idea is central to the advancement of the National Democratic Revolution. The ANC must operate in a coordinated and disciplined manner to set the agenda in the battle of ideas. Our interventions must be informed by the ANC Strategic and Tactics, and Organizational Renewal.
10. The war of ideas must be fought like a real war therefore there must be strict coordination of content and messages between all structures of the organisation. The advent of community and public media offers an additional potentially progressive opportunity for the ANC, depending on the ability to influence this media and provide it with adequate support.

### Therefore resolve

11. There should be an increased participation of all ANC cadres in public debates on political and ideological matters and comrades should be trained on how to respond effectively to the growing onslaught against the movement in all media.
12. ANC Political education syllabus should be inclusive of media training, research and ICT literacy, and be part of developing young and future communicators. The ANC must develop means through which it communicates beyond its membership base to reach constituencies outside the ANC. It must urgently increase the use of ICTs for organizational work and effective communication with its structures, communities and society as a whole.
13. A National Dialogue is needed to reignite and deepen the battle of ideas to, amongst others, achieve the following:
  - Reassert the position of the ANC as a progressive leader of society
  - Forge unity for accelerated transformation; and
  - Intensify interaction with broader society.
14. To strengthen the information sharing exercise, no edition of *ANC Today*, *Umrabulo* and other publications should go on publication without an article from an ANC government executive (a minister, provincial minister and mayor) highlighting their department's programme, progress and achievement with regard

to the implementation of the ANC's programme of action in government. This must be mandatory.

### ON ANC INTERNAL COMMUNICATIONS

#### Noting

15. There is a need for an effective and efficient internal ANC communication system as a tool for organisational management, internal democracy and discourse within the ANC. The engagement on the issues of communications remains an important part of the ANC organisational strategy.
16. The assessment of the membership system indicates that there are a number of challenges in the 'membership system value chain' that can be classified as information systems and technology problems.
17. That the 51st National Conference Resolution, reaffirmed by the subsequent national conference and national general councils, called for all ANC regional offices and branches to be connected to the internet, so as to aid internal communications and improve efficiency.

#### Believing

18. The advent of ICTs offers an opportunity for the ANC to improve its internal communications processes throughout the organization. There is a need for an integrated strategy for the use of ICTs to improve ANC's ability to communicate, administer its processes and ensure efficiency and effectiveness of the organization.
19. The ANC should promote usage and universal access to information and communication technologies amongst ANC members and the citizenry to:
  - a) advocate for and monitor the achievement of universal access to ICTs, issues of affordability and expansion of broadband, through its organisational structures and government.
  - b) ensure that its members are encouraged to understand the advantages of ICTs, and that they empower themselves through attaining e-skills.
  - c) encourage branches to use ICT in communicating with individual members, including bulk SMS and sending emails on branch and regional activities. In addition the ANC website should be used to communicate with members and the public.
  - d) develop and expand use of social media to engage with especially younger members.

#### Therefore resolve

20. The NEC should develop an ANC internal ICT policy and strategy to drive the ANC's administrative

and political systems. The said ICT policy and strategy must encompass the overall training of ANC staff and leaders at all levels of the organisation to develop capacity to service the administration and management of the organisation including membership management.

21. Consistent with the decision of the 51st Conference all ANC provincial offices must have internet access with high speed connectivity. This should include provincial websites linked to the ANC home page. "One branch, one connected office by 2015", to give effect to the 3rd NGC campaign and programme.
22. The ANC should build a unified ICT capacity to enable it to engage with all its members using latest technologies. It should ensure availability of ANC content using traditional and modern platforms to reach ANC members and broader society on a 24/7 basis.
23. All ANC regions should be connected to high-speed ICT services by 2020. The national and provincial offices in the allocation of communication resources must prioritise branches. This should include access to fax-to-mail, and/or faxes, photocopiers, printers, internet and email. Each ANC branch must have a permanent email linked to the ANC domain (that is [www.anc.org.za](http://www.anc.org.za))
24. The ANC should improve the membership system, learning from other institutions that also have mass membership systems, including:
  - a) Creating a secure online system for applying and paying for membership, as an option for those who have internet access.
  - b) A secure SMS based system for applying for and paying for membership as an option for those who have mobile access.
  - c) improved security of ANC membership system and databases to make them less open to manipulation, and consider the use of biometric technology.
25. There should be a political champion to drive the ANC ICT policy and strategy including overseeing the implementation. The proper authority regarding the IT systems should champion the roll out and connectivity of ANC regions and branches, to develop and strengthen ICT platforms, manage membership system, including managing all conference registrations, and the like.

26. The NEC should develop social media policy to guide members conduct in the use of social media.

## ON GOVERNMENT COMMUNICATIONS

### Noting

27. The great strides made by government to communicate with citizens in a transparent and accountable manner through a whole range of mechanisms including quarterly and annual reports, parliamentary programmes, regular cabinet briefings, online publications etc.
28. The Government's ability to communicate with citizens is critical in the delivery of services, deepening democracy and the ability of citizens to interact with government. The weakness of government communications is amongst other factors behind the ideological onslaught, misinformation and the general lack of awareness on the progress achieved since the advent of democracy.
29. The ANC's communication machinery and effectiveness as the ruling party is as strong as the ANC government's communication machinery and effectiveness.
30. The need to enhance Government communication in order to be accountable, influence and set the agenda of public discourse.
31. Whereas weaknesses have been identified in government communications, the media continues to have a propensity to publish mainly negative news on government disregarding the good service delivery record of government. The media continues to distort and ignore information provided by government in a transparent and accountable manner.

### Believing

32. That access to government communications is important to a well-functioning democracy and only when citizens are informed about government policies and programmes can take part in the improvement of their lives. There is a need for a proactive and coordinated government communication platform that enables the three tiers of government to communicate effectively.
33. Government is one of the biggest advertising spenders. All spheres of government should advertise in the community and small commercial media that produce media in the languages spoken by communities, to assist with media transformation and diversity, and the sustenance and growth of these media.
34. Government's ability and capacity to communicate in a coordinated manner across the 3 spheres of

government, and within the 3 spheres needs urgent attention, and government needs to investigate possible options of unmediated government communication systems like bulk SMS and sending emails, in view of the advent of digitisation and new media.

35. Government's ability to communicate with the different segments and strata of South African society needs to be enhanced. Government's work must be made visible and relate to ordinary South Africans. Media sensationalism must be tempered with concrete examples of government at work delivering services.

### Therefore resolve that the NEC should ensure that:

36. The ANC need to establish a coherent framework and an institutional arrangement that enhances collaboration, effective planning and oversight within the ANC and government communication.
37. The ANC and government need to strengthen other effective communication methods to reach targeted communities like using community broadcasting and public broadcasting services (radio and print) to highlight government service delivery in the battle of ideas. The executives (Cabinet, MECs, Councillors) should champion communication and dissemination of government information.
38. Government communication should reach all citizens and be in all languages.
39. Government Communication and Information System (GCIS) should be strengthened in order to coordinate information flow among different departments and among all three spheres of government (national, provincial and local).
40. The local government communication should be strengthened through enhanced training programmes. The GCIS should further offer communication support to parastatals and other state agencies in order to properly profile work of these institutions.
41. Government should encourage and enforce compliance with Codes of Good Practice in procuring services from the media. Government advertising must be used to drive efficiencies and transform the media industry. Government must diversify its adspent to empower community, emerging commercial and public media.
42. Government must review the implementation of the COMTASK Recommendations including responding to challenges of government communications, agenda setting, empowerment of the citizenry with



government information in order for the people to be their own liberators including supporting efforts to favourable position our country as a preferred destination for foreign direct investment and tourism must be reviewed.

43. Government must review the effectiveness of government communications including: vision, structure and co-ordination. It must also increase financial, human and other resources within all spheres of government and further invest in the expansion of its communication platforms.

### ON INFORMATION AND COMMUNICATION TECHNOLOGIES

#### Noting

44. Over the last three decades, the world has experienced an unprecedented social and economic revolution driven by the advent of high-speed Internet networks or information and communication technologies (ICTs) capable of transmitting huge chunks of information across borders.
45. This revolution, known as the information society, has fundamentally transformed the way people live and relate to one another and their societies. This has made the world a much smaller place, in which individuals can access information and services from anywhere they are in the world.
46. As globalisation intensifies, driven by ICTs, it has also sharpened inequalities between and within communities. It has produced winners and losers. South Africa is by no means an exception to the rising tide of inequality between the haves and have-nots.
47. Since the advent of democracy in 1994, South Africa has made significant strides to facilitate the transformation of the ICT industry. Meanwhile, in recent years South Africa has lagged behind in a number of key global ICT indicators, especially on universal access to the internet, broadcasting and e-governance.
48. Although government has made advancements through Codes and the reform of the Preferential Procurement Policy Framework (PPPFA), Black Economic Empowerment (BEE) policy, the transformation of the ICT sector remains weak due to some contradictions in underlying statutes.
49. Despite the consistent growth of the ICT market pattern or owners and participation by Black owned and emerging companies is minimal and requires support from government to speed up the pace of transformation.
50. There should be local manufacturing of ICT products for domestic and exports and government ICT procurement should benefit South African companies including SMMEs.

#### Believing

51. There are several reasons for current state of the ICT sector in the country and these include:
  - a) The lack of a comprehensive National ICT Policy, leading to overlaps and competition within government.
  - b) Institutional misalignment and limited accountability.
  - c) Limited e-skills within the state and society as a whole.
  - d) High turnover, and corporate governance challenges in the key institutions and relevant departments.
  - e) Inadequate funding of projects aimed at promoting universal service and access.
  - f) Failure by the policy and regulatory institutions to enforce compliance with the law.
  - g) Limited and misaligned research and development.
  - h) Policies are not based on evidence, hence they keeping on changing even before the results can be realised; and
  - i) Failure to implement some of the decisions of the previous ANC conferences and the National General Council.
52. ICT is a critical enabler of economic activity in an increasingly networked world. It is critical for South Africa to remain globally competitive. The sector needs long-term policy certainty to be in a position to take the country into the next trajectory. This applies to entities in which the state owns shares such as Telkom. Conference directs government to develop a strategy to ensure that we derive maximum value from the competencies that lie within these entities.
53. Our drive towards a new vision of the ICT sector, in the context of the National Development Plan (NDP) should seek to provide a long-term approach to addressing these challenges.

#### Therefore resolve

54. The National Development Plan (NDP) in respect to ICT should be underpinned by a policy focus and desire to ensure universal access to affordable and quality high-speed infrastructure and services throughout the country.

55. To provide a detailed sectoral plan to strengthen the implementation of the National Development Plan (NDP) in order to maximise the value of the development of the ICT, and to also accelerate the uptake and usage of the ICT tools, the ANC must create a coherent and co-ordinated National Policy Framework and Strategy on ICTs.

56. The National ICT Policy should:

- i. promote the provision of universal access to high speed, quality and affordable networks and services to ensure that government, communities; business and all our people become part of the Information Superhighway and the knowledge economy.
- ii. inform the deployment of ICTs across the country – national, provincial and local infrastructure. It should also outline the different roles of the state, private and community sectors in achieving this goal.
- iii. align uptake and usage of the development of indigenous knowledge systems and the revival of the local content industry.
- iv. inform regulatory interventions to ensure a world-class digital infrastructure connecting business centres and households in all areas of the country including in rural areas.
- v. set out targets to increase population coverage of high speed Internet access to 100% by 2030. This means that by the determined period, every South African should be within the reach of the ICT infrastructure.
- vi. provide for an institutional framework that enhances collaboration, effective planning and oversight.
- vii. outline approaches to ICT uptake and usage to promote e-applications in e-government, health, education and fighting crime.

57. National Cyber Security Policy should be in place by 2014 to prevent the distribution of harmful and anti-social content.

58. The role of the ICT's in the Green economy should be a priority in the National ICT Policy.

### Institutional Mechanism

#### Noting

59. There is a need for a review of the institutional framework of the ANC government and its ability to discharge its services timeously within the available resources. This review must ensure that the ICT interventions are coordinated across all spheres of government.

### Therefore resolves

60. The ANC government should develop and enhance policy-making capacity. A National ICT Forum should be created comprising government and industry to engage on critical issues of mutual interest. Civil society should also be invited to participate in the Forum.

61. There must be a realignment of government shareholding in the various telecommunications entities involved in the sector. The following state institutions must be rationalised to address existing overlaps, duplication and undue competition within the state:

- i. State Information and Technology Agency (SITA)
- ii. Office of Chief Government Information Council (GITOC)
- iii. Government Information and Technology Officers at provincial level
- iv. Broadband Infracore and any other state owned entities in the ICT sector
- v. Sentech
- vi. Universal Service and Access Agency of South Africa (USAASA)
- vii. Media Development and Diversity Agency (MDDA)
- viii. National Electronic Media Institute of South Africa (NEMISA)
- ix. Meraka Institute
- x. Media, Advertising, Information and Communication Technologies Sector Education and Training Authority (MICT SETA)
- xi. Fibre Processing and Manufacturing Sector Education and Training Authority (FP&M SETA)
- xii. Film and Publication Board

### Developing e-skills

#### Noting

62. The 3rd National General Council pronounced that e-skills should become a compulsory subject in all public schools to promote an e-literate society. The curriculum should focus on end-user-computing as well as encouraging young people to pursue careers in the ICT sector.

#### Believing

63. For South Africa to be a leader in the development, uptake and usage of ICTs, the country needs more skills than are currently available. The ANC government must also maintain a comprehensive database of the current skills as well as those that will be required in the medium to long term. This would

require harmonisation and creation of synergies between public and private sector initiatives.

### Therefore resolve

64. Further Education and Training (FET) Colleges should be used as schools of excellence to create opportunities for out of school and unemployed youth. A dedicated funding plan is needed to ensure that rural universities and FET colleges can contribute to the new e-skills revolution. The Skills Fund must prioritize the ICT skills development.
65. Media and ICT studies should also be made available in all provinces using existing tertiary institutions and Further Education and Training institutions (FETs). The two new universities must be dedicated to media and ICT studies and the Northern Cape University should be developed as a Centre of Excellence in ICT's building from the successful bid for the Square Kilometer Array.
66. Government must introduce comprehensive e-Skills Development Plan that would include incentives to mobile industry co-operation for the benefit of young people. This must be in place by 2014.
67. Basic computer literacy should be introduced in all primary schools and a focus should be given also on advanced e skills including software, programming and end-user computing for tertiary institutions and FETs.

## TRANSFORMATION OF THE INDUSTRY

### Noting

68. The transformation of the ICT sector needs further attention in order to ensure that all our people participate in the sector.

### Believing

69. There is a need to institute practical measures to drive transformation with milestones and measurable outcomes.

### Therefore resolve

70. As part of the proposed National ICT Policy vision, the ANC should target completing the ICT sector transformation process by 2030. At the end of this period ownership and control of the sector should reflect national demographics including the increased role and participation of black people, women and persons with disabilities in the sector.

71. The ANC needs to prioritise the following interventions:

- i. A review of the empowerment targets in all the ICT subsectors and elements of the ICT value chain by 2014. This review will consider whether such targets are appropriate, reasons why they have not been met - in instances where they have not been met - and what additional considerations should be given with regards to empowerment targets. The review would consider the regulatory and institutional structures overseeing the realisation of empowerment targets. To this end the regulatory capacity will be strengthened to ensure that Independent Communications Authority of South Africa (ICASA) is capable to set and enforce empowerment obligations on the industry.
- ii. In accordance with a drive towards vision 2030, the ANC should ensure that the empowerment rules apply equally to all entities - big and small local and international/multinational. The ANC should ensure that strong preference is given to new companies to access scarce radio frequency resources going forward.
- iii. The review of the Broadcasting Policy by 2014 should be underpinned also by the policy desire to reduce barriers to entry, especially in the pay TV market. The new policy environment should be specific about areas that constitute barriers to entry in the entire broadcasting value chain.
- iv. It is ANC policy to support the convergence of technologies and services. However, the regulation of the ICT sector in the converged environment should not lead to the creation of consolidated vertical and horizontal monopolies or to abuse of dominance by the existing operators. Competition rules and regulations dealing with opening the market to competition will be prioritised.
- v. The Universal Service and Access Agency (USAASA) charged with promoting access and universal service in under-served areas should be reviewed after over ten (10) years of existence in order to redefine its focus towards increasing the uptake and usage of ICTs.
- vi. A new state entity to provide funding to Small, Medium and Micro Enterprises (SMMEs), Broad Based Black Economic Empowerment (BBBEE), Co-operatives and other Not for Profit initiatives in the electronic communications, broadcasting and postal sector should be created out of the merger between USAASA and the Media Development and Diversity Agency (MDDA) by 2014. The contribution by the industry to the

merged entity should be uncapped and should be accompanied by a coherent plan to expend the current allocation.

- vii. The ANC should ensure that endeavours to resource ICASA in line with the decision of the 3rd National General Council should have commenced by the time of the National Policy Conference. ICASA should be self-funding using licence fees, subject to Parliamentary procedures and oversight, by the beginning of 2013 financial year.
72. Licensing and use of the Radio Frequency Spectrum, which is a public asset, is another central pillar towards the creation of an industry that is responsive to the needs of all the people. In order to facilitate the diffusion of ICTs across society, licensing of the scarce radio frequency resources should be underpinned by the following factors:
- i. Alignment of the spectrum allocation and licensing regime with the prevailing social and economic development context, while taking into consideration future needs.
  - ii. Equitable allocation of the frequency spectrum to new licences, including SMMEs, to reduce entry barriers
  - iii. Requirements and obligations to achieve universal coverage. This should be linked to building regulatory capacity to enforce compliance with the law.
  - iv. Promote Broad Based Black Economic Empowerment at the minimum of 30% to 50% direct ownership and control of ICT and broadcasting, including the empowerment of women and youth development. This must be achieved by 2020.
73. To maximise the value of the scarce or high demand spectrum, government must set aside spectrum for the provisioning of wholesale services or open access network by the merged entity between Sentech and INFRACO.
74. This infrastructure must prioritise government services and provide modern communication services to government departments, municipalities, schools, hospitals, clinics, police stations, multi-purpose community centres and courts to ensure that they are connected and can provide e-services to the people. Excess capacity should be geared to further connect rural areas to help achieve full access to high speed internet networks by 2030.
75. Government should provide capital to Greenfields

operators starting business to provide amenities to under-serviced communities. These entities should also be entitled to a preferential interconnection (asymmetrical interconnection) rate and this should be mandatory.

76. The fact that South Africa does not design new innovations in the sector while a lot of money is pumped into the Science Councils is a serious missing link. For the country to position itself as an ICT hub for the continent, it requires high levels of research and development, and innovation, to allow for all manner of new inventions and technologies to emerge.

### High speed internet infrastructure and services

#### Noting

77. It is the responsibility of ANC government to maximise opportunities for all South Africans to benefit from the digital economy by laying firm foundations for digital infrastructure to reach all and sundry.

#### Believing

78. Access to digital infrastructure, or more specifically high-speed internet access, must be considered a basic utility for South Africans.

#### Therefore Resolve

79. Informed by the National ICT Policy, ANC government must introduce a National Broadband Plan. The National Broadband Plan must be revised and reviewed to take into account the proposals herein. The Broadband Plan must provide for:
  - i. A world-class digital infrastructure connecting business centres, households in all areas of the country and people, particularly the poor, in the urban and rural areas is a prerequisite to the introduction of high speed access to modern digital means of communications, work and commerce.
  - ii. Affordable quality services that will ensure that the majority of South Africans have access to the internet platforms necessary for them to transact with each other, their government and the private sector.
80. To expedite the deployment of high quality services, the National Policy should explore the combination of various reliable technologies such as satellite, wireless, fibre and other emerging technologies. The wholesale services provided by the merged entity between Sentech and Infracore should use these technologies.



81. High demand spectrum that can be used to deliver high-speed services using emerging technologies should be prioritised for assignment to new entrants. This should also encourage the use of emerging technologies that are spectrum efficient to increase competition and provide value for consumers.
82. On regular basis government through its regulatory capacity must conduct a review of spectrum usage to determine usage and re-allocation of unused spectrum where necessary. A strengthened competition framework that also addresses the quality and affordability of broadband infrastructure and services should also find expression in the National Broadband Plan.
83. The National Policy should also deal with the security of the High Speed Internet Networks (cyber security) to ensure information security, including the protection of vulnerable sectors of society such as children. A national cyber security policy is needed without delay.
84. In the light of the drive towards the new policy vision, there is a need to accelerate the endeavour to define needy people in order to address the utility expectations of, amongst others, people with disabilities, children, rural and urban poor. The needy people, clearly defined, should benefit from special subsidies to access and use communication services.
85. Public finance through the fiscus and the Developmental Finance Institutions (DFIs) should be set aside to fund broadband rollout as a national priority. There should be clear complimentary interventions between the contribution of the fiscus, DFIs and the merged entity between USAASA and the MDDA subsidising needy people.
86. as acting as an important platform for community involvement, education and entertainment. Secondly, as part of the ICT industry, broadcasting is an important economic sector that sustains the South African creative industries.
87. Since the advent of democracy the ANC has been consistent in developing a policy environment that transforms the media sector to meet the broadcasting needs and wants of all the segments of the South African population. To this end television coverage has been extended to reach 92 percent of the population.
88. Radio coverage now reaches 95 percent of the population. All official South African languages are now reflected albeit in a limited manner on both television and radio. The public broadcaster and an array of independent commercial operators provide radio and Television services. All District Municipalities are served by an array of geographic and community of interest stations.
89. The opportunities arising from the digitisation of broadcasting which has a potential to grow the sector through the provision of additional channels, including 24 hour news, sport, educational and all indigenous language programming.

### ON BROADCASTING INFRASTRUCTURE AND SERVICES

#### Noting

86. Various ANC Conference Resolutions and Policy documents capture the vision of a diverse South African broadcasting system - owned by the public, private and community sectors and reflective of the cultural, multi-lingual and demographic diversity and unity inherent in our society.
87. The ANC has consistently upheld the notion that broadcasting operates at two levels. Firstly, it acts as a means to reflect the rich South African cultural heritage, provides voice to South Africans to participate in democratic dispensation as well
88. Believing
91. That broadcasting plays a fundamental role in democratic expression, fostering of social cohesion, development, economic inclusion and the creation of a united and informed society.
92. Despite the achievements of the democratic dispensation, much still needs to be done to develop a broadcasting system that caters for all the needs of the South African population because of the inherent challenges facing the broadcasting system and the advent of digital terrestrial broadcasting. Some of the challenges requiring resolution include:
  - i. The public broadcasting system, beset by many structural, managerial and funding problems, needs to be restructured and repositioned to prioritise public service as opposed to the commercial focus that it has displayed.
  - ii. The 51st and 52nd ANC Conference resolutions on funding have not been implemented due in part to the failure to develop a public broadcasting model that is not reliant on commercial programming, failure to cost the mandate as well as different interpretations on the role of public broadcasting in government.
  - iii. The series of crises at the public broadcaster reflect a lack of leadership, lack of accountability



and poor management. In confronting the crisis more emphasis has been placed on reporting processes without a corresponding attention to holding those responsible to account for the financial and organisational maladministration that has brought the public broadcasting institution to the crisis.

93. Such a situation has prevailed because institutional structures responsible for oversight have not been effective. There has also been an overlap in oversight roles enabling the public broadcaster to forum shop.

### Therefore resolve

94. To review the current model of the public broadcasting system in order to ensure the emergence of public broadcasting that prioritises public service obligation, including education, health, rural development, reflection and development of all South African languages and cultures, information and democracy education and participation. This review should be undertaken without delay and inform the evolution of public broadcasting system in the digital era and the resolutions of the current challenges facing South African Broadcasting Corporation (SABC) and the funding model.
95. The SABC must be restructured to prioritise public services in the digital age. As part of this process, the government must, in line with the resolutions of the 52nd conference, increase its funding of the SABC. This must be implemented progressively over a reasonable period.
96. Government funding must be ring fenced to be targeted towards public programming such as indigenous languages, developmental and educational programming. In addition to government funding, the SABC requires a long-term sustainability strategy based on a people centred approach to public broadcasting.
97. Programming that is supporting education, health, poverty eradication, rural development, crime prevention and other societal priorities are miniscule compared to programming that is entertainment based. Budgets devoted to developmental programming are reflective of the miniscule programming output targeting the developmental agenda. This needs to be revised as a matter of urgency.
98. The public broadcasting system should not be allowed to lag behind the commercial sector in terms of technological innovations. In this regard any future strategy of the SABC must position the broadcaster as a leader in the uptake and usage of new technologies including Mobile television and Internet Protocol television.
99. A stable corporate governance mechanism is required to provide long-term stability. These include strengthening the SABC's accountability to parliament, shareholder (government) and the public. The public ownership of the SABC is central to its existence and sustainability.
100. Significant entry barriers remain in place in the pay commercial broadcasting sector. Regulation of this sector to enforce effective competition has not produced the desired competition. There is a need to relook at the behaviour of dominant players, access to premium content including sports rights and access to critical infrastructure by the competitors in this sector to enable the entry of new Pay TV services during the migration process, and new Free to Air players after switch-over in 2015.
101. The commercial broadcasting sector is still dominated by foreign programming even though media consumption patterns have demonstrated beyond doubt the predominant preference of South African content. Local content quotas need to be reviewed for all tiers of broadcasting. Raising the production levels and values of the South African content will in turn require collaboration by the various governmental entities that are active in the cultural creative industries space.
102. While broadcasting is delivered through ever changing technologies, it remains a content and cultural industry. In light of this strategic role of broadcasting, the current local content quotas at 55% for SABC 1 and SABC 2, 30% for eTV and SABC 3 and 10% for Pay TV services do not support our long term vision of a diverse South African broadcasting system - owned by the public, private and community sectors and reflective of the cultural, multi-lingual and demographic diversity and unity inherent in our society.
103. Compared to other countries such as Canada, Australia and Nigeria, South Africa has one of the lowest content obligations in the whole world. Many countries continue to impose foreign content and ownership limitations of the media. In its approach to this matter, the ANC maintains that the broadcasting policy review must prioritise national social and economic goals above private interests. In addition, the broadcasting policy must also provide a strategy to fast track the local content development industry.

- The review of local content quotas must be aligned to this strategy.
104. Much still needs to be done to ensure that the community-broadcasting sector is reflective of the communities they serve in terms of directorship, management and programming. There is a need for concerted action to ensure a fair representation of women, the workers, and people with disabilities, children and the aged. Programming offered by the community sector still need to be diversified to cater for the special needs of these strata while also contributing to community development and upliftment.
  105. The capacity of ICASA to effectively regulate in the public interest still shows limitation occasioned by funding constraints, skills shortage and confusion on the means and ways of achieving effective regulation. There is an overriding need to boost the capacity of the regulator to effectively monitor the broadcasters in order to enforce licence conditions and regulations.
  106. The analogue system of broadcasting must be switched off by 2015 and a digital terrestrial system should be built to replace it. This will require considerable funds to maintain the penetration levels that have been achieved to date. Given its immense public benefits, Digital terrestrial television (DTT) should be treated as a service with wider implications beyond the ICT sector and broadcasting.
  107. The terrestrial digital way of distributing and accessing the television broadcasting services presents a fresh opportunity for South Africa to realise the policy ends that are defined in the broadcasting environment. There is a need to review the broadcasting system and policy framework in its entirety before 2015, to identify the gaps and barriers that have prevented the realisation of some of the important goals as well as plan for new services. This should culminate in a new forward-looking broadcasting policy to coincide with switchover by 2015.
  108. Government must ensure that such a review is open to participation by all segments of the South African population and outcomes informed by their needs. As such DTT should be present an opportunity to create a new industry that is owned and controlled by South Africans. The manufacture of Set-Top-Boxes (STBs) should be linked to a long-term vision to manufacture Integrated Digital TVs (IDTVs) for local and external markets. More emphasis needs to be placed on the inter-operability of STBs on both pay TV and free to air to address consumer and competition needs.
  109. For government to promote a new manufacturing environment, the current tariffs should be reviewed, as they do not protect vulnerable industries. Digital broadcasting should be implemented as soon as possible in order to accelerate the release of the “digital dividend” spectrum. The International Telecommunication Union recognises that the Digital Dividend is to be allocated to new broadcasting services, wireless services, mobile broadband, public emergency and other services.
  110. The broadcasting policy review should create a regulatory framework for satellite services up-linking in the country as well as those that uplink outside our borders. Appropriate public broadcasting obligations should also be imposed on commercial services, Pay TV and Free to Air Services (FTAs) to ensure that public frequencies benefit more than just the owners and operators.
  111. There must be access to broadcasting, internet (voice, data and video) and telephone services.
  112. To prioritise the broadcast content in all South African languages reflective of the indigenous cultures.
  113. The local content quota should be increased to 60% in the public broadcaster and government should fund the public broadcasting programmes of the SABC.
  114. Pornographic content should be regulated across all media platforms.
  115. Sentech and SABC should remain in state hands in order to facilitate access to broadcasting services by all and corporate governance and human resources capacity at the SABC should be strengthened.
  116. There is an urgent need for the establishment of a dedicated Youth Radio Station.
  117. There should be an increase in funding for diversity in community newspaper, community radio stations and community TV stations.
- ### ON PRINT MEDIA TRANSFORMATION, ACCOUNTABILITY AND DIVERSITY
- Noting
118. In 1992, the ANC adopted a Media Charter that set out the organisation’s commitment to the creation of an environment that promotes media diversity and media freedom. Over the years, the ANC has

successfully introduced legislation to promote and protect media freedom. At the same time, various interventions were introduced to promote media diversity. The later include the creation of the Media Development and Diversity Agency to support community media and small commercial media outlets.

119. The print sector is still dominated by four big players, namely Naspers, Avusa, Caxton and the foreign owned Independent Group. These companies also dominate the entire value chain of the market especially printing, distribution and advertising. This integration and the very market structure is perhaps the biggest barrier to market entry and potentially shows possible anti-competitive behaviour. Other mainstream media players include the M&G Media and TNA Media. There exist a number of small commercial print and community print media, who all face the challenge of sustainability.
120. Despite protestations and evident denial, the print media existed for many years as one of the pillars of the apartheid super structure providing rationale and intellectual support to apartheid system. Whatever progressive media fought for the democratisation of society was initiated and linked to mass democratic movement led by the ANC.
121. The print media continues to be a contested terrain that reflects the ideological battles and power relations based on race, class and gender in our society. It continues to position itself as the main determiner of the public agenda and opinion.
122. Recent reports from the Media Development and Diversity Agency and the Print Media of South Africa indicate that despite changes that have taken place since 1994, regrettably the facts are that the average black ownership in South Africa mainstream print media to date is 14% and women participation at Board and management levels is at the diminutive 4.44%.
123. The 52nd Conference resolution regarding the parliamentary inquiry on the desirability and feasibility of establishing an independent Media Appeals Tribunal (MAT) aimed at complementing and strengthening the existing self-regulatory system of print media.
124. That the proposed MAT was a direct response to the ineffectiveness and varied weaknesses of the self-regulatory regime within the print media.

125. Conference directed that such investigation should examine the principle of a MAT and the associated modalities for implementation. Pursuant to the ANC resolution on a Parliamentary MAT Inquiry, the print media established its own Regulatory Review Mechanism. This led to the publication of the Press Council Report and further established the Press Freedom Commission (PFC) which conducted the wide ranging review of the current regulatory system of the print media.
126. That amongst others, the reports led to the review of the Press Code and the restructuring of the self-regulatory which is ongoing.
127. There is uncertainty on the extent of the implementation of the entire recommendations of the PFC most of which the ANC supported.

#### Believing

128. Over the years, the ANC has remained resolute that the media including print media patterns of ownership, management and content must reflect the democratic dispensation ensuring the freedom of expression freedom of expression, which includes freedom of the press and other media; freedom to receive or impart information or ideas; freedom of artistic creativity; and academic freedom and freedom of scientific research.
129. That consistently maintained that the freedom of expression does not extend to - propaganda for war; incitement of imminent violence; or advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.
130. That freedom of expression which includes the freedom of press and other media does not supersedes human rights and other rights enshrined in the South African Constitution and the Bill of Rights.
131. The apartheid patterns and behaviour that treat South Africans in an unequal and discriminatory manner sometimes manifests in some of the conduct of the print media in the content, coverage, distribution, management and opinions. Despite denials, this is natural, such attitudes and practices need to be confronted for the media to be a mirror of the present democratic dispensation. The reality arising out of this situation is that the majority of South Africans do not have media that report and project their needs, aspirations and points of views onto the national discourse.

132. That the PFC recommendations go a long way in responding to the ANC conference resolutions. There remains a lot of work to be done to ensure the full implementation of the principles guiding the ANC resolution and the PFC report. Also, the Parliamentary Inquiry using the PFC report as a basis remains relevant.

### Therefore resolve

133. The ANC needs to review its own Media Charter to take into regard the developments that have taken place since its adoption, strides that have been made in realizing the rights enshrined in it as well as the emergence of new technologies.
134. The ANC remains committed to a media climate that is free from vested political and commercial interests. This has been our guiding principle in all the engagements and ongoing discussions on the media transformation and accountability. Within this understanding, the ANC reaffirms the need for parliament to conduct an inquiry on the desirability and feasibility of a media appeals tribunal within the framework of the country's Constitution that is empowered to impose sanctions without the loss of any constitutional rights.
135. The envisaged parliamentary process should reinforce the South African Constitution Act 108 of 1996; review the existing media accountability mechanisms; balance the individual's rights to dignity and freedom of expression and freedom of the media; and review the privacy laws as well as those dealing with libel and defamations.
136. The departure point of the ANC is that South Africans must enjoy the freedom of expression in the context of a diverse media environment that is reflective of their situations and daily experiences. Accordingly, the following must be introduced to encourage media diversity:
- a) Introduction of an economic empowerment charter to promote Broad Based Black Economic Empowerment in the sector. Amongst others, the Charter should address the availability of print media in the languages South Africans speak and communicate with.
  - b) Strengthening the MDDA to support more community and commercial entities.
  - c) The Competition Commission should focus on anti-competitive practices within the sector.
137. The recommendations of the Press Freedom Commission (PFC) should be included in the wide ranging Parliamentary Inquiry on the regulatory system for print media.

138. The transformation of the advertising industry to ensure its contribution to media diversity must be prioritized

## ON POSTAL INFRASTRUCTURE AND THE POST BANK

### Noting

139. The postal infrastructure plays a significant role in the socio-economic development of the country. The ANC through its government has over the years pursued efforts to stabilise the Post Office through a range of interventions, including the allocation of financial and other resources for the State Owned Enterprises to meet its obligations.
140. The postal network has been expanded to reach 2 400 outlets. The re-balancing of the postal infrastructure to ensure that 1 postal outlet serves a maximum of 10 thousand South Africans. This re-balancing exercise seeks to redress the imbalances between the urban and rural areas of the country.
141. Part of the strategy is to achieve universal access, including the rollout of addresses and other services to under-served urban and rural areas.
142. Progress is being made to transform and corporatize the Post Bank as a preferred bank of choice for the poorest people in urban and rural areas. However, more work is needed to establish a sustainable mechanism for the Post Bank.
143. The challenge however is that the advent of emails and SMS has led to reduction in mail volumes. This has lowered SAPO profitability for re-investment in under serviced areas and to rollout the infrastructure.

### Believing

144. Through its massive and extensive network the Post Office act as a pay point for many government services including municipality bills and traffic fines. This contribution helps alleviate backlogs in the delivery of services to the people which is the central trust of our National Democratic Revolution.
145. In the view of the ANC, the postal market is not ready for liberalisation. Evidence in the courier market point to local and international courier companies paying more attention to the lucrative urban areas to the detriment of the rural and peri-urban areas who can get services based on internal market cross-subsidization.



146. The Postal Infrastructure and the Postbank are needed for government to deliver services to the people. As such, ownership of the Post Office and the Post Bank by government should be linked to efforts to ensure that the two institutions are sustainable.
147. A State Bank should not only be defined in terms of ownership, but in terms of the services that are delivered by the Postbank.
148. Directing opportunities to Post Bank and Post Office will strengthen revenue diversification and provide a viable alternative for offsetting the cost of services to the under serviced and marginalised areas.
149. That the decision to protect the exclusivity of the Post office should not compromise the provision of affordable, quality services.
150. Postal infrastructure is important in the ongoing efforts to promote regional integration.
- refer to international mail houses sending mail either electronically or physically to entities in South Africa. Of concern are illegal operators and broader transformation issues in the sector.
155. National policy should clarify approach to the regulation of cherry picking behaviour of international courier companies. The current practice to dump international mail on the South African Post Office infrastructure without paying anything has a long-term detrimental effect on the sustainability of the South African Post Office. A policy to curtail this practice should be implemented by government. This will include compliance with the international tariff regime.
156. All three spheres of government must be encouraged to use the South African Post Office. For its survival, the postal market must continue to expand infrastructure that will be used in the distribution network. The connected Community Service Network must also diversify services to integrate online services. To this end the South African Post Office must be supported to accelerate evolution and migration of traditional postal services to e-services using innovative technology platforms and electronic channels.

**Therefore resolve**

151. The National Address System should prioritise the rollout of addresses to informal settlements and rural areas to ensure addressability for all households to achieve economic inclusion.
  152. The existing government's financial support for infrastructure re-balancing including the rollout of the National Address System should be continued.
  153. Government should introduce policy guidelines to direct opportunities to the Post Bank as a bank of first choice of government and a primary platform for government and citizens' transactions. Over the next ten years, the Post Office should continue with the exclusive rights to all letters up to 1kg. This is in line with the Postal Licence Act of 1998 which confers South African Post Office (SAPO) exclusive rights and privileges to be the monopoly on the provision of the basic letter service up to 1kg in order "to offset the cost of providing a basic service in low-density, rural or uneconomical areas," as is a common practice globally.
  154. ICASA, as a regulator, need to be strengthened with the necessary capacity to regulate the postal market. Strengthening ICASA as a regulator also has to address policy gaps to improve postal regulation efficiency and effectiveness in reserved and unreserved postal services. This includes courier services, courier brokers and extraterritorial offices of exchange. Extraterritorial offices of exchange
  157. The ANC must show leadership and utilize the services of the Post Bank.
  158. Mobile Post Offices should be deployed in all needy rural and urban communities.
  159. Post Office Public Information Terminals should be upgraded to become fully functioning internet access points in rural areas.
  160. The post office and postal infrastructure should have regard to increased attention paid to rural areas. This should include the provision to implement a consistent national address system, taking into account the human settlement expansion in the country.
  161. The mandate of the Post Bank is reaffirmed as the bank for the unbankable as a priority, in line with the 52nd conference and the NGC. The Post Bank as a developmental bank, different from conventional banks, should be dealt with in the ETC.
  162. That the postal services should be inclusive and address the needs of the people with disabilities. It agreed that there is a need for the postal services and postal infrastructure to accommodate access for
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people with disability. It was also agreed that print as well as the electronic media should also facilitate access to content for people with disability.

### RESEARCH, DEVELOPMENT AND INNOVATION

#### Noting

163. The country continues to demonstrate excellence through major ICT and scientific breakthroughs emanating from research and development programmes. There is great potential in ICT Research and Development and Innovation that needs to be unlocked in order for the country to become more globally competitive.

164. Highlights of recent world-class achievements include the following projects of the Department of Science and Technology:

- a) As part of the cyber-infrastructure programme which is implemented by Council of Scientific and Industrial Research (CSIR) in partnership with universities and other science councils, South Africa today hosts the most powerful computer in Africa, which is among the top 500 supercomputers in the world – currently at position 329. This facility provide South Africa with enormous capability to perform complex scientific and mathematical calculations that solves real societal problems in the environment and climate change, automobiles, bio-medical sciences and astronomy.
- b) On the social impact side, some ICT Research and Development and Innovation programmes include the Digital Doorway (DD) – an innovative, robust computer facility that is deployed in under-served areas that members of the community can access anytime of the day to gain computer literacy skills and access relevant information, content and various applications.
- c) A flagship project that demonstrates the use of alternative, cost-effective and innovative technologies and models to deploy broadband infrastructure and services for rural communities is currently underway in Nkangala District Municipality in Mpumalanga. The project uses Wireless Mesh Network technology to connect close to 200 schools and a few other sites. 114 of these connections have been commissioned to the Internet. The project incorporates a business model that promotes local economic

development. Unlike with conventional telecommunication network operator model, the Wireless Mesh Network uses the out-of-school youth who show entrepreneurial and technical potential to operate, support and maintain the network in their communities.

165. The progress made in the development of a long-term ICT Research and Development and Innovation (RDI) implementation roadmap.

166. High impact national programmes such as the digital switchover will facilitate local and international investments in ICT research and development. As a crucial part of the National ICT Policy research, development and innovation strategies and plans would enable a coherent and increased public and private investment in the ICT by providing mechanisms to forecast technology developments in targeted areas; attracting foreign direct investment (FDI) from ICT multinational companies; and identifying critical areas that must be developed to meet South Africa's socio-economic objectives.

#### Believing

160. The above examples illustrate how directed interventions on ICT Research and Development and Innovation can bring about significant socio-economic development. However, to make real impact, the current investment in ICT Research and Development and Innovation need to be increased multiple-fold in order to achieve a critical mass in ICT Research and Development.

161. While ICTs are widely recognised as potent tools and enablers for socio-economic development, South Africa still lacks adequate competencies, capacity and capabilities and hence the continued reliance on imported ICT products and services. If the status quo persists, the real impact of ICTs on economic growth will not be realised.

162. There is enough evidence-based studies that show that the world's advanced economies have achieved their status largely because they have adopted and implemented policies that support technological (in most case ICT) innovation based on strong research and development capabilities.

#### Therefore resolve

163. To promote and support development of new ICT Research and Development (R&D) plans and strengthen existing strategies and policies to foster robust, well-coordinated institutional arrangements that lead to development of indigenous world-class,

technology innovations in ICT through directed national ICT research, development and innovation programmes.

164. To increase the number of Masters and PhDs students enrolling and graduating in ICT. Over the past few years, South Africa has been graduating between 14 and 35 PhDs per year in ICT related fields. The starting point should be to increase the current ICT PhD production by 10 - 15 fold per year in order to enable critical mass of advanced ICT human capital.
165. Within the framework of the National ICT Policy, South Africa will overcome the *"Digital Divide"* by leveraging advances in ICT to address socio-economic challenges and thus create *"Digital Advantage"*. Through sound investment and effective coordination of ICT RDI activities, the following conditions will be established:
  - a) advanced human capital and strong institutional capacity, enabling critical mass for research in focussed ICT domains;
  - b) a flourishing and growing high-tech ICT industry characterised by tight engagement with research communities, as well as fast uptake and promotion of research results and indigenous innovation;
  - c) a healthy innovation ecosystem, in which research results flow unencumbered to government and industry to achieve impact in society;
  - d) advanced ICT infrastructure connecting South Africa internally and with the world; and
  - e) local content and applications that address local needs and also create export opportunities.
166. To increase investments in ICT RDI which must support existing research programmes – and enable creation of new ones – leading to achievement of ICT Research and Development critical mass through appropriate funding for Research and Development in higher education institutions, science councils and research institutions.
167. The ICT RDI roadmap must be adopted by 2014.
168. The building of research infrastructure; and attraction of foreign direct investment through various incentive schemes that will see large multinational ICT conglomerates setting up research and innovation facilities in South Africa – not just sales offices.

## 8. EDUCATION AND HEALTH

### INTRODUCTION

The Commission noted the Political Report by the President, the Organisational Report by the Secretary General, recommendations of the 2012 National Policy Conference, and presentations on the National Development Plan and Census 2011 results. These provided the context in which discussions took place.

The Commission also received presentations on the progress made since the 52nd National Conference in the ANC and government. Progress was evaluated and plans and programs for the future designed.

After extensive deliberations the commission resolved that the details of certain issues will be dealt with by the NEC and that Conference should adopt resolutions tabled in this report.

### GENERAL

*Establishment of Subcommittees on Education and Health and collation of sectoral ANC policy documents.*

#### 1. Noting that:

- The ANC Subcommittee on Education and Health needs effective and functional structures to carry out its mandate.
- Sectors in the Subcommittee require current policy documents to promote uniform understanding of ANC policy.

#### Therefore resolves that:

- Each Provincial Executive Committee (PEC) immediately establish a provincial subcommittee on Education and Health at all levels of the organisation.
- At a provincial level an MEC who is not the political head of Education or Health shall serve as a Chair of the Subcommittee on Education and Health. Similarly a Member of the Mayoral Committee (MMC) entrusted with educational and health matters shall not serve as the chairperson at local government level.
- The NEC Subcommittee on Education and Health conduct comprehensive reviews of official policy documents of specific sectors, namely Basic Education, Higher Education & Training, Health and Science & Technology; and where indicated consolidate existing ANC policy positions into identifiable ANC policy documents by 30 June 2013.

### National Development Plan 2030

#### 2. Noting that:

- The National Development Plan is a long-term strategy for the country's development which enjoys overwhelming support among the various sectors and communities in our country.
- The National Development Plan broadly resonates and is compatible with the Action Plan to 2014: Towards the Realization of Schooling 2025.
- The Health related identified challenges as well as the recommended objectives, targets and actions correlate with those identified by the ANC and Government in a.o the ten point plan and the NSDA.

#### Therefore resolves that:

- Conference supports the implementation of the NDP and endorses its objectives and goals.
- Conference enjoins government departments to note any gaps that might have been identified by the NDP for purposes of policy and planning.
- The ANC and government mobilize all necessary resources to achieve the goals and priorities set out in the National Development Plan 2030.

### BASIC EDUCATION

*Stability in schools and protecting education from disruptions:*

#### Noting that:

- There is general agreement that education has to be protected from disruptions.
- Disruption of schooling through industrial action and service delivery protests impact negatively on the stability of schools and the quality of education.

#### Therefore resolves that:

- A Presidential Commission be established to review the remuneration and conditions of employment of education and health professionals and make recommendations on salary adjustments and wage increases in a manner that protects education and health as national priorities.
- The Commission commences with health and education because they are APEX priorities; and this will set up the benchmark for all other sectors.

### Post provisioning norms

#### Noting that:

- There is on-going tension between government and trade unions with regards to post provisioning.

And believing that:

- There must be closer engagement between government and trade union stakeholders to resolve disagreement on class sizes, distribution of educators and redeployment of educators declared redundant.
- The challenge of providing educators in rural schools and incentives must be reviewed.
- Urgent attention must be given to the filling of vacant posts and resolving the matter of temporary educators and attend to issues of principals who interfere with enrolment to maintain a particular number of educators.

Further believing that:

- This solution required close cooperation between government and labour unions.

**Therefore resolves that:**

- The department must match teaching skills and competencies with positions to which teachers are appointed.
- Post provisioning norms in addition to numbers must be informed by socio-economic context and curricula needs.
- The department must profile all educators on the basis of their qualification and teaching experience.
- Provinces must adhere to existing policies to avoid problems currently experienced with the movement of educators to where they are needed.
- A different and more stable system must be established to avoid yearly movements of teachers, and this must be balanced with providing teachers where they are needed most.
- The challenge of quality outcomes must also be linked to this point, as poor performance forces parents to move children around schools but also across provinces complicating the deployment of teachers and resources where they are needed.

## Resourcing education

Noting that:

- Conditions under which educators work play an important role in creating job satisfaction.
- These conditions also play a role in improving the morale of both educator and learner.

Further noting that:

- The department will integrate all the education infrastructure needs into the current multi-year programs of the Presidential Infrastructure Coordinating Commission (PICC).

- To maximise benefit, the Commission supported a centralized approach in the procurement of LTSM.

**Therefore resolves that:**

## Procurement

- Government adopts a centralized approach in the procurement of Learner Teacher Support Material (LTSM).
- Government expands the capacity to print text books and workbooks and own their intellectual property.
- Uniform and standardized textbooks must be provided to all learners across the system.

## School Infrastructure

- Infrastructure must be dealt with urgently and in an integrated manner.
- A comprehensive school building program must be developed and coordinated by the Presidential Infrastructure Coordinating Committee.

## Monitoring and evaluation of performance

Noting that:

- There is general consensus among stakeholders on the need for rigorous monitoring and evaluation of performance in the education sector.
- The objective of monitoring and evaluation plus evaluation of learner performance must be capacity building in order to keep the process innocent and free of manipulation.

**Therefore resolves that:**

- All teachers, principals and deputy principals as well as education officials must be assessed and evaluated with the intention of improving their skills and accountability.
- People who are to be evaluated must not be the ones determining whether they should be assessed or not and also should not have the final word on how the evaluation should be done.
- The Integrated Qualifications Management System (IQMS) must be refined, improved and enhanced as efficient instrument for teacher assessment and development.
- Quality teaching leadership and management development must address both content knowledge and methodology.
- The Commission confirmed the Polokwane resolution that certain category of teacher training should take place in colleges whilst strictly monitoring quality at those institutions.

- Accountability mechanisms must be developed to ensure that teachers, principals and all officials in the system are held accountable through an efficient monitoring system utilizing modern technology.

### **Review of funding model for schools and review of the Quintile Model**

Noting that:

- The funding model based on the quintiles system has material inconsistencies.
- The model has limitations and unintended results.
- The current system is being reviewed by government with a clear purpose of arriving at situation where there are “fee” and “no-fee” paying schools in the country.

#### **Therefore resolves that:**

- The funding model is endorsed with special emphasis on a bias toward poor communities and the achievement of parity and equality.
- The quintile model must be transformed to classify schools into fee-paying and non-fee-paying schools.

### **The appointment of school principals**

Noting that:

- The current system used to appoint school principals is deficient and open to undue influences.
- School principals are important professionals and managers of our schools accountable to the Departments of Education and communities.

#### **Therefore resolves that:**

- Relevant legislation must be amended to allow for a different method of appointment.
- School principals must be appropriately qualified and also be appointed on merit.
- The role of School Governing Bodies (SGBs) in the appointment of school principals must be clarified and communicated to all learners, parents, communities and other stakeholders.
- Principals must be held accountable for poor management, poor discipline and poor outcomes.
- Mechanisms must be developed to enable the deployment of principals in areas of need and for purposes of mentoring and coaching.

### **The capacity of government**

Noting that:

- The low level capacity and incompetence amongst some government officials has resulted in

embarrassment and is entrenching a culture of mediocrity.

- Some of these appointments are partly caused by flawed appointment processes and the composition of interview panels.

#### **Therefore resolves that:**

- Government be directed to put in place business processes and to institutionalise these, thus making sure that there are consequences for every action.
- Government must institute constant training and development programmes for government officials.
- A national skills audit must be carried out at all levels of government as a matter of urgency in order to identify the gaps.

### **Mismanagement, incompetence and ill-discipline**

8. Noting that:

- The culture of ill-discipline in schools, crime, vandalism, drugs, violence amongst teachers and learners that has to be urgently uprooted.
- Many educators are not exemplary by engaging in unsavoury relations with learners and therefore get implicated in learner pregnancies, high rate of absenteeism, absconding, unpunctuality, drunkenness and lack of professionalism.
- The inability of bureaucrats to manage and their incompetence often results in labour unrest.
- Poor management often leads to mismanagement of labour relations, with the consequence of creating a vicious cycle of ill-discipline and impunity,
- Poor management completely erodes dignity in the institutions of learning.
- Some teachers have a poor regard for formal dress code and go to school wearing takkies, jeans and T-shirts.

And further believing that:

- Conference should support a process of both government and trade unions to cooperate to stamp out ill-discipline in the sector.

Therefore resolves that:

- The department enforces strict adherence to the disciplinary standards and norms, including adherence to formal and proper dress code.
- Disciplinary steps must be taken against any official who engages in corrupt, unethical or unlawful practice.



## Corruption

9. Noting that:

- Reports of corruption are increasing, especially irregularities in employment and promotions.
- There are many cases of conflict of interest that relate to procurement involving public representatives and civil servants.

**Therefore resolves that:**

- The ANC takes strong action to deal with corruption.
- The ANC ensures that all collusion that leads to irregularities is stamped out.
- The ANC must ensure its name and all its structures are not abused in the furtherance of corrupt activities.

## Poor education outcome

10. Noting that:

- Poor education outcomes are also a reflection of poor leadership at various levels in the system.

**Therefore resolves that:**

- The ANC takes responsibility and ensures that both elected leaders and deployed cadres in the administration are held accountable.
- The ANC must act decisively to turn around the situation.
- The Subcommittee on Education and Health submits to the ANC leadership a plan of how to ensure accountability of ANC structures, leaders and employees responsible for delivery and education sector outcomes thus enabling decisive action to be taken where performance does not achieve expected outcomes.
- The ANC as a party must act on its members who fail to perform.
- The ANC engage its structures to mobilize grass roots support for improved education outcomes, including the ANC branches, regional, provincial structures, Alliance, parents' bodies and civil society in general in accordance with resolutions of the 52nd National Conference.

## Language and cultural education

It is resolved that:

- Teacher development with regard to the use of sign language should be increased.
- In preparation for the introduction of indigenous languages in 2014, the department must prepare resources, curriculum, teacher development and other

support measure to ensure an efficient implementation of the program.

## Curriculum

Noting that:

The Minister has appointed a Ministerial Team to investigate, among others,

- i. The academic value and benefit of Mathematical Literacy.
- ii. Whether it is desirable in Matric to have a pass rate of above 50% in five subjects and 30% in two subjects.
- iii. To examine two-stream model in the curriculum for technical schools and Further Education and Training (FET) colleges.

**Therefore resolves that:**

- The Minister must investigate the value of Life Orientation, including Environmental Education, and history as compulsory subjects in the curriculum.
- The recommendation of the Ministerial task team be discussed with the ANC and other stakeholders upon release.

Credibility and image of the sector

Noting that:

- There is on-going onslaught on the education system that is creating a sense of despair, undermining work and progress made and the general credibility of the system; and

**Therefore resolves that:**

- A committee be established to examine all matters raised such as the debate including the matric pass requirements, text book provisioning and the ANAs results.

## School Governing Bodies

Noting that:

- Policies and legislation must be reviewed to prevent unfair discrimination and exclusion and to promote integration.
- A guide on the roles, responsibilities and functions of governing bodies has been distributed to schools.

**Therefore resolves that:**

- The power of governing body with regards of the locus of authority in terms of language, and capacity of schools and curriculum choices be reviewed and appropriate policy and legislative changes be made where necessary.
- The department must develop SGBs in rural and

township schools through the funding that has been made available.

- The department must launch the advocacy campaign encouraging SGBs to co-opt members with appropriate technical skills to assist Governing Bodies.

### Section 100 (1)(b) interventions

Noting that:

- There were concerns that were raised about the declaration of section 100(1)(b) interventions.
- There has been good progress in the area of intervention.

Therefore resolves that:

- Interventions must be linked with efforts to develop capacity in areas of interventions.
- Conference supports these interventions and call upon government to pass the necessary legislation guiding such interventions.

### Employment of educators and other civil servants as local government councillors

Noting that:

- The 52nd National Conference resolved that the ANC must review the issue of civil servants who are local government councillors.

And further noting that:

- Teachers who are employed as councillors are inevitably distracted by the additional obligations, which impact negatively on their performance.

Therefore resolves that:

- Government must prioritise passing a law to bar civil servants from taking up employment or positions as local government councillors whilst still employed in government posts.

### Multi-grade schools

Noting that:

- A large number of children attend small, multi-grade schools. In 2011, approximately 26% of schools reported having multi-grade classes similar to figures in 2009.

Believing that:

- Multi-grade schools have a negative impact on the quality of learning and teaching.

Therefore resolves that:

- Multi-grade schools must be phased out by 2020.
- Until such time as multi-grade schools are phased out, focused dedicated service and support must be provided to multi-grade schools with elaboration at all levels in the system starting from national to provincial, district and up to schools level.

### Retention and drop-out rates

Noting that:

- Approximately 590 000 children aged 7 to 18 were not attending any education institution in 2011 of which the majority, viz. 4 in 5 were in the 16 to 18 age group and 1 in 5 were disabled. A higher percentage of males than female aged 16 to 18 were enrolled in education. Teenage pregnancy generally has a negative impact on enrolment; and the secondary completion rate (completion of Grade 12 by 24 year olds), which was 44% in 2009, has increased to 46.5% in 2011. Learners with Special Education Needs are frequently excluded as a result of not being able to cope with the demands of the National Senior Certificate and Curriculum Statements.

Believing that:

- Completion of Grade 12 and attainment of the National Senior Certificate qualification is vital for the world of work and post schooling education and training opportunities.

Therefore resolves that:

- All measures must be taken to strengthen the basic education sector to provide more opportunities for young people as well as increasing retention, progression, and completion rates in the basic education sector. Such measures can include the following:
  - Focused programmes must be put in places to address drop-out rates especially at high school and the negative effects of teenage pregnancy, gangsterism, and vulnerability including bullying
  - The two stream model of provisioning must be strengthened to reflect the balance between the vocational and academic pathways.
  - Post school options must be expanded; that is, collaboration between DBE and DHET must be strengthened to improve articulation between basic and post-school education in order to expand the effectiveness of credible post-school education and training options.
  - Inclusive education. The development and advocacy of learning programmes linked to the

National Senior Certificate and the National Curriculum Statement must be.

### Early Childhood Development, including Grade R

Noting that:

- There has been a significant increase in the enrolment of learners in ECD – especially in Grade R. 84% of learners entering Grade 1 have attended Grade R in schools according to 2011 Household statistics. Pre-Grade R attendance in ECD has doubled since 2008, and we are on track for universal coverage.

Believing that:

- ECD contributes to accelerated development and that participation in ECD and Grade R is key to develop the basic skills for future successful learning and it is critical that South Africa meets the goal of universal access to Grade R by 2014.

Resolve that:

- A National Policy for Grade R must be finalised in order to make Grade R compulsory;
- Qualified teachers for Grade R must be trained and employed and professionalization of all Grade R practitioners must be achieved by 2018

### Adoption of the National Development Plan 2030 Implementation plan for Basic Education

Noting that:

- The resolutions are aimed at enhancing policy and will help shape an integrated implementation plan on Basic Education.
- Such a plan provides greater detail and time lines for the implementation of such a plan.

Therefore resolves that:

- The attached implementation plan forms the basis and framework for government in dealing with the issues pertaining to the resolutions.
- The implementation plan is hereby adopted as appropriate.

## HIGHER EDUCATION

*Implementing free higher education for the poor in South Africa*

Noting that:

- Significant strides have been made in finalizing the policy on free higher education to all undergraduate level students from for the poor and working class communities for phased implementation from 2014.
- A draft policy on Free Higher Education has been

completed has been completed, and the broad consultative process, including the social, economic analysis and impact and consultation with Treasury will ensue.

Therefore resolves that:

- The policy for free higher education to all undergraduate level students will be finalized for adoption before the end of 2013.

### The National Student Financial Aid Scheme

Noting that:

- University education is costly.
- The principle of increased access to higher education is a core transformation goal.
- Academically capable students from poor families should not be expected to pay up-front fees in order to access higher education.
- Academically capable students from working class and lower middle class families should also be subsidised with their families providing a household contribution to their studies in proportion to their ability to pay.
- The fees that must be covered include tuition, accommodation, food, books, other essential study materials or learning resources and travel that is the full cost of study fees.
- The upfront fees that are provided and enable fee-free university education for the poor and subsidised fees for the working class and lower middle strata, should be made available as loans through a strengthened NSFAS system. Part of the loan should be converted to a bursary for successful students.

Therefore resolves that

- A newly structured national student financial aid system must be introduced to enable fee-free education from 2014 onwards.
- A policy dialogue model must be utilised to develop a fully-fledged costing model.
- The current NSFAS must be used as a basis for introducing the newly structured scheme.
- Consideration must be given to a graduate tax for all graduates from higher education institution.

### Community service for graduates from higher education institutions

Noting that:

- There is currently no national youth or graduate community service scheme in South Africa, which covers all youth and/or graduates.

- The only comparable national programme for graduates is the community service requirement that graduates in a variety of health science programmes have to fulfil.

Therefore resolve that:

- Community service is in principle required from all students who are funded from the fiscus, government bursaries and/or loan schemes with the need to leverage employment and internship opportunities in the public service for different professional fields; and
- Impact studies must be commissioned to inform a policy on Community Service for Higher Education Graduates, initially targeting professional fields linked to national human resource development priorities and progressing to a community service scheme for all higher education graduates.

### **Infrastructure for post-school education and training system**

#### ***Infrastructure for post-school education and training system:***

Noting that:

- The expansion of the post school education and training system to achieve the 2030 enrolment targets requires extensive infrastructure investment over the next 18 years including the construction of 5 Universities, 20 Teacher Education Campuses and 55 Further Education and Training Colleges.

Therefore resolves that:

- The Department of Higher Education and Training consolidates the infrastructure requirements with estimated costs to expand the post school education and training system which will be linked and coordinated by the Presidential Infrastructure Coordination Council (PICC).

### ***On Higher Education Colleges***

Noting that:

- The DHET has been established specifically to enable the coherent and well-articulated offering of higher education, vocational education and skills development through a variety of post school institutions which are under national legislative competence, these colleges continue to operate outside of this sphere and therefore cannot be well integrated into the post school system.
- All post school education and training institutions should be governed under national authority and specifically regulated under the requirements of Higher Education and Training legislation.

Therefore resolve that:

- All public Colleges, specifically Agricultural and Nursing Colleges currently under provincial authority must be moved to a national competence in line with the constitution, and should be governed under the relevant Higher Education and Training Act.
- All Agricultural Colleges must be immediately transferred to the Department of Higher Education and incorporated fully into the post school system.
- All nursing colleges must be immediately transferred to the National Department of Health but must operate under the requirements of the Higher Education Act of 1997 as amended, and must be fully incorporated into the post school system in terms of articulation, governance, information systems and skills planning.

### ***On former Teacher Education Colleges***

Noting that:

- All education infrastructures should be effectively utilised for educational purposes in order to ensure expanded access to educational opportunities for our youth.
- Former Colleges of Education are well placed across the country and represent significant infrastructure that could be recapitalised for teacher education, as well as other post school education and training opportunities.
- Specifically there is a need to open new Teacher Education Campuses to enable the strengthening and expansion of foundation phase and intermediate phase African language specific teacher education, as well as a need to open new FET College campuses and Community Education and Training Centres.

Therefore resolves that:

- A full audit of all former College of Education infrastructure must be undertaken to identify those Colleges which are not being utilised for educational purposes or are underutilised and could be productively used to expand post school education and training opportunities.
- All former colleges not utilised for educational purposes e.g. as university campuses, FET College campuses, teacher development institutes or centres, must be recapitalised for foundation and intermediate phase teacher education or as FET College campuses, or for other post school education purposes.

### **Other matters**

The Commission further raised a number of issues amongst which the following may be noted:

1. A special committee on the transformation of Higher Education Institutions (HEIs) has been established by the Minister.



2. A funding model informed by the report of the Ramaphosa Commission is biased in favour of the Historically Disadvantaged Institutions of Higher Learning.
3. Bogus colleges that have not been registered have been criminalized.
4. A review process of the curriculum content of the National Senior Certificate – Vocational (NSC-V) has been initiated.
5. A policy document seeking to align FET Academic schools, Technical Schools and FET Colleges is being developed.
6. An initiative has been launched to attract better qualified FET lecturers and staff.
7. There are discussions between Higher Education & Training and Higher Education South Africa (HESA) in relation to standardization of points or scores for purposes of admission to universities or universities of technology.
8. The Minister of Higher Education & Training in his capacity as a convener of the Human Resource Development Inter-Ministerial Task Team has approached State Owned Enterprises (SOEs), sister departments and the private sector to provide opportunities for practical training of graduates. Eskom has already taken about 8000 learners as interns and apprentices.
9. The process of centralized applications for Higher Education Institutions has commenced and will be refined over time.

## HEALTH

### National Health Insurance (NHI)

Noting that:

- Progress made in the implementation of the NHI, including the setting up of pilot sites in at least 11 districts covering all provinces.

#### Therefore resolves that:

- The NHI fund be set up urgently using state revenue by 2014.
- The ANC should mobilise broad social support for the roll out of the NHI.
- The ANC should continue to guide and oversee government process of developing the White Paper and legislation on the NHI and should be finalised by 2013.

### Central hospitals, namely academic hospitals directly attached to medical schools

Noting that:

- Central hospitals are national assets providing services across provinces.
- Central hospitals are an integral part of universities by virtue of being primary training platforms which no medical university can do without.
- All universities are competencies of the Department of Higher Education.
- The NHI will need an expanded training platform to produce adequate health professionals.

#### Therefore resolve that:

- Central hospitals must become the responsibility of national government including overall management.
- National Health must ensure improved management and related capacity of central hospitals to deliver services efficiently and effectively.

### Security and efficiency of supply of critical services

Noting that:

- Intermittent deterioration of quality of health care within public health institutions, especially in the areas of cleanliness, safety and security of staff and patients, attitude of staff, infection control, the long queues and stock-out of drugs and other essential services.
- Improvement of quality of public health services has been identified as a key success factor in the implementation of NHI.
- Cost reductions have been achieved in the centralisation of procurement of medicines.
- Pharmaceutical depots are no longer a best practise for sustainable supply of medicines by the countries with developed and efficient health systems because of inherent risks of pilferage, expired stock, lack of security of supply and inefficient distribution to hospitals and clinics.

#### Therefore resolve that:

- Critical services such as cleaning services, security services, food services and laundry services and linen supply must be provided in-house and not be outsourced.
- The department introduces direct delivery of pharmaceuticals, dry dispensary and related supplies to facilities by suppliers to ensure improved turnaround times and prompts payment of suppliers.
- The department extends the central procurement



mechanism to all pharmaceuticals, dry dispensary and medical equipment and devices.

- State must have majority shareholding in the state owned pharmaceutical company.

### Human Resources Development

Noting that:

- The National Health System currently experiences a critical shortage of professional and technical staff.
- The NHI will require increased numbers of health professionals and technical personnel.
- Nursing remains the backbone of the health care system.
- While it is important that nurses also continue their studies at universities, universities cannot be the primary training platform for the nursing profession as the training of nurses is mostly a bedside experience.

#### Therefore resolves:

- To welcome the National Human Resource Strategy for Health.
- That the Primary training platform for nurses should be located at nursing colleges inside the hospitals, and that the department accelerates the refurbishment of such colleges.
- To accelerate the training of health professionals in collaboration with the Ministry of Higher Education and local Universities; and, where necessary, to extend training to outside the borders of our country.

### Healthy lifestyles

Noting that:

- Ever-increasing global burden of Non-Communicable Diseases, which in our country adds to the already high incidence of communicable diseases such HIV & AIDS and TB.
- United Nations high-level meeting in the General Assembly as well as National Summit held in September 2011, imploring countries to deal decisively with the risk factors of smoking, harmful use of alcohol, poor diet and lack of exercise.
- Generally NHI systems around the world are sustained through initiatives targeted at reducing the burden of Diseases, including NCD's, violence and injury especially on the roads, by mechanisms that control the risk factors.

#### Therefore resolve that:

- Government must fast track legislation and regulations to deal with the risk factors of diseases

and injury, including the creation of a multi-sectoral Health Commission whose function is specifically to deal with the said risk factors.

- The ANC and government must embark on activities to promote healthy lifestyles through mobilization of individuals and communities to engage in physical activities, good dietary practices and reduction of harmful use of alcohol, tobacco and to control of substance abuse.
- Government must strengthen the capacity of rehabilitation services in the public sector with a focus on mental health, physical disability, gender based violence, childhood trauma and substance abuse.

### Infrastructure

Noting:

- The health infrastructure backlogs, poor maintenance of health facilities, under-spending and poor project management capacity.
- The need to accelerate the revitalisation of health facilities as well as building new ones.
- That health infrastructure is one of the SIPs in PICC.
- There is a need for massive health infrastructure for NHI

#### Therefore resolves that:

- Under the auspices of the PICC, a comprehensive audit of all health infrastructure be conducted, revitalization and refurbishment of all substandard infrastructure be executed by 2025 using the public fiscus and public-private partnerships where appropriate.
- The department establishes teams of engineers and other professionals in built industry from, e.g., the CSIR, DBSA, Transnet, Eskom, to provide health infrastructure on a massive scale in the pilot districts in order to shorten the pilot period.
- Provincial health departments must establish effective project management teams led by Technical professionals such as engineers.
- The department establishes workshops in health facilities for maintenance of infrastructure and medical equipment.

### Quality of Health Care

Noting that:

- Health facilities easily run out of essential supplies and services despite budgetary allocation.
- The Office of Health Standard Compliance (OHSC)

Act has been passed by national parliament in November 2012; which prescribe for the establishment of the following 3 units: Inspectors, Ombudsperson and Certification office. These Units are established for the implementation and monitoring of core-standards.

Therefore resolves to:

- Establish the OHSC nationally and in each province from 2013.
- Appoint Ombudsperson by 2013.
- Accelerate the establishment of facility improvements teams for each district.
- Adopt non-negotiables for health, e.g. pharmaceuticals, security, vaccines, food, dry dispensary, as a policy and good practice for hospitals and clinics.

### Re-engineering of primary health care

Noting that:

- Primary Health Care is the heartbeat of any sustainable health system globally.
- The PHC remains at the core of the overhauling of the health system and the NHI in South Africa.
- Progress was made in the re-engineering of the PHC through the School health programme, municipal ward-based primary health care agents, districts specialist teams and contracting GPs to work in clinics in pilots districts.

Further noting:

- The centrality of the school health programme in giving children a head start in disease prevention and health promotion as well as the need to social crisis like barriers to learning, teenage pregnancy, teenage termination of pregnancy and substances abuse.

Therefore resolves to:

- Launch a massive family planning programme throughout the country by 2013 under the theme "Dual Protection".
- Ensure consultation of parents on school health programme, in relation to reproductive health rights, HIV counselling & testing and prevention of Sexually Transmitted Infections (STIs).
- Establish the National Health Commission in 2013, which will be a multi-sectoral platform to promote healthy lifestyles, encourage prevention of diseases and promote health care; by enforcing health regulations.
- Pass regulations on tobacco control, in line with World Health Organisation's framework convention

on tobacco control as it relates to illicit trading of tobacco products, by 2014.

- Pass law to abolish marketing of alcohol products by 2013.
- Accelerate regulations on diet and content of salt in food stuffs.
- Accelerate the contracting of General practitioners to work in government clinics.

### Cost of Health Care

Noting:

- Extremely exorbitant fees charged in private health care which have markedly increased health inflation.

Therefore resolves to:

- Establish a National Pricing Commission to regulate the health care in the private sector by 2013.

## SCIENCE AND TECHNOLOGY

Noting that:

- Science, technology and innovation requires greater attention in the work and policies of the ANC.
- Science, technology and innovation across public and private sectors remains somewhat fragmented.
- The ANC 50th National Conference emphasized the importance of science and technology in human resource development and economic growth.
- The need for a clear policy on the strategic leadership, coordination and governance of the Science, Technology and Innovation system.

Further noting that:

- Government declared 1998 the Year of Science and Technology and launched a five-year public awareness campaign in Science and Technology; and that the ANC resolved that this campaign be linked to the educational campaign to build a culture of learning, teaching and service.
- The 50th ANC National Conference resolved to call upon government to ensure that programme and broader efforts to restructure the country's science and technology infrastructure to benefit the poor and rural areas.
- The Ministerial Review Committee recommendations on the governance and financing of the Science, Technology and Innovation system tabled in 2012.

Believing that:

- Science, Technology and Innovation are central to finding appropriate solutions for any society to address its socio-economic challenges.
- The achievement of the vision 2030 will require investment in innovations of new knowledge and technology
- The Developmental State must lead in strengthening the capacity, co-ordination, funding as well as ensuring mainstreaming of Science, Technology and Innovation in both the public and private sector.

Therefore resolves that:

- The 53rd National Conference Strategy and Tactics make reference to critical role of the National System of Innovation in building the knowledge based economy.

- The ANC should prioritise science and technology policy development, implementation and monitoring capacity.
- The principle of mainstreaming Science, Technology and Innovation in the ANC, government and the private sector be adopted.
- The Ministry of Science and Technology should provide strategic leadership and coordination of the National System of Innovation.
- The Government should adequately finance and capacitate the National System of Innovation and target achieving 1,5% expenditure of GDP by 2017.

## 9. FINANCE AND FUNDRAISING

Noting that:

1. The organization is entering its second phase of transition in the transformation of our society from a colonial apartheid past to a united, non-racial, non-sexist, democratic and prosperous South Africa, where more radical programmes will have to be implemented aimed at a total emancipation of the people of South Africa in an environment of scarce resources.
2. As an organization operating within a modern and dynamic society, we need to adapt our systems to be compatible with modern technologies that speed up processes and facilitate smooth management and accountability.
3. The organization must maintain financial prudence and discipline at all levels of organization all the time.
4. Progress made in the implementation of the 52nd National Conference as has been presented in the Treasurer-General's report to the 53rd National Conference. The financial report pointed out a number of strengths and weaknesses as well as threats that organization needs to pay attention to and opportunities that it may need to exploit in bettering its financial situation.

And believing that:

- i. Resourcing the movement is fundamental to its ability to carry out the mission of the ANC, as articulated by the 52nd National Conference.
- ii. Decisive steps have to be taken to secure the financial sustainability.

**Therefore resolves:**

1. Public funding should be expanded in order to promote and support democracy. Such funding will be accompanied by full financial accountability and transparency by political parties, including regulation of private financing of political parties.
2. The ANC should participate in the economy, through various activities such as setting up business to provide goods and services as well as building an investment portfolio. Regulation of party-linked investment vehicles should also be introduced to avoid conflict of interest which will result in compromising the integrity of the movement.
3. The membership fees should be increased from R12 to R20 for all members.
4. The NEC must implement the 52nd National

Conference resolution on the allocation of full membership fee to branches as part of strengthening the capacity of branches to carry out their key tasks in communities (full allocation to be sub-divided amongst the province, regions and branches).

5. All Branches should promptly open bank accounts. The opening of bank accounts by branches should be concluded within 6 months, and special mechanisms should be put in place to deal with unsustainable accounts, including allowing a region to hold some kind of a trust account separate from any region's transaction account in which moneys of those branches can be kept and be released on request. This should go with rigorous training of branches on financial management and politics of money as proposed above.
6. In expediting the full implementation of the 52nd National Conference resolution on the full reallocation of membership fee, cost of collecting such fee and printing a membership card must be taken into consideration.
7. All ANC members who earn an income should be encouraged to contribute equitably to the movement by paying a levy, according to their ability.
8. Affirm the 52nd resolution on the allocation of levies to provinces. However, on implementation, provinces must be given option based on their concerns and their situation.
9. Foreign funding should be permitted but must be regulated to avoid abuse and manipulation by external forces in the political affairs of our country.
10. The fundraising guidelines should emphasize that fundraising effort should be an ongoing responsibilities of every member in the leadership. However, there must be consultation with the Office of the Treasurer-General. Donations will be accepted in kind or financial contribution. Mechanism will be instituted to eliminate abuse and corruption, such as keeping records, or a declaration book for donation in kind, depositing into the organization's account and limiting fund raising to those who are authorized.
11. The ANC should introduce financial management module in the political education program for ANC members who are charged with the responsibility to manage finances of the organisation.
12. The current investigation done by the ANC has indicated that the use of the Post Bank will be more



affordable and the NEC should consider using the Post Bank unless the high bank charges with the current FNB is negotiated to a more competitive and acceptable level.

13. The NEC should act to improve the professionalism and effectiveness of ANC fundraising and financial management efforts, including by ensuring that those involved are properly orientated, trained and authorized. Those assigned to these tasks must be accountable to organizational structures, such as the Finance Committee and related forums, and their performance needs to be monitored.
14. Outstanding matters from the 52nd National Conference pertaining to Finance and fundraising should be concluded within the next 12 months. These include amongst others increase in allocation of political party funding from the public fiscus at national level and introduction of the provincial political party funding bill. To maximize the sharing of resources between regional offices, provincial leagues and caucus the alignment between the operations of the constitutional structures and constituency offices must be finalized.
15. Mechanisms to broaden the revenue base of the organization should be developed as a matter of urgency and be implemented. These include the adoption of the fundraising and investment policy guidelines within the first meeting of the finance and fund raising sub-committee for recommendation to NEC.
16. The composition of the Finance and Fundraising sub-committee should be reviewed. In particular:
  - i. In addition to NEC members serving on this structure, other ANC members with relevant expertise and knowledge should be coopted on to this structure to enhance its effectiveness. Provincial treasurers and treasurer-generals of the Leagues should also serve on the FFC.
  - ii. To improve its effectiveness, the subcommittee must develop an annual programme with specific milestones to be achieved within any given period of reporting. Due consideration must be made to all levels of the organization regarding this matter.
  - iii. Institutional capacity to support the work of the sub-committee should be built at the national, provincial and regional levels. The performance of this support function should be assessed from time to time, and should include responsibilities for specific areas of work (e.g. fundraising, investment portfolio and financial management and accounting systems).

17. Political decisions taken should be costed and financial implications be understood and budgeted for. The adoption of annual political programme must be linked to the available funding in order to avoid over commitments and accrual of debts and liabilities.
18. Induction on financial matters involves all members of the executive committee at all levels and the leagues to ensure collective responsibility for the finances and other resources of the organization. Training of treasurers of the ANC and its leagues must be in both hard core issues of financial management, on politics, ethics on good governance and in fundraising in general. This training must be conducted within six months of the term of office of the current NEC.
19. The Veterans league to be provided with special financial and technical support, including training as they are at an early stage of their setting up of systems.
20. The ANC should ensure its financial reporting complies with Generally Accepted Accounting Practice (GAAP)

### **CRITICAL ISSUES REFERRED TO NEC FOR FURTHER HANDLING**

The Financial report points out that the following costs are very high and unsustainable and have been referred to NEC for further handling since there are of administrative nature:

- Salary and Wages;
- Operational Costs; and
- Travelling and Accommodation.

Other matters that the commission also referred to the Management for further handling:

- Asset Management;
- Expansion of Investment portfolio; and
- Donor Fatigue.

# NGC 2015 – REFERENCE DOCUMENTS VOLUME ONE

3

## 2012 STRATEGY AND TACTICS

### *Decisive and sustained action to build a National Democratic Society*

#### **PREFACE TO THE 2007 STRATEGY AND TACTICS**

AS ADOPTED BY THE 53RD NATIONAL CONFERENCE

16-20 DECEMBER 2012, MANGAUNG, FREE STATE

#### **INTRODUCTION**

1. The 53rd Conference of the African National Congress, 2012 confirmed the Strategy and Tactics adopted at the 52nd National Conference as encapsulating the transition from apartheid colonialism to a National Democratic Society and re-affirmed the centrality of the Freedom Charter as our lodestar.
2. Conference also resolved that a note should be appended to the 2007 edition of the **Strategy and Tactics** of the ANC, in the form of this Preface, in order to:
  - ☐ deepen our analysis of the first 18 years of the transition;
  - ☐ assess the on-going shift in the balance of forces;
  - ☐ reflect on the evolving character of the ANC;
  - ☐ characterise the next phase of the transition; and
  - ☐ elaborate the pillars and major tasks of this phase.
3. The Preface aims to assist in the interpretation of *Strategy and Tactics 2007* against the backdrop of the task of ensuring decisive and accelerated progress towards the eradication of the legacy of apartheid colonialism and the construction of a National Democratic Society. In this regard, a full understanding of the objectives and programme of the ANC requires that this *Preface* and *Strategy and Tactics 2007* be read as a whole.
4. The review of *Strategy and Tactics 2007* takes place during the centenary of the formation of the African National Congress. This momentous occasion has afforded the ANC, its allies and partners in the broad democratic front, within South Africa and abroad, to celebrate a historic achievement. It has also provided an opportunity for reflection on the deeper meaning

of the national liberation struggle during its various phases and the challenges going forward, as the ANC enters the second century of its existence.

#### **CHARACTER OF THE NATIONAL DEMOCRATIC SOCIETY**

5. *Strategy and Tactics 2007* affirms the strategic goal of the NDR as the resolution of the three basic and inter-related contradictions of Colonialism of a Special Type in South Africa (where the colonised and the colonial metropolis lived within one nation-state): racial oppression, class super-exploitation\* and patriarchal relations of power. These antagonisms found expression in “*national oppression based on race; class super-exploitation directed against Black workers; and the triple oppression of the mass of women based on their race, their class and their gender. The main content of the National Democratic Revolution (NDR) therefore remains the liberation of Africans in particular and Blacks in general from political and socio-economic bondage. It means uplifting the quality of life of all South Africans, especially the poor, the majority of whom are African and female.*”
6. Our democratic political system is founded on political, socio-economic and other human rights which are enshrined in the country's Constitution. The realisation of these rights in actual practice requires, among others:
  - ☐ The mobilisation of the nation around a common vision of the kind of society we seek to attain, acting in partnership with each sector for the realisation of the common good.
  - ☐ The means for citizens to exercise the full range of their human rights, including progressive realisation of socio-economic rights, and for checks and balances in a law-governed society.

- ❑ Popular participation of the people in the process of development, and with special focus on the poor and marginalised.
  - ❑ Building a united and inclusive South African nation in which the multiple identities based on class, gender, age, language, geographic location and religion are a source of strength, adding to the diversity of the continent and humanity at large.
7. The socio-economic character of the National Democratic Society is based on the resolution of the historical injustice and the building of a democracy with social content, which includes:
- ❑ A political and socio-economic system which places the needs of the poor and social issues such as health care, education, basic services and a social security floor at the top of the national agenda;
  - ❑ Accelerated growth and development in a mixed economy which includes state and private capital as well as co-operative, worker-based, community and other forms of social ownership of the means of production;
  - ❑ An active developmental and leadership role of the state in the economy and the pursuit of full employment;
  - ❑ A democratic developmental state that leads accelerated and sustainable change through interactive, intensive and sustainable transformation of the structural causes of economic exclusion and social underdevelopment, including the spatial imbalances inherited from the apartheid era;
  - ❑ The quest for equality and protection of the human dignity of all;
  - ❑ Sustainable utilisation of natural endowments and the protection and regeneration of the environment as an inheritance of current and future generations;
  - ❑ Strong partnership with the trade union movement and other mass and sectoral formations; and
  - ❑ The promotion of the African agenda based, among others, on the pursuit of peace, economic growth and development, continental integration, democracy and human rights; and international solidarity.
8. The breakthrough of 1994 marked a decisive break with the history of colonialism. South Africans, led by the ANC elected with an overwhelming majority as the leading 'party' in government, had the opportunity to determine their destiny and together realise the ideal of a democratic, non-racial, non-sexist and prosperous society. This was underpinned by the adoption of the 1996 Constitution which articulates a broad framework of the national aspiration for united, non-racial, non-sexist, democratic and prosperous South Africa.
9. The immediate strategic priority of this phase was therefore to rid the country of the vestiges of apartheid colonialism and to launch the process of constructing a National Democratic Society. This formed the basis of our Programme of National Democratic Transformation during this period.
10. The implementation of this programme during the first two decades has seen major advances, but also setbacks and challenges. Both the advances and setbacks were influenced by the prevailing domestic and global balance of forces, as well as by subjective factors such as the strategic, governance and organisational capabilities of the ANC as the leader of the forces for transformation. The major advances during the two decades include:
- ❑ The establishment of a democratic, non-racial and non-sexist political order;
  - ❑ The introduction of democratic rights for all citizens and the establishment of vibrant institutions;
  - ❑ The adoption and implementation of a Constitution that promotes consistent equality and encompasses first, second, third and fourth generations of human rights (political, socio-economic, environmental as well as informational rights);
  - ❑ A Constitution that forms the underlying foundation for women's development, gender equality and a non-sexist society, and given effect through policies, legislation and institutions to give effect to this vision;
  - ❑ Programmes aimed at meeting basic needs such as housing, roads, and access to electricity, sanitation and water;
  - ❑ The integration of security forces and improving access to the criminal justice system;
  - ❑ Programmes to empower women and to transform gender relations;
  - ❑ Improving access to health care and dealing with the burden of disease;
  - ❑ The introduction of an extensive system of social grants, free basic services and other social policies to eliminate poverty and provide sustainable livelihoods;

### THE FIRST TWO DECADES OF FREEDOM

- ❑ Measures to develop our human resources through education and skills;
  - ❑ A programme of economic transformation that saw growth and some job creation after decades of stagnation;
  - ❑ The introduction of strong elements of participatory democracy; and
  - ❑ Building mutually-beneficial relations with other nations, and working for a better Africa and better world.
11. Given the nature of the political settlement, the democratic movement used the breakthrough of 1994 as a beach-head to lay the foundation for a systemic transition from colonialism to a National Democratic Society.
12. Despite these major achievements, the structural legacy of colonialism remain deeply entrenched as reflected in the colonial, sexist and super-exploitative structure of our economy; the spatial patterns of development and underdevelopment; and the social, human resources and infrastructure backlogs.
13. This structural legacy finds particular expression in mass poverty and extreme inequality, which were inherent to colonialism. The following are amongst the issues, which contribute to the continued persistence of this legacy:
- ❑ The constraints during the initial years after the 1994 breakthrough, informed by the need to steer the country through a smooth transition buttressed by the sunset clauses, build mutual confidence among the historical contending forces and forge wider appreciation of the imperatives of social change.
  - ❑ Our transition in 1994 took place in a global climate that was hostile to progressive policies. This, coupled with the stagnant economy, deep inequalities and systemic underdevelopment inherited from the Apartheid years, imposed limitations to the options at our disposal to effect rapid fundamental change.
  - ❑ Whilst we made progress in transforming the state in terms of its representativity, orientation and its role, we continue to have challenges of state capacity, strategic coherence, the orientation of the public service and the capacity to effectively implement policies of change and monitor and evaluate such implementation, thus impacting on our ability to decisively effect broader social and economic transformation.
  - ❑ Poor conduct on the part of sections of the ANC leadership, including new expressions of corruption and greed, which not only result in the wastage of public resources, but also undermine confidence of our people in government and in our movement.
  - ❑ The challenge of the unity and cohesion of the ANC and the Alliance, impacting not only on the ability to mobilise and organise the motive forces in transformation, but also on the pace of transformation.
  - ❑ Slow progress in overcoming the inherited structure of the economy, such that despite a period of sustained growth, there have not been fundamental changes in the essential structure of the economy. This is characterised, amongst other things, by trade imbalances with a high reliance on unbeneficiated mineral exports and the importation of high-value capital and luxury goods, a relatively weakly developed manufacturing and industrial sector, dysfunctional spatial distortions, high levels of corporate concentration in the financial, mining and retail sectors and the concomitant weaknesses of small and medium enterprise development, and regional underdevelopment.
  - ❑ Despite many commendable gains, the working class has experienced massive challenges, including high rates of unemployment, decline in their share of the national income, growth of practices such as outsourcing and subcontracting – all of which can have the effect of weakening workers' bargaining power.
  - ❑ Insufficient attention to promoting a non-racial, non-sexist, deliberative and participatory democratic culture within the movement and society generally.
  - ❑ Failure to address the challenge of expanding democratic rights within an inherently exploitative system in which access to resources plays a central role.
- ### GLOBAL BALANCE OF FORCES
14. Over the past few years, the centre of economic growth and development has systematically shifted from the North to the South. Huge swathes of geographic locations in Asia, Latin America and Africa have experienced high rates of economic growth and development, with hundreds of millions extricated from absolute poverty. This changing balance has accelerated with the global economic crisis, located mainly in countries of the North.
15. At the same time, after two decades of the dominance of laissez faire market ideology, this crisis has reopened discourse on the relationship between the state, the market and the citizen on a global scale. Along with this, a global movement against extreme inequality within and among nations is taking root, challenging



the greed and ostentation that has characterised distribution of wealth and income. This has created a more favourable climate for progressive alternatives than was the case at the start of our transition. Added to this is the rapid technological change including information and communication technologies and expanding access to some of these technologies by peoples of the developing world. At the same time, the challenge of global warming presents both opportunities and threats to the whole of humanity.

16. The rest of the African continent, South Africa's immediate neighbourhood, has largely been positively affected by the changing global balance of economic power. At the same time, the consolidation of peace and the spread of democratic governance and improved economic management, has created immense opportunities for growth and development. Many countries on the continent are experiencing high rates of growth and improvement in the quality of life of their populations.
17. These developments provide unique opportunities for South Africa to diversify its economic relations, exploit/build on its comparative advantages on the continent and across countries of the South, and integrate differently into the global economy.

### EMERGENT CHALLENGES AND OPPORTUNITIES

18. Within South Africa, experience in managing the transition and experimenting with different approaches and instruments to drive growth and development stands the state and the country in good stead. This experience includes the development and implementation of infrastructure programmes, industrial policies and human development initiatives, as well as deployment of state-owned enterprises, exercise of competition regulations and testing various forums of interactions among the social partners.
19. The positive changes that have arisen out of access to opportunity by a Black majority historically excluded from many professions and the commanding heights of the economy have generated new dynamics in the class structure of South African society. While the distribution of wealth and income is still largely defined in racial and gender terms, a significant section of Black people have risen into the middle and upper strata.
20. The limited progress in the narrowing of the racial income gap has been accompanied by growing inequality across society as a whole, with a large section of Black people, especially youth and women, mired in income poverty. The persistence of these

fault-lines – even with minor changes in the racial dimension – has led to a strong sense of injustice in society, and has the potential to undermine progress and even derail the creation of a united, democratic, non-racial, non-sexist and prosperous society.

21. The changing class structure of South African society and of the Black community in particular, reflected in part in the rise of Black middle and upper classes, is a consequence of state policy and of opportunities attached to access to political and state power. This presents the danger of an inverted causality and perverse incentive in which access to political and state institutions is pursued as the ladder through which individuals can improve their personal socio-economic circumstances, thus corrupting the body politic. This in turn can undermine the legitimacy of the state and the political system as a whole.
22. The transition has also coincided with and contributed to changes in the nature of capital. This sector is most likely to resist fundamental transformation, and thus the relationship characterised by an approach of unity and struggle of opposites.
23. Overall, there is a growing appreciation among various sectors of society that the current configuration of the country's political economy is unsustainable. Leaders of all sectors of society are at one that the levels of poverty and inequality are unsustainable. The clamour for a national vision and programme to speed up movement to shared prosperity is commonly shared.

### CHARACTER OF THE ANC AND THE TASKS OF ORGANISATIONAL RENEWAL

24. Any project of thorough-going transformation requires a united revolutionary movement rooted amongst the people, with a corps of cadres and organisational capabilities to strategise, coordinate and implement the programme of transformation. It requires consistency, determination and vigilance on the part of the movement to deal with weaknesses and threats, to build on its strengths and to seize and create opportunities for more rapid movement forward. The leadership of the movement must reflect these qualities even more profoundly.
25. Concerns have been raised over the past fifteen years about the development of these capabilities within the ANC and the broader progressive movement, in the changing environment. This refers to such developments as the impact of political incumbency on the character and tasks of the movement, the changes amongst the motive forces and our society brought about by the transformation of the last two decades,

the global and continental balance of forces, and the impact of globalisation and the mass information and communications revolution on the ANC and the motive forces.

26. It also refers to some of the subjective developments within our movement, all of which undermine its unity and cohesion, the extent to which it remains rooted amongst the people, and indeed its ability to pursue the National Democratic Revolution. These developments include abuse of state resources, factionalism and divisions, the poor state of discipline and a resultant decline in political consciousness and activism. This prompted the call by the 2007 National Conference for a *'sustained period of organisational renewal'*. But beyond moral exhortations, the ANC and the broad democratic movement as a whole need to develop a better understanding of the changing class structure of South African society, the relationship between these changes and access to state power and positions of authority across society, and the impact this has on the broad democratic movement and society at large.

27. This call for organisational renewal is even more relevant as we enter the second century of the ANC's existence, and chart the way forward for our country for the coming decades. Among the reflections on the occasion of the centenary of the ANC is a common appreciation that the ANC survived over the past 100 years, due to, among others:

- ❑ A consistent commitment to the liberation of the people;
- ❑ Its deep roots and connection with the people;
- ❑ Its vibrant internal democracy and collective leadership;
- ❑ Readiness and willingness of its members to make sacrifices in pursuit of the cause of the people as a whole;
- ❑ Preparedness to acknowledge its weaknesses and decisively address them in order to escalate and accelerate the people's struggle;
- ❑ Ability to adapt to changing conditions and rise to the occasion at critical moments;
- ❑ The engendering of the national liberation movement, through the struggles of women, as articulated in the ANC Women's Charter of 1954 and the Women's Charter for Effective Equality of 1994.
- ❑ Ability to uphold and build unity across a broad front of South Africans and progressive forces in the world in pursuit of a humane cause.

28. Organisational renewal is principally about building the ANC's resilience, enhancing its transformative

capacity and its ability to adapt to changing situations so that it can continue to serve and lead the people. The urgent and central tasks of renewal therefore include:

- ❑ Deepening our analysis of the present political, economic and social conjuncture and the shifts that have happened since 1994;
- ❑ Development and systematic implementation of cadre and leadership policy;
- ❑ Renewal of the ANC's core values and safeguarding its reputation;
- ❑ Re-organising the ANC organizational machinery to improve its performance in all the pillars of transformation;
- ❑ Strengthening the Alliance and progressive civil society as well as progressive social movements;
- ❑ Building the strategic, organizational and technical capacities of the ANC structures and cadreship to mobilize and advance women's emancipation and gender equality; including consciousness raising programmes for men, to empower them to understand and support the liberation of women and gender equality.
- ❑ Improving the capacity of the developmental state; and
- ❑ Improving financial sustainability and self-sufficiency of the movement.

29. This programme of renewal will require consistent work by the leadership, cadreship and membership of our movement at all levels, to ensure that we root out the negative tendencies, and that the ANC strengthens its capabilities as leader of the progressive forces and agent for change.

30. Failure to do so will render the ANC incapable of leading society in moving to a new trajectory of growth and development. The revolution will stall; the social chasms will widen; and society will be rent apart. As such, if there were any central factor to the progress of the South African nation in this period of movement to a new phase, it is the quality of the ANC: its leadership, its cadreship and its membership.

## THE SECOND PHASE OF THE TRANSITION

31. South Africa is in a continuing and seamless transition from Apartheid colonialism to a National Democratic Society. The interventions required to speed up change, especially with regard to economic and social transformation, can be understood as marking a second phase in the transition to a National

Democratic Society. This second phase of the transition should be characterised by decisive action to effect thorough-going economic transformation and democratic consolidation. This is critical in order to improve people's quality of life, but also in the promotion of nation-building and social cohesion. For this to happen, the ANC, the Alliance and the broad democratic forces need to renew themselves to chart this course and lead in its implementation.

32. At the core of the second phase should be a concerted drive to eradicate poverty and to reduce inequality. Every South African should enjoy a decent quality of life. This applies both to income poverty and access to basic services. The primary focus in this regard should be higher rates of economic growth and social inclusion, reflected primarily in massive job creation skills development, the provision of quality public goods and services and the expansion of small, medium enterprises and cooperatives.
33. This requires deliberate efforts, among others, to build infrastructure, diversify the industrial base, expand employment opportunities, to develop a national system of innovation to grow our knowledge-based sectors, intensify programmes to ensure environmental sustainability, develop human resources, and implement urgent programmes to eliminate youth and women marginalisation.
34. Programmes to extend access to basic services such as education, health, water, electricity, sanitation and housing should be intensified. While universal access should receive urgent attention, emphasis in this phase should also be placed on the quality of these services. Social grants should reach all who are eligible; and decisive measures should be taken to provide sustainable livelihoods.
35. It is vital, on the occasion of the centenary of the 1913 Land Act and given the systematic programme of dispossession that was at the core of colonialism, to reiterate the critical importance of access to land. Programmes to eradicate poverty and to reduce inequality will succeed only if the land question is systematically addressed. This is recognising the importance of land as an asset, a resource for economic activity and sustainable livelihoods, an indispensable means for social programmes, a common environmental inheritance and a critical ingredient to the attainment of human dignity.
36. The state should play a central role in leading the initiatives aimed at achieving a decent quality of life for all. The programme to build a democratic developmental state that is responsive, legitimate, capable and accountable should therefore be intensified.

37. The realisation of these ideals requires partnership across the board, with the state and business, labour, community and other sectors working together for the common good. In this regard, the truism that 'the people are their own liberators' remains as relevant as ever, in this new phase of the transition.
38. The ANC welcomes and embraces Vision 2030 and the National Development Plan as a critical basis for united action by all South Africans to build a truly united, non-racial, non-sexist, democratic and prosperous society. In many respects, the National Development Plan accords with the objectives of the ANC and its own elaboration of the second phase of the transition to a National Democratic Society.

### THE PILLARS OF SOCIAL TRANSFORMATION

39. The transition from apartheid colonialism to a national democratic society requires that the ANC, in theory and action elaborates, implements and reviews the concrete tasks across the pillars of socio-economic transformation. These pillars have been identified in the *2007 Strategy and Tactics* document, as the key strategic terrains of struggle and transformation:
  - (a) Building a democratic developmental state
  - (b) Transforming the economy
  - (c) Ideological work and the battle of ideas
  - (d) International work
  - (e) Mass mobilisation and organisation.
40. The ANC should locate itself at the centre of these pillars, improving its strategic approaches, organisational capabilities and its links with the motive forces in each pillar, appreciating the changing dynamics in society which are themselves a product of the progress society has made over the past 18 years.

### OUR PROGRAMME OF NATIONAL DEMOCRATIC TRANSFORMATION

41. What then are the main steps that we need to take, in these different pillars, to bring us closer to the ideal of a national democratic society? The answer to this question is informed by the character of the NDR; the foundations, experiences and challenges of the first two decades; and our reading of the current balance of forces.
42. In broad terms, our approach is informed by the ideals contained in the Freedom Charter, adopted at the Congress of the People in 1955. The practical measures towards a national democratic society are contained in the Reconstruction and Development

Programme (RDP) adopted by the ANC, the Tripartite Alliance and the broad mass democratic movement in the run-up to the first democratic elections. This was further updated and elaborated in Election Manifestos during subsequent elections.

## CONCLUSION

43. The 2007 52nd Conference resolved that the balance of forces was shifting in favour of the forces of progress and a humane world order. Many of the changes since the 52nd National Conference confirm the basic conclusions reached in the *Strategy and Tactics* document. The central challenge remains that of intensifying the struggle in line with the five pillars, so that we make decisive progress over the next two decades in eradicating the legacy of apartheid colonialism and in building a National Democratic Society.
44. More than ever before, the capacity of the ANC to adapt to changing conditions and to renew itself for new challenges, will be the dividing line between revolution and counter-revolution. While in the trenches of anti-apartheid struggle, the jackboot of oppression impelled continuous self-improvement, the comforts of access to political power have the insidious capacity to lull revolutionaries into complacency.
45. The motive forces of the revolution cry out for strategic, decisive and ethical leadership. Society yearns for united action to realise a decent quality of life for all. As we emerge from this, the 53rd National Conference of our movement, taking place in the year of its centenary, we rededicate ourselves to the mission of freedom and service to our people. Thus South Africa shall move faster to the realisation of a National Democratic Society.

# *Building a National Democratic Society*

## **STRATEGY AND TACTICS OF THE ANC**

AS ADOPTED BY THE 52ND NATIONAL CONFERENCE  
16-20 DECEMBER 2007, POLOKWANE, LIMPOPO

## CHAPTER I: INTRODUCTION

1. South Africa has entered its Second Decade of Freedom with the strengthening of democracy and acceleration of the programme to improve the quality of life of all the people. Steadily, the dark night of white minority political domination is receding into a distant memory.
2. Yet we are only at the beginning of a long journey to a truly united, democratic and prosperous South Africa in which the value of all citizens is measured by their humanity, without regard to race, gender and social status.
3. The achievement of democracy in 1994 marked the birth of our country as an African nation on the southern tip of the continent. It provided South Africans with the opportunity to:
  - ❑ set up a government based on the will of the people and on people-centred and people-driven principles as part of the process to de-racialise the economy and society at large;
  - ❑ pursue economic growth, development and redistribution so as to achieve a better life for all;
  - ❑ strengthen the ANC as a leader in the implementation of a practical programme of social change and a movement rooted among the people;
  - ❑ build democracy, a culture of human rights and a value system based on human solidarity; and
  - ❑ work with African and global progressive forces to advance human development in our country, our continent and across the globe.
4. These tasks, which are at the core of the National Democratic Revolution, have to be undertaken in a global environment of contradictory tendencies.
5. The dominance of a capitalist system with minimal regulation presents enormous challenges for social development and for global governance and security.
6. At the same time, programmes of progressive social change are finding pride of place on the agenda of many developing nations and some global institutions. Most African countries have successfully set out to resolve conflict, entrench democracy and reconstruct economies in a manner that benefits the people.



7. This environment provides a basis for the advancement of the National Democratic Revolution (NDR) in our country.
8. However, this cannot be assumed. It depends on the ability of progressive forces to promote the positive elements in both the global and domestic settings and to assert a progressive vision of the world we want to live in.

For the ANC, this also means forging a corps of cadres unwaveringly committed to the cause of change, and the mobilisation of the majority of South Africans to act as one in pursuit of a better life for all.

### CHAPTER II:

#### Where we come from: STREAMS OF AN EMERGENT NATION

9. The South African nation is a product of many streams of history and culture, representing the origins, dispersal and re-integration of humanity over hundreds of thousands of years. Archaeological findings in various parts of the country and the rest of Africa have located South Africa and the continent at large as the cradle of humankind and early forms of human civilisation.
10. From the earliest manifestations of intellectual activity; the settlements of pastoral communities characterised by foundries, artisanship and trade across oceans; colonisation by Europeans; the slave trade and indentured labour - South Africa has emerged as one of the most diverse nations across the globe. This is our collective national heritage which we should continue to research and engage, the better to appreciate who we are as a nation.
11. Besides African inter-communal co-operation and wars of nation-formation, the greatest impact on the evolution of the South African nation-state was made by European colonial settlement. On the one hand, colonialism interrupted internally-driven advancement of indigenous South African communities along the ladder of human development. It resulted in the subjugation of the African population, including the Khoi and the San who were subjected to genocidal campaigns, as well as Indian communities and slaves from Southeast Asia and other areas. On the other hand, the advanced industrial base of the colonial powers which made such subjugation possible, introduced into the South African geographic entity the application of advanced forms of economic production and trade.
12. The South African nation-state is a product of these interactions, characterised between 1652 and 1994 by ongoing and mostly violent conflict between the oppressors and the oppressed. Despite their heroic resistance, the African people were defeated in a series of wars that took place over two-and-half centuries of colonial expansion. Part of this resistance took the form of slave revolts in the Cape Colony and elsewhere. Besides the advanced productive forces at the disposal of the colonial powers, one of the central reasons for the defeat of indigenous communities was division and conflict among these communities themselves.
13. It speaks to South Africa's strategic geographic location that this territory experienced colonial intrusion earlier than most African societies. The discovery of gold and diamonds in the latter half of the 19th century laid the basis for industrialisation, the emergence of more complex links of economic dependence with Europe and North America, and the subjection of the Black population to the needs of an emergent colonial capitalism. As a consequence of these and other factors, the colonial designs of the imperial powers were applied more systematically; the European settlers fought intensely among themselves over the territory; and most of these settlers came to characterise South Africa as their home.
14. As such, what emerged in our country was Colonialism of a Special Type, with both the coloniser and the colonised located in a common territory and with a large European settler population. The deal between the descendants of Dutch settlers and the British imperial power at the end of the so-called Anglo-Boer War formalised, in 1910, South Africa's statehood, premised on the political oppression and social subordination and exclusion of the majority of the people.
15. The African National Congress (ANC) was formed in 1912 in part as a response to this deal among the colonisers, as well as the defeat of the Bhambatha Rebellion of 1906 which marked the end of armed resistance against colonial occupation. It was also a product of new forms of African resistance across various parts of the country and the globe.
16. Starting off with petitions to the colonial powers, the ANC over the years developed ever more militant forms of struggle, and finally adopted armed struggle and formed Umkhonto weSizwe in 1961, a year after its banning. Combined with armed actions, the ANC and other resistance movements used international mobilisation, underground organisation and mass mobilisation to challenge colonialism and its apartheid derivative. In these various terrains of struggle, workers, the rural masses, women, youth, students, the religious community, the intelligentsia, professionals

and other sections of society played a critical role. As during the wars of resistance and the anti-slave revolts, they displayed selflessness and heroism that will remain an inspiration to future generations.

17. As a result of generalised mass revolt, a situation was reached in the late 1980s in which the system of white minority domination could no longer be sustained. Yet at the same time, the liberation struggle at the head of which was the ANC had not as yet amassed sufficient strength to overthrow the apartheid regime.
18. Elements within the South African ruling class and its international allies started to weigh the implications of continuing popular revolt -and its culmination in the overthrow of the apartheid regime - on their interests within the country and the region. While it had always accepted the human and material cost of protracted struggle, the ANC had, as a matter of abiding principle, sought a more humane resolution of the conflict without compromising the basic objectives of struggle.
19. Conditions were thus created for a negotiations process which resulted in a settlement underpinned by non-racial democracy, with the first ever democratic elections held in April 1994.
20. South Africa's colonial experience was based on the intersection of relations of power based on class, race and gender. These social and/or biological features have been used in human history to exclude, to repress and to stymie the progress of individuals and communities.
21. Across the globe, these practices represented and in the main still represent the exercise of raw power as opposed to human compassion; relations based on subjugation as opposed to human solidarity; greed and self-aggrandisement as opposed to shared prosperity; religion and other belief systems used as justification for hatred and war as opposed to spiritual and cultural advancement; and treatment of the world as a theatre for narrow self-interest as opposed to the collective well-being of humanity.
22. Because the struggle against colonialism sought to eliminate most of the manifestations of these iniquitous social relations, it evolved to embrace the best in human civilisation and value systems.
23. While the anti-colonial struggle could easily have been conducted as one against a racial group, it rose above these categories to embrace the principle of non-racialism: to see humanity as one and diversity as a source of strength. While all communities, including the oppressors and the oppressed, evinced patriarchal relations of power, the struggle evolved to appreciate

the real and potential role of women, and that their liberation from patriarchy was and should be an integral part of the new democracy.

24. While in the early years, the liberation movement reflected some characteristics of elitism, it developed over the decades to appreciate the place and role of the working class and the poor both as a critical social force in production and trade and as a militant contingent against apartheid colonialism.
25. As such, the liberation struggle by oppressed communities, even in the midst of bitter confrontation, developed moral values of human compassion and solidarity far beyond the narrow confines of its opposition to the apartheid social system. It represented something good, not just something better than apartheid. It asserted the humanness of the human spirit - the search for societies at peace within and among themselves. It developed to advocate the use of human intelligence to advance collective social comfort and to preserve the endowments of our planet and outer space for the sustenance of current and future generations.
26. In this sense therefore, it is both an honour and a challenge for the ANC to claim the legacy of the liberation struggle, to occupy the high ground of its moral suasion and wield its compass.

### CHAPTER III:

#### Vision of our collective effort: CHARACTER OF THE NATIONAL DEMOCRATIC REVOLUTION

27. If the progress we have made since 1994 constitutes only the beginning of a protracted process of change, what is it that we aim for! What kind of society do we seek to create? What is the character of the NDR?
28. Colonialism of a Special Type contained within itself contradictions that could not be resolved through reform. It had to be destroyed. As such, the system we seek to create will stand or fall on the basis of whether it is able to eliminate the main antagonisms of this system.
29. A national democratic society constitutes the ideal state we aspire to as the ANC and the broad democratic movement. It should thus not be confused with tactical positions that the liberation movement may adopt from time to time, taking into account the balance of forces within our country and abroad. Circumstances in which we conduct social transformation will change all the time. And in the process of effecting such transformation, there will be successes and setbacks.
30. The liberation movement should avoid the temptation

to crow over such successes in these early years as if we had already achieved our ultimate objective. Nor should we seek to justify mistakes and setbacks as unavoidable, pleading a fixed set of circumstances and thus leading us into the danger of redefining the ultimate objective.

31. This is where the line should be drawn between strategy – the ultimate goal; and tactics – the methods and actions that respond to changing immediate circumstances. Clearly, at all times we should develop tactics that are suitable for the specific conditions under which we operate. But such tactics should be informed by our commitment to the strategic goal.
32. What does this mean in actual practice?
33. Our definition of Colonialism of a Special Type identifies three interrelated antagonistic contradictions: class, race and patriarchal relations of power. These antagonisms found expression in national oppression based on race; class super-exploitation directed against Black workers on the basis of race; and triple oppression of the mass of women based on their race, their class and their gender.
34. The National Democratic Revolution is defined as such precisely because it seeks to abolish this combination of sources of social conflict. It has national and democratic tasks, and it should strive to realise:
  - ❑ a united state based on the will of all the people, without regard race, sex, belief, language, ethnicity or geographic location;
  - ❑ a dignified and improving quality of life among all the people by providing equal rights and opportunities to all citizens; and
  - ❑ the restoration of the birthright of all South Africans regarding access to land and other resources.
35. The NDR seeks to build a society based on the best in human civilisation in terms of political and human freedoms, socio-economic rights, value systems and identity.
36. Such human civilisation should be reflected, firstly, in the constant improvement of the means to take advantage of our natural environment, turn it to collective human advantage and ensure its regeneration for future use. Secondly, it should find expression in the management of human relations based on political equality and social inclusivity. If there were to be any single measure of the civilising mission of the NDR, it would be how it treats the most vulnerable in our society.
37. One of the most critical acts of the NDR is the creation of a legitimate state which derives its authority from the people, through regular elections and continuing popular participation in the processes of governance. Mobilised around a clear vision of the kind of society we wish to become, the nation should act in partnership – each sector contributing to the realisation of the common good. The means should be put in place for citizens to exercise their human rights, and for the checks and balances necessary in a law-governed society. The democratic state should also have the organisational and technical capacity to realise its objectives.
38. As with any nation, South Africans will continue to have multiple identities based on class, gender, age, language, geographic location, religion and so on. In a national democratic society, such diversity should feed into an overarching national identity. In its own unique way, South Africa should emerge as a united African nation, adding to the diversity and identity of the continent and humanity at large.
39. The main content of the NDR is the liberation of Africans in particular and Blacks in general from political and socio-economic bondage. It means uplifting the quality of life of all South Africans, especially the poor, the majority of whom are African and female. At the same time it has the effect of liberating the white community from the false ideology of racial superiority and the insecurity attached to oppressing others. The hierarchy of disadvantage suffered under apartheid will naturally inform the magnitude of impact of the programmes of change and the attention paid particularly to those who occupied the lowest rungs on the apartheid social ladder.
40. Precisely because patriarchal oppression was embedded in the economic, social, religious, cultural, family and other relations in all communities, its eradication cannot be an assumed consequence of democracy. All manifestations and consequences of patriarchy – from the feminisation of poverty, physical and psychological abuse, undermining of self-confidence, to open and hidden forms of exclusion from positions of authority and power – need to be eliminated. Critical in this regard is the creation of the material and cultural conditions that would allow the abilities of women to flourish and enrich the life of the nation.
41. A nation's success depends also on its ability to encourage, harness and incorporate into its endeavours the creativity, daring and energy of youth. This relates to such issues as access to social and economic opportunities, engendering activism around issues of development and values of community solidarity and creating the space for youth creativity to flourish.
42. Among the most vulnerable in society are children and the elderly: and a national democratic society should



ensure their protection and continuous advancement. Such is the challenge also in relation to people with disability - not merely as a matter of social welfare; but based on the recognition of the right of each individual to dignity and development and of the contribution that each can make to the collective good. In many respects, there is a critical link between the objective condition of children, the elderly and people with disability and poverty.

43. Implementing these corrective measures requires more than just references to general political rights. A continuing element of democratic transformation should be a systematic programme to correct the historical injustice and affirm those deliberately excluded under apartheid – on the basis of race, class and gender. The need for such affirmative action will decline in the same measure as all centres of power and influence and other critical spheres of social endeavour become broadly representative of the country's demographics. In the process, all inequalities that may persist or arise will need to be addressed.
44. Apartheid colonialism visited such devastating consequences on Black communities because it ordered the ownership and control of wealth in such a manner that these communities were deliberately excluded and neglected.
45. Therefore, fundamental to the destruction of apartheid is the eradication of apartheid production relations. This is more than just an issue of social justice. It is also about the fact that these relations had become a brake on the advancement of technology and competitiveness of the economy.
46. A national democratic society should be founded on a thriving economy the structure of which should reflect the natural endowments of the country and the creativity that a skilled population can offer. It should be an economy in which cutting edge technology, labour-absorbing industrial development, a thriving small business and co-operative sector, utilisation of information and communication technologies and efficient forms of production and management all combine to ensure national prosperity. This is conditional on ensuring that the brain and brawn of all of society are brought to bear on all economic activity. It requires de-racialisation of ownership and control of wealth, management and the professions.
47. In this regard, such a society will place a high premium on redistribution of land in both urban and rural areas for the benefit of those who were denied access under colonialism. Such access must be provided for a variety of purposes including agriculture, housing, environmental preservation, mining and other economic activity, public utilities and spaces, entertainment and other uses. In order to ensure effective and sustainable land and agrarian reform, effective measures will be put in place to assist 'emergent' and small-scale farmers and co-operatives.
48. A thriving economy in a national democratic society requires as efficient a market as possible, shorn of the racial and gender exclusions that characterised apartheid colonialism, and freed from the barriers to entry and competition that the economy endured under colonial capitalism. It will also require a state able to use its capacities to direct national development through fiscal redistribution, utilisation of State-owned Enterprises and effective regulation.
49. A national democratic society will have a mixed economy, with state, co-operative and other forms of social ownership, and private capital. The balance between social and private ownership of investment resources will be determined on the balance of evidence in relation to national development needs and the concrete tasks of the NDR at any point in time.
50. In this regard, the state will relate to private owners of investment resources in the context of the national objective to build a better life for all. Through its various capacities the state will encourage socially-beneficial conduct on the part of private business. Similarly, through such capacities, it will ensure that these investors are able to make reasonable returns on their investments.
51. Social cohesion in a national democratic society will also depend on the extent to which the rights of those in the lower rungs of the socio-economic ladder are protected. Such a society should proceed from the obvious premise that workers' rights are human rights; and these rights should find expression in law-governed measures to ensure decent jobs, job security and a living wage. Through legislation and other means, the state should manage the environment for fair and balanced relations between employers and employees.
52. Particular attention in such a society should be paid to conditions of the poor in rural areas. This also applies the life circumstances of such groups as citizens in informal settlements as well as female-headed and single households.
53. A national democratic society should use the redistributive mechanism of the fiscus to provide a safety net for the poor. As such, built into its social policy should be a comprehensive social security system which includes various elements of the social wage such as social grants, free basic services, free education, free health care, subsidised public transport and basic accommodation.



54. A national democratic state should continually implement integrated anti-poverty programmes, ensuring that these programmes address not only social assistance, but also the sustainable integration of all communities into economic activity. This is critical in dealing with poverty in general, but also in addressing the condition of the majority of women.
55. All these measures are important for social cohesion. They should be supported by joint efforts among all sectors of society to strengthen community organisation and mobilisation around issues pertaining to sport, women's rights, youth interests, the battle against crime and so on. There also should be deliberate collective action to promote a positive role by the institution of the family. The public media also have a critical role to play in promoting social cohesion.
56. Critical elements of a value system based on human solidarity should include pride in social activism and respect for an honest day's work. They should include social dissuasion against conspicuous consumption, ostentatiousness and corruption. This is part of the ideological engagement that should be a permanent feature of the process of change, involving both the state and civil society.
57. Whether such common social decency is achievable under a market-based system with its tendency to reproduce underdevelopment and inequality, in a globalised world, is an issue on which society should continually engage its mind. Concrete practice, rather than mere theory, will help answer this question. What is clear though is that such was the symbiosis between political oppression and the apartheid capitalist system that, if decisive action is not taken to deal with economic subjugation and exclusion, the essence of apartheid will remain, with a few black men and women incorporated into the courtyard of privilege. The old fault-lines will persist, and social stability will be threatened.
58. A national democratic society is, by definition, made up of various classes and strata. The NDR seeks to eradicate the specific relations of production that underpinned the national and gender oppression and super-exploitation of the majority of South Africans. It does not eradicate capitalist relations of production in general. It should therefore be expected that in a national democratic society class contradictions and class struggle, particularly between the working class and the bourgeoisie, will play themselves out. As such, a national democratic state will be called upon to regulate the environment in which such contradictions manifest themselves, in the interest of national development including fundamental socio-economic transformation.
59. In broad terms, the NDR seeks to ensure that every South African, especially the poor, experiences an improving quality of life. It seeks to build a developmental state shaped by the history and socio-economic dynamics of South African society. Such a state will guide national economic development and mobilise domestic and foreign capital and other social partners to achieve this goal. It will have attributes that include:
- ❑ capacity to intervene in the economy in the interest of higher rates of growth and sustainable development;
  - ❑ effecting sustainable programmes that address challenges of unemployment, poverty and underdevelopment with requisite emphasis on vulnerable groups; and
  - ❑ mobilising the people as a whole, especially the poor, to act as their own liberators through participatory and representative democracy.
60. The ANC therefore seeks to build democracy with social content. Informed by our own concrete conditions and experiences, this will, in some respects, reflect elements of the best traditions of social democracy, which include: a system which places the needs of the poor and social issues such as health care, education and a social safety net at the top of the national agenda; intense role of the state in economic life; pursuit of full employment; quest for equality; strong partnership with the trade union movement; and promotion of international solidarity.

## CHAPTER IV: Progress in changing society: SHIFTING DOMESTIC BALANCE OF FORCES

61. How far then have we moved up the road towards a national democratic society? In what ways has the balance of forces changed since the advent of democracy?
62. Our starting point in this regard is that revolutionary democrats shall not find social relations of the new order ripe and ready for harvesting at the point of transfer of power. A national democratic society is a conscious construct, dependent on conscious action by politically advanced sections of society.
63. A mere decade-and-a-few years after the democratic transition in 1994, the liberation movement can claim great progress towards a democratic and prosperous society.
64. But we are not satisfied with the current order of things. Over the years of democratic rule, we have become even more keenly aware that we should not

be blinded by form: the fact that blacks are, for the first time, occupying the highest political offices in the land; as distinct from content: the reality that colonial relations in some centres of power, especially the economy, remain largely unchanged.

65. It is possible in national liberation processes to mark time, tinkering with social relations under the veneer of formal political democracy. Yet as with all historical phenomena, to mark time is to move in reverse. The consequence is either gradual regression, with a self-satisfied elite unsighted; or a rapid collapse of social cohesion under the weight of poverty and lawlessness.
66. The political transition of the early 1990s was premised on a few basic principles: firstly, that the outcome of the negotiations process would not be a compromise between apartheid and democracy but would as rapidly as possible result in democratic majority rule. Secondly, the Interim Constitution prescribed the need for a multi-party government at national and provincial levels. Thirdly, it was considered prudent to ensure orderly management of the exit of senior functionaries of the apartheid state and gradual law-based transformation of state institutions such as the army, the police, intelligence agencies and the judiciary. Fourthly, changes in local government were introduced in stages, with fully-fledged democracy being achieved only in the year 2000.
67. During negotiations, representatives of the previous order sought an outcome that would leave many elements of the apartheid system intact. On the other hand, the liberation movement sued for democratic majority rule as understood throughout the world. The transitional measures were seen by the liberation movement as necessary compromises to ensure the broadest possible legitimacy of the new order and to use the advances made as a beach-head to a truly united, non-racial, non-sexist, democratic and prosperous society.
68. At the point of change of government in 1994, the state was manned at all senior levels by apartheid functionaries; the economy was almost totally in the hands of whites; many of the parties sought constitutional outcomes that would guarantee white privilege; and networks of apartheid and extreme right-wing destabilisation remained burrowed, or had multiple links, within the state. These and other realities impacted on the manner in which the programmes of change were introduced.
69. How has the situation changed since then?
70. South Africa enjoys a system of vibrant multi-party democracy, with a progressive Bill of Rights which recognises political, socio-economic and environmental rights and obligations, and with separation of powers among the executive, the judiciary and the legislatures.

Beyond the formal processes of regular elections and legislatures, various forms of legislated and other forums ensure popular participation.

71. The Constitution enjoys the respect of the overwhelming majority of the population, and it is seen as the canvass upon which South Africans' freedom of spirit can find expression. While some within the ranks of those who were privileged under apartheid may harbour ill-feelings towards the process of change and evince racist attitudes, virtually all of them accept that their aims and views should be pursued within the constitutional and legal framework. While pockets of ethnic chauvinism and regionalism still manifest themselves and may take new forms under the new conditions, our society has made massive progress in ensuring a common national identity.
72. We have started to transform state institutions through policy frameworks and practices that guide them as well as improvements in their racial and gender profiles. A state entity has emerged that enjoys such allegiance that only the most fanatical can dare frontally to challenge it. Yet, much more needs to be done further to transform state institutions, and consolidate their legitimacy in the eyes of society.
73. The ANC must continue to exercise maximum vigilance against forces which seek to subvert social transformation. Indeed, there are continuing attempts by forces connected to the old apartheid order and international reaction to undermine the state and to disorganise, weaken and destroy the liberation movement through clandestine means, including all kinds of manipulation within and outside its ranks. In addition, marginalisation and destitution inherited from apartheid and the kind of greed represented by organised crime do create fertile ground for lumpen elements whose actions can have counter-revolutionary implications.
74. The same applies to weaknesses on the part of government across all spheres progressively to fulfil its responsibilities to communities, including service provision and consultations, which can generate upheavals that may be taken advantage of by forces opposed to fundamental change. Further, weaknesses of organisation and political coherence within the ANC and its broad allies can open up space which can be exploited by counter-revolutionary forces.
75. Many short-comings remain in ensuring that all citizens are able in actual practice to exercise their rights; in the efficiency of the state; and in changing mindsets within various state institutions. However, as a broad canvass, the Constitution and the state system provide the requisite wherewithal to implement objectives of the NDR.

76. Since the advent of democracy, a new polity has emerged, with the liberation movement led by the ANC at its head. This movement has gradually mastered the science and art of electoral politics and grown in experience as the leading force in government. This has, however, been accompanied by a declining presence in the mass terrain.
77. The achievement of democracy has opened up critical space for organisations of civil society to flourish. This finds expression in the growth and activism particularly of the labour movement and some community-based and other non-governmental organisations dealing with generic or single-issue campaigns. However, this 'social movement' has manifested contradictory features under democracy. This is partly due to the haemorrhaging of experienced cadreship, and tendencies towards mechanical oppositionism in relation to government or towards an exclusive focus on narrow self-interest. The question of the role of progressive trade unionism within the state, in relation to broader issues of providing services to citizens, the fight against corruption and revolutionary transformation of the state itself has not been adequately addressed.
78. While a battery of legislation and programmes has been put in place to transform the socio-economic dynamics of South African society, the changes in this sphere illustrate the distance that still has to be traversed to achieve national democracy.
79. The removal of the glass ceiling of apartheid has created space for many Blacks to rise into the middle and upper strata of society. It is in these middle sectors where the greatest dynamism in income mobility is to be found. However, the improvement in Black and female ownership and control of wealth and access to management and many professions is still limited, with overall proportions which are inversely related to the country's demographics. This is more starkly reflected in terms of land ownership. As such, while progressive forces have attained political power, economic power remains largely in the hands of the white minority.
80. Even more critically, trends do indicate a persistence of the poverty trap – a form of marginalized Second Economy community excluded from the advanced First Economy mainstream – afflicting mainly Black people, especially women.
81. Major improvements have been registered at the turn of the Second Decade of Freedom in terms of the economy's rate of labour-absorption and generation of self-employment. But these have not matched the needs of society. At the same time, while the achievement of macroeconomic balances has released huge resources for social and economic expenditure by government, this has not translated into rates and quality of investment needed to deal with the legacy of apartheid.
82. Combined with this is the restructuring of the economy, which has resulted in higher levels of competitiveness and better access to world markets; but also in the ascendancy of the services sector which requires fewer, skilled jobs. A tendency has also developed in the period since 1994 for the informalisation of jobs, contracting out and utilisation of labour brokers affecting particular sectors of the economy. While the achievement of democracy has resulted in a better regime of workers' rights, this tendency has undermined the quality of jobs, job security and union activism in the affected sectors.
83. The period since 1994 has also seen other macrosocial trends that include:
- ❑ rapid rates of migration to areas with better economic potential, with resultant sprawls of informal settlements in the major cities and towns;
  - ❑ greater self-assertion by the youth in taking advantage of professions now opened up and opportunities in the arts and other areas; but also marginalisation of millions of young people who do not have the skills required by the economy;
  - ❑ better gender representation in the legislatures and other organs of state; but also slow progress in the private sector and serious manifestations of poverty and women abuse;
  - ❑ better advocacy and access in relation to the rights of people with disability, but a huge legacy of marginalisation; and
  - ❑ greater focus on the rights of children, but still unacceptable levels of child poverty and abuse.
84. The state has massively expanded access to welfare grants; and the social wage includes such elements for the poor as free and compulsory education, free health care, free basic services, and asset provision through the housing and land reform programmes. Steady progress has been made in the battle against crime. However, the reach of such programmes is still constrained by access to information, availability of resources and capacity of the state.
85. The gradual reduction in life expectancy at the turn of the 21st Century is a matter of great concern; and it is influenced mainly by the impact of HIV and AIDS. At the same time, we need to address the challenge of crime, particularly unique features such as random violence, disrespect for human life, as well as women and child abuse. These are in part a consequence of social conditions, gender stereotypes and negative value systems such as greed.
86. The legitimacy of the state system is reflected partly in

the growing number of South Africans of all colours who view their national identity as the primary form of self-identification. In the middle rungs of the socio-economic ladder, there is much inter-racial acculturation especially among the youth. But the majority of South Africans still remain separated by a wide chasm of income, skills, assets, spatial settlement patterns and access to opportunities. The majority of the poor are disproportionately Black and female.

87. Combined with this chasm and high levels of inequality is a value system within society that encourages greed, crass materialism and conspicuous consumption. These are tendencies that go beyond the necessary spirit of entrepreneurship, ambition, daring, competition and material reward that are inherent to a market-based system and perhaps to human development in general. Related to this is the fact that the means of ideological discourse are dominated by forces with an outlook that is either ambivalent or hostile to principles of human solidarity. Among the consequences of all this are vacuous media discourse, corruption in state institutions and corporate greed reflected in outrageous executive packages, short-termism in the conduct of business and private sector corruption.
88. Overall, since 1994, the balance of forces has shifted in favour of the forces of change. It provides the basis for speedier implementation of programmes to build a truly democratic and prosperous society. The legal and policy scaffolding for this is essentially in place. Most of society wants this to happen. At least in public discourse, except for a tiny minority, those apprehensive about change express their concerns more in terms of pace and scale rather than substance.
89. The critical questions therefore are: **is society mobilised for faster progress?! Does the liberation movement have the cadreship able not only to withstand the pull of negative values but also to lead society along the road towards a caring nation that a national democratic society should be?!**

## **CHAPTER V: Drivers of change: MOTIVE FORCES OF THE NATIONAL DEMOCRATIC REVOLUTION**

90. Who then are the drivers of change?
91. The ANC seeks to mobilise all South Africans to contribute to the ongoing transformation of our country. In doing this, we strive to appeal to and foster a common sense of South Africanness and a shared responsibility for our common destiny among all citizens of South Africa, black and white.

92. Yet, any major historical process of social transformation has to be driven by a core of classes and strata that objectively stand to benefit from and have the capacity together to drive such change.
93. It should be emphasised, though, that the mere prospect of objective benefit does not necessarily translate into revolutionary consciousness and resolve to act in the collective interest. Nor does the fact of belonging to either side of the divide remove the possibility of individuals from these classes and strata aligning themselves with the antagonists.
94. It also stands to reason that the extent of receptiveness to ideas of change and commitment to take part in struggle would in broad terms depend on the role in the production process and the depth of subordination and exclusion. In other words, among the classes and strata suing for change, there will be concentric circles or a hierarchy of involvement.
95. Historically, the liberation move-ment characterised Africans in particular and Blacks in general as the motive forces of the NDR. These communities were, by law, defined outside of the political system except as servants of white minority domination. In class terms, they were made up of workers and the rural poor, the middle strata including small business operators, and real or aspirant capitalists.
96. The liberation movement defined the enemy, on the other hand, as the system of white minority domination with the white community being the beneficiaries and defenders of this system. These in turn were made up of workers, middle strata and capitalists. Monopoly capital was identified as the chief enemy of the NDR. It was also emphasised that apartheid was not in the long-term interest of the white community.
97. More than ten years into democracy, does this still apply? To answer this question we need to examine the strategic objectives of the NDR and changing socio-political dynamics under the new system.
98. As indicated earlier, the character of the NDR – in terms of the social contradictions that it seeks to resolve – remains the same. The progress made since the attainment of democracy is such that we are still some way from the ideal society of national democracy. The ownership and control of wealth and income, the poverty trap, access to opportunity and so on – are all in the main defined, as under apartheid, on the basis of race and gender.
99. As such, the central task in the current period is the eradication of the socio-economic legacy of apartheid; and this will remain so for many years to come. However, the establishment of a government based on the will of the people, progress in the transformation of the state, the codification of rights



and implementation of progressive socio-economic programmes represent a major change in the socio-political environment.

100. Given all these factors, how then do we define the drivers of change today: which are the forces that the ANC relies on to achieve its objectives?
101. To the extent that the socio-economic legacy of apartheid continues to manifest in national terms, to that extent are Africans in particular and Blacks in general the motive forces of the NDR. Profound self-interest impels them to act in the collective interest to realise the strategic objectives of the NDR. They are the drivers of reconstruction and development. As in the past when they rose above the politics of race hatred, these communities do carry the responsibility of leading the process of nation-building and reconciliation too. Critical for them to play this role is the defence and consolidation of unity across ethnic and racial divides, to fight racism and tribalism whenever and wherever they rear their ugly head.
102. In class terms, these forces are made up of black workers: employed and unemployed, rural and urban. The early and extensive development of capitalism in South Africa led to the emergence of black workers as the majority in our society. They are located strategically at the heart of modern production and services. Because of and in addition to this, their sense of organisation and mobilisation locates them as the main motive force and the leader of the process of change.
103. Their tasks in this phase of the NDR include: advancing the struggle for quality jobs and job security; building class and national solidarity among all sectors of workers including casualised, informalised and unemployed workers; ensuring a strategic contribution by public sector workers to the transformation of the state and efficient provision of services to the population; directing the employment of institutional capital in which workers have a large stake towards developmental goals; and leading in the definition of a common vision and in implementing a common programme of action among all the motive forces and the nation as a whole. In addition to leading in mass struggles, the working class will continue to enjoy the confidence of the rest of the motive forces and advance its own interests if it is also able to wield the opportunities and instruments provided by democracy – both economic and political – to advance social transformation.
104. A significant part of the working class in our country are the rural poor, mostly unemployed, landless, engaged in self-employment through survivalist micro-entrepreneurial activity or farm-workers in insecure low-paying jobs. Land dispossession and marginalisation destroyed any semblance of an African peasantry in our country, reducing these rural areas into reserves for cheap labour. In addition to the strategic challenges that face workers in general, these rural masses face tasks that include: taking active part in defining and implementing strategies for rural development; enhancing the struggle for rural workers' rights; advancing the land reform programme; and mobilising for the optimal utilisation of agricultural land and other activities in the agricultural value chain.
105. As part of the motive forces, the black middle strata constitute a critical resource of the NDR. They include the intelligentsia, small business operators and professionals. Besides their varied identification with either of the main classes, these strata – especially the intelligentsia – not only provide professional skills, but also are critical in the determination of culture and value systems. They are called upon to play an active role in the provision of a variety of services to the population; in fostering a culture of searching for new and better ways of doing things; and in promoting progressive intellectual discourse through the media, the arts and other platforms.
106. The achievement of democracy in 1994 has seen the dramatic, if still exceedingly limited, emergence of the black capitalist group. This group is in most respects a product of democratic change, a direct creation of the NDR. The continued advancement of the revolution, particularly the necessary de-racialisation of ownership and control of wealth and income, is in their objective interest. In this sense they are part of the motive forces, with great potential to play a critical role in changing the structure of the South African economy: developing national forces of production in line with the character of the national democratic society including an extensive manufacturing base, research and development, local economic development, job-creation, skills development as well as national and continental economic integration.
107. However, because their rise is dependent in part on co-operation with elements of established white capital, they are susceptible to co-optation into serving its narrow interests – and thus developing into a comprador bourgeoisie. Because their advancement is dependent on a variety of interventions and, as with all private capital, on opportunities provided by the state, they are constantly tempted to use corrupt means to advance their personal interests – and thus developing into a parasitic bureaucratic bourgeoisie.

The liberation movement must guard against and combat these tendencies.

108. What about the various classes and strata within the white community?
109. Virtually all South Africans pay allegiance to the Constitution. Increasing numbers, including among the whites, entertain a sense of collective belonging to South Africa. It can be argued that most in the white community have come to realise that, indeed, non-racial democracy is in their immediate and long-term interest. This, combined with the social dynamics within the middle strata and acculturation referred to earlier, brings to the fore the question whether merely by dint of being white, this community still can be defined as antagonists of NDR!
110. In terms of practical experiences especially in the private sector, public discourse and voting patterns, it seems that many in the white community still have to realise that the poverty and inequality spawned by apartheid are not in their long-term interest, and that black people are as capable as anyone else to lead and exercise authority in all spheres of life. This derives in part from historical socialisation based on the false ideology of racism, which needs continually to be combated.
111. But, unlike before, when antagonists across the apartheid divide were locked in mortal combat, engagement around issues of transformation in a democracy forms part of legitimate discourse and electoral politics. Those who continue to resist change within the constitutional framework are opponents in a democratic order. Their political and other organisations are legitimate expressions of a school of thought that should be challenged, but at the same time accepted as part of democratic engagement.
112. It behoves the liberation movement to persist in clarifying the long-term self-interest that the white community shares in ridding our society of the legacy of apartheid. Indeed, formal political democracy including the new human rights regime would be imperilled if conditions of abject poverty and massive inequality persist.
113. In this regard, the liberation movement must lead each of the classes and strata within the Black community in narrowing the racial chasm. This applies moreso to the working class which, by reaching out across the racial divide within this class, should be the lightning rod to the emergence of inclusive nationhood. But it also does apply in large measure to the middle strata especially the intelligentsia, and the capitalist class.
114. What about the place and role of monopoly capital? There are fundamental areas of divergence between the objectives and value systems of the ANC and those of monopoly capital. In particular, there is much in the nature and behaviour of private monopolies that has the effect of constraining higher rates of growth and skewing development. These include monopoly pricing and other forms of rent-seeking, selfish import parity pricing, barriers to entry in some industries and a value system based on greed and crass materialism.
115. The approach of the liberation movement to private capital, including monopoly capital, is informed by our understanding of the national democratic society as a system that encourages competition, promotes sustainable labour-absorbing activity, discourages rent-seeking in the form of super-profits arising from monopoly control and other selfish advantages and so on.
116. The relationship between the national democratic state and private capital in general is one of 'unity and struggle', co-operation and contestation. On the one hand, the democratic state has to create an environment conducive for private investments from which the investors can make reasonable returns, and through which employment and technological progress can be derived. On the other hand, through state-owned enterprises, effective regulation, taxation and other means, the state seeks to ensure redistribution of income, to direct investments into areas which will help national development, to play a central role in providing public goods and broadly to ensure social responsibility. The balance between 'unity' and 'struggle' will be dictated to by the strategic imperatives of the NDR.
117. As such, the democratic state should have the strategic capacity and the instruments to deal with these negative tendencies, while at the same time mobilising private capital in general to partner it in increasing rates of investment and sustainable job-creation.
118. Across all these class and national permutations are to be found women in their various capacities. As workers they bear the greatest burden of super-exploitation and poverty. As survivalist micro-entrepreneurs, they are called upon to provide use-values to working class communities under unbearable conditions. As middle strata and business-persons, they are compelled to hew their way through the jungle of male-dominated professions and environments. In the home, they carry the burden of nurturing families and are forced to reproduce relations of patriarchy. In challenging these anomalies along with

progressive men, women form, in gender terms, the bedrock of the construction of a caring nation.

119. These then are the core, the real and the potential drivers of change in the National Democratic Revolution. Much clearer than before, the concentric circles of united action are taking shape, with Black workers at the core and Black communities broadly as the motive forces.
120. Unlike before, when white support for non-racial democracy and social transformation was an exception to the rule, large sections within this community accept at least the imperatives of the National Constitution. As such, tapering off towards the outer edges of the concentric circles of drivers of change is the balance of the nation's majority – made up of all races – steadily forging a social compact of common interest.
121. Across these circles the intertwining of Black and white interests is taking shape, with the definitions of the past starting to fade. As these circles intertwine and the currents across them flow into one another, so will the objectives of the NDR be reaching maturity. Common interests will increasingly be forged across the racial divide within the various social classes and strata. And so, other defining issues in pursuit of other strategic objectives may become the paramount driving forces for continuing change.

### **CHAPTER VI: Organisational leader of change: CHARACTER OF THE AFRICAN NATIONAL CONGRESS**

122. Given the vision of a national democratic society and the motive forces of change, what should be the character of the movement to lead social transformation?
123. To carry out the NDR in the current phase requires a progressive national liberation movement which:
- ❑ understands the inter-connection between political and socio-economic challenges in our society;
  - ❑ leads the motive forces of the NDR in pursuing their common aspirations and ensuring that their sectoral interests are linked to the strategic objective;
  - ❑ masters the terrain of electoral contest, utilises political power to advance the objectives of the NDR and wields instruments of state in line with these ideals as reflected in the National Constitution;
  - ❑ organises and mobilises the motive forces and builds broader partnerships to drive the process of reconstruction and development, nation-building and reconciliation; and
  - ❑ conducts itself, both in its internal practices and in relation to society at large, in line with the ideals represented by the NDR and acts as a microcosm of the future.
124. The African National Congress is such a movement. Over the years, it led the struggle of the people of South Africa for the achievement of democracy. In turn, during successive elections since 1994, it has resoundingly been returned to office.
125. The primary task of the ANC remains the mobilisation of all the classes and strata that objectively stand to benefit from the cause of social change. The dictum that the people are their own liberators remains as relevant today as it was during the days of anti-apartheid struggle.
126. The dynamics within South African society, resulting in the concentric circles described earlier, impose on the ANC the responsibility more intensely to work among all sectors of the population and to ensure that they join the people's contract to change South Africa for the better. This includes all the class forces from within the white community, each of which can and should make a contribution to the construction of a better society.
127. The vision that the ANC pursues is informed by the morality of caring and human solidarity. The kind of democracy it pursues leans towards the poor; and it recognises the leading role of the working class in the project of social transformation. Recognising the reality of unequal gender relations, and the fact that the majority of the poor are African women, the ANC pursues gender equality in all practical respects.
128. In this context, the ANC is a disciplined force of the left, organised to conduct consistent struggle in pursuit of a caring society in which the well-being of the poor receives focussed and consistent attention. In terms of current political discourse, what it seeks to put in place approximates, in many respects, a combination of the best elements of a developmental state and social democracy. In this regard, the ANC contrasts its own positions with those of:
- ❑ national liberation struggles which stalled at the stage of formal political independence and achieved little in terms of changing colonial production relations and social conditions of the poor;
  - ❑ neo-liberalism which worships the market above all else and advocates rampant unregulated



- capitalism and a minimalist approach to the role of the state and the public sphere in general; and
- ❑ ultra-leftism which advocates voluntaristic adventures including dangerous leaps towards a classless society ignoring the objective tasks in a national democratic revolution.
129. In order for it to exercise its vanguard role, the ANC puts a high premium on the involvement of its cadres in all centres of power. This includes the presence of ANC members and supporters in state institutions. It includes activism in the mass terrain of which structures of civil society are part. It includes the involvement of cadres in the intellectual and ideological terrain to help shape the value systems of society. This requires a cadre policy that encourages creativity in thought and in practice and eschews rigid dogma. In this regard, the ANC has a responsibility to promote progressive traditions within the intellectual community, including institutions such as universities and the media. Playing a vanguard role also means the presence of members and supporters of the ANC in business, the better to reshape production relations in line with the outlook of a national democratic society.
130. The activism of the ANC among the motive forces should be a responsibility of members and leaders alike, informed by a coherent cadre policy that takes into account career-pathing among its activists. And wherever they are to be found, ANC cadres should act as the custodians of the principles of fundamental social change; winning respect among their peers and society at large through their exemplary conduct. They must be informed by values of honesty, hard work, humility, service to the people and respect for the laws of the land.
131. As a multi-class mass movement, the ANC is required to master the science and art of crafting long- and short-term common platforms to ensure that all the motive forces pull in the same direction. We do acknowledge that, at times, the narrow self-interest of a particular class or stratum or group may not necessarily coincide with that of other motive forces. In some instances, as with the working class and the bourgeoisie, these interests may even be contradictory.
132. However, guided by the ideals of the NDR, the ANC has to ensure that these forces appreciate the common strategic interest. It should strive to manage 'contradictions among the people' in such a manner that they do not undermine the long-term goal of national democratic transformation. In attending to these issues, the ANC should remain steadfast to principle, and guard against attempts by any force to turn it into a hostage of narrow sectoral interest.
133. Our approach to all these responsibilities derives from the understanding that a national democratic society has to be systematically constructed. It is not found ready-made at the point of transfer of political power. Nor can it emerge spontaneously through the agency of the 'hidden hand' of the market. What this means is that members of the ANC should continually improve their capacity - both political and technical - to act as the most advanced elements of society.
134. As such, the ANC cannot conduct itself as an ordinary electoral party. It cannot behave like a shapeless jelly-fish with a political form that is fashioned hither and thither by the multiple contradictory forces of sea-waves. There should be clear value systems that attach to being a member and a leader of the ANC, informed by the strategic objectives that we pursue.
135. In essence, the ANC is faced with two options: either to act as a party of the present, an electoral machine blinded by short-term interest, satisfied with current social reality and merely giving stewardship to its sustenance. Or it can become a party of the future, using political power and harnessing the organisational and intellectual resources of society to attain the vision of a national democratic society.
136. This arises in even bolder relief given the new terrain in which we operate. In actual fact, the world of the ANC changed drastically at the point of the 1994 democratic breakthrough. On the one hand, a new critical instrument of struggle, state power, one of the prime prizes of resistance, was attained. On the other, this instrument of power and status can impact in negative ways on a revolutionary movement.
137. Many leaders and cadres of the movement are found in positions of massive influence in the executive, the legislatures and state institutions. By breaking the glass ceiling of apartheid, the liberation movement opened up enticing opportunities for its cadres in business and the professions. Even within the trade union movement and students', youth, women's and other mass democratic organisations, unprecedented opportunities for individual material gain have opened up. All this creates a problem of 'social distance' between these cadres of the movement and ordinary members and supporters, the majority of whom are working class and poor.
138. Political incumbency also presents a myriad of problems in the management of relations within the organisation. Patronage, arrogance of power, bureaucratic indifference, corruption and other ills arise, undermining the lofty core values of the organisation: to serve the people!



139. How the ANC negotiates this minefield will determine its future survival as a principled leader of the process of fundamental change, an organisation respected and cherished by the mass of the people for what it represents and how it conducts itself in actual practice. A number of principles need to be observed in dealing with this challenge.
140. Firstly, the critical importance of political power as an instrument to address the ills of colonialism needs to be fully appreciated. In this regard, politics and public service need to be treated as a calling with requisite moral status, in which any of the motive forces can take part, either as a profession or as time-bound service.
141. Secondly, the ANC should give strategic leadership to those of its cadres in institutions of government, through Conferences, Councils and Branch General Meetings. In this respect, it needs to act as the ultimate strategic 'centre of power' for its members.
142. Thirdly, in order to ensure that its strategic mandate is carried out, the ANC needs massively to strengthen its monitoring and evaluation capacity. This will ensure that cadres deployed in various capacities are able to improve their work in meeting set objectives. At the same time, these cadres should have sufficient space to exercise initiative within the strategic mandate rather than being subjected to micro-management.
143. Fourthly, systems of information-sharing within leadership structures and across the organisation should afford those outside of government sufficient data to make strategic interventions. In the same measure, all cadres should apply themselves seriously to governance issues, practically to add strategic value to the work of government.
144. Lastly, in its conduct in relation to the state, the ANC should be guided by its own principles, and act within the framework of the National Constitution and relevant legislation. In this regard, it should manage the state as an organ of the people as a whole rather than a party political instrument.
145. Within the ANC, the Women's League (ANCWL) is tasked with the responsibility of helping the ANC to broaden its mass base, as it champions the aspirations of a section of our society which over the decades, has been oppressed and exploited as "a nation", as a class and as women. It should continue to be the voice of ANC women members, but it should also be at the cutting edge of the Broad Women's Movement, spearheading gender transformation and the advancement of a women's agenda in all areas of social endeavour.
146. In a similar vein, the ANC Youth League (ANCYL) is a critical tool of South Africa's youth in pursuit of a better life for all. It should continue to function as an organisational and political preparatory school of young activists of our movement, informed by our strategic and tactical positions. The organisational autonomy of the ANCYL always provides organisational vibrancy and the youthful political debate imperative to a revolutionary organisation. It should continually broaden its base and deepen its political and organisational strength. It must strive to galvanise, and place itself at the centre of, the broadest spectrum of youth organisations for reconstruction and development.
147. As part of the process of preserving its values and culture, while adapting them to concrete conditions in which it operates, the ANC places a high premium on the contribution that veterans of the struggle can make. In this regard, the Veterans' League has a central role to play both by force of example and in practical organisational and ideological work within and without the ranks of the broad democratic movement.
148. Historically, the three streams of the national liberation struggle in our country - the revolutionary democratic, the socialist and the trade union movements - have found common cause in pursuit of the objectives of the NDR as commonly understood. This Tripartite Alliance, currently made up of the ANC, the South African Communist Party and the Congress of South African Trade Unions, is therefore not a matter of sentiment, but an organisational expression of the common purpose and unity in action that these forces share, and continue jointly to define and redefine in the course of social transformation. It is a strategic alliance aimed at eliminating the legacy of colonialism in its various manifestations, and not a coalition based on tactical considerations or the subjective mood of the moment. As a leader of the NDR, the ANC will continue to work for strategic unity among all components of this Alliance, in pursuit of a national democratic society.
149. In line with its responsibility to lead the motive forces of change, the ANC will continue to encourage the formation of, and to work within, progressive civil society: organisations of communities, students, youth, women, people with disability, traditional leaders, business and other non-governmental and community-based organisations. It will also continue to reach out to religious and other institutions to ensure common approaches to challenges of transformation. The ANC will conduct such mass

work taking into account the dynamic changes taking place in the social structure and varied lifestyles of South African society.

150. The character and strength of the ANC must continue to reside in and derive from its mass base. As the leading force in government, the ANC should continually improve its capacity and skill to wield and transform the instruments of power.

## CHAPTER VII:

### The global balance: CHARACTER OF THE INTERNATIONAL SITUATION

151. The ANC was formed and it evolved as part of progressive forces across the globe in the fight against colonialism, racism, poverty, underdevelopment and gender oppression. It drank and continues to drink from the well of these progressive global experiences. The strategic objectives of our National Democratic Revolution reflect some of the best values in human civilisation.

152. In its conduct of struggle, the ANC takes into account the global balance of forces, the better to help create and take advantage of opportunities for decisive advance and to avoid pitfalls of adventurism. In this regard, we proceed from the understanding that it is the task of revolutionary democrats and humanists everywhere to recognise dangers; but more critically, to identify opportunities in the search of a just, humane and equitable world order - a world with greater security, peace, dialogue and better equilibrium among all nations of the world, rich and poor, big and small.

153. What then is our assessment of the major trends in the world in which we live?

154. Today, the system of capitalism holds sway across the world; and it is underpinned by the unique dominance of one 'hyper-power'. This situation of unipolarity also has secondary multi-polar features reflected in geopolitical blocs among developed and developing countries, and the historical resurgence of China, India, Brazil and Russia as centres of growth and development. These multi-polar features require continuing research and engagement.

155. The world-wide system of capitalism is characterised by globalisation, which has seen impressive advances in the development and utilisation of technology, integration of production and management processes across oceans, massive trade in financial instruments and expansion of trade in goods and services.

156. But beyond this its technical expression, globalisation

has also been shaped by the agenda of dominant global forces. These include transnational corporations controlling trillions of Rand of humanity's wealth, alliances around one 'hyper-power' whose dominance is reminiscent of empires of a bygone era, and cultural domination reflected in trends towards homogenisation of media content and the arts. A critical consequence of all this is the undermining of the system of global governance.

157. At the political level, the dominant imperialist powers have historically used various means to assert their geo-political and economic interests. This finds contemporary expression in unilateralism and militarism which have reared their ugly head on a scale hardly witnessed in recent history. In intellectual and policy discourse, notions of empire and benevolent colonialism find respectable articulation. In many respects, the current global balance is evocative of the situation in previous eras of dominant empires and colonialism when brute force was the currency of geo-political intercourse.

158. In a situation in which an exploitative socio-economic system rules the waves, the danger should not be underestimated of widening wars of conquest and other more sophisticated means of subversion in search of resources, markets and geo-political advantage. Indeed, notions of 'pre-emptive wars' and 'regime change' are becoming the political stock-in-trade. This imperils sovereignty of smaller and weaker nations.

159. Attached to this phenomenon is the assertion of shallow and populist ideologies such as the so-called 'clash of civilisations' premised on varied expressions of religious fundamentalism, which seek to justify political crusades of blood and gore. By-products of this mindset include racial profiling, the undermining of rule of law both in domestic and global conduct and systematic violation of human rights.

160. The growing threat of terrorism on a global scale, conducted by state and non-state agencies alike, forms an indistinguishable part of this phenomenon. Masked as resistance against imperialism or a fight against so-called "forces of evil", terrorism - which is the deliberate targeting of civilians in violent conflict - is both inhuman and repugnant. Militarism and terrorism feed one another. They are two sides of the same coin.

161. However, these dangers manifest themselves in a period in which humanity is keenly aware of the disastrous consequences of war and the dehumanisation that can result from warped

ideologies of race hatred and religious intolerance. Ordinary citizens across the globe are finding various ways of resisting the encroachment of the rapacious licence of empire. Through mass mobilisation and progressive political parties, and through the power of the vote, continuous processes of self-correction do assert themselves.

162. At the socio-economic level, the wonder of technology including computing, genetics and nano-technology continues to broaden the horizons of human civilisation and create possibilities that only a few decades ago existed only in the wildest of human imagination. It is the irony of our age that such possibilities for the resolution of problems of health, environmental degradation as well as poverty and under-development are appropriated for the benefit of a few, and are seen to impress mainly in the shock and awe of war.
163. Technological advancement has created a global economic system that increasingly works as 'a unit in real time on a planetary scale'. The advantages of this are limitless.
164. On the other hand, these opportunities can be abused through financial systems in which paper money begets paper money: with new ingenious ways found to extract so-called shareholder value that has little bearing on actual production. This also creates an environment for a pervasive short-termism that can hold back the development of productive forces. Related to this is the growing tendency to sustain and justify staggering packages and astonishing lifestyles of corporate executives and so-called celebrities, with levels of inequality that are reminiscent of the eras of slavery and feudalism.
165. Globalisation also impels the search for the lowest in human deprivation to locate production and extract maximum returns, with developing countries encouraged to bid one another lower on a catwalk of mutual beggaring. Combined with this is the utilisation of economic power to rip open frontiers of protectionism among the weak, while doing the opposite in developed countries. All these developments and others such as rapid and unregulated capital flows that include complex derivatives and private equity takeovers negatively impact the sovereignty of developing countries.
166. These are some of the fundamental shortcomings of a rampant and poorly regulated market-based system. This system perpetuates under-development and deepens inequality within and among nations, creating what are in fact two global villages. It fuels corruption on a massive scale. It also precipitates migration from poor to rich countries, resulting

in a debilitating brain drain and illegal escapades that heighten inter-state tensions. In addition, this system entrenches patriarchy, including the vicious exploitation of female labour, trafficking in women and children and poor representation of women in global positions of authority.

167. Globalised capitalism has also generated careless exploitation of natural resources, endangering the long-term survival of the human species. The wanton destruction of the environment, the threat to biodiversity and the danger of global warming are all a grave challenge that should receive priority attention. These developments take place in an era in which oil reserves as a non-renewable source of energy are declining at a rapid pace, and sources of potable water are diminishing relative to social and economic needs. At the same time, food production is not keeping pace with the needs of humanity and food stocks such as fish are being senselessly plundered.
168. Parallel to these short-comings has been the widening access to modern technology and foreign markets across the globe. Nations which organise and position themselves to take advantage of this are advancing at a rapid pace. New economic growth centres are emerging – in Asia – and Africa is poised to join the trend.
169. It is a measure of the changing global economic balance that the fastest growing regions of the world are located in developing countries. Their share of global production has increased dramatically, with profound implications for global economics and politics. In various parts of the 'developing world', including Latin America, there is a growing assertion of national and collective sovereignty and a progressive developmental agenda. As a consequence, the voice of the South is growing stronger by the day. Both from the point of view of their common historical experiences and common current interests, countries of the South need to strengthen co-operation among themselves. They need to build people-centred and people-driven systems and pool their sovereignty through strategic partnerships.
170. Globalisation also means growing inter-dependence among nations, reflected among others in production and trade, financial flows, environmental challenges, health issues and migration. Further, improved platforms of mass communication help lay bare the advances in human comfort and thus the unfairness of massive global inequality.
171. The global mass movements around these and other



issues attest to the impact of these factors on global human consciousness and conscience. Public opinion is steadily turning. Progressive parties, workers' and women's organisations, popular campaigns around local development and environmental issues, associations of professionals and movements of people with disability, indigenous communities, the homeless, the landless and so on -all have resolved to challenge the negative effects of globalisation.

172. It is in part a result of these trends that the United Nations Organisation (UN) has put high on its agenda the notion of human security as encompassing issues of poverty and underdevelopment. Whatever their limitations, initiatives such as the UN Millennium Development Goals, the programme for sustainable development, and the development round in global trade negotiations do reflect the positive impact of a progressive global paradigm. At the same time, the voices calling for democratisation of the UN and other multilateral institutions and the restructuring of the global exercise of power are growing.
173. South Africa's interests in a complex and unpredictable global environment necessitate the building of capacity for strategic as well as rapid responses to changes in our region, Africa and the world. Within this context, our global strategy for the coming years will remain firmly anchored on the African continent and the developing countries.
174. Africa has the best possibility in this milieu to emerge from an era of political and social decline into a renaissance of hope and social progress. It can on a massive scale turn adversity into opportunity. A new spirit is abroad on the continent, and the people of Africa are determined to use their newly-harnessed energy, pride and self-assertiveness to chart their own course of development and extricate themselves from the lowest rungs of human development.
175. Most of the conflicts on the continent have been resolved. Democracy is spreading. Economic growth is accelerating. And there is a collective determination to turn Africa into one of the centres of rapid industrialisation and social development.
176. While historical experiences of subjugation have much to do with Africa's current position, it is Africans themselves partnered by others, who can bring about the renaissance of their nations and their continent.
177. The most immediate challenges in this regard consist in the development of infrastructure for economic activity and social services, the deepening of democracy and mass participation and improved public service. Also crucial are regional integration

and assertion of national and collective continental sovereignty in pursuit of a higher trajectory of development and in relation to global partners.

178. The ANC forms part of the global forces – including governments, political parties and civil society organisations in developing and developed countries –campaigning for a humane and equitable world order. In its history it has gained from and contributed to a culture of human solidarity across the globe. It is informed in its international work by values of internationalism, promotion of human rights against all abuses and violations, and support for national liberation. In this regard, the ANC supports the right of all peoples to fight against oppression and tyranny.
179. The ANC will continue to work with other countries and progressive forces to promote the transformation of the global order away from unilateralism and conflict. It will continue to seek a path of hope and human solidarity, to pursue resolution of conflict through dialogue and peaceful means and to promote mutual friendship among peoples of the world. This we shall do, proceeding from the premise that all nations have a shared responsibility collectively to improve the human condition.
180. Our standpoint on these matters is both a matter of profound self-interest and an issue about the humanity of our own outlook. We will continue to build and strengthen progressive alliances and networks across the globe, including inter-state, party-to-party and people-to-people relations in Africa and further afield in pursuit of an equitable and humane world order.

## CHAPTER VIII:

### Steps towards the vision: PROGRAMME OF NATIONAL DEMOCRATIC TRANSFORMATION

181. What then are the main steps that we need to take, in the programme of the democratic state in the current phase, to bring us closer to the ideal of a national democratic society?
182. The answer to this question is informed by the character of the NDR, actual practical experience since 1994 and our reading of the current balance of forces. In broad terms, our approach is informed by the ideals contained in the Freedom Charter, adopted at the Congress of the People in 1955. The practical measures towards a national democratic society are contained in the Reconstruction and Development Programme (RDP) adopted by the ANC, the Tripartite Alliance and the broad mass



democratic movement in the run-up to the first democratic elections. This was further updated and elaborated in Election Manifestos during subsequent elections.

183. What we outline hereunder are the main emphases in the work of the ANC government in the coming decade.

### **Constitution and governance**

184. The National Constitution sets out the framework within which to manage social relations. Some of the basic principles include: multi-party democracy; the doctrine and practice of separation of powers in a constitutional democracy; equal human rights and access to opportunity; freedom of speech and of the media; equality of all before the law; respect for the rights of linguistic, religious and cultural communities; social equity and practical corrective action against racial, gender and other forms of discrimination.
185. In order to ensure popular involvement in the processes of change, the ANC will continue to build partnerships across society. Practically, the ANC will strengthen institutions and practices of popular participation and encourage efforts to build an enduring people's contract - for each sector to contribute to the common objective.
186. There will be continuing work to improve the legitimacy of the democratic state, encourage national identity and the role of the state as an instrument of social cohesion. Informed by this legitimacy, the state will also ensure that its collective national authority as regulator of social relations is respected, in the context of rule of law.
187. The ANC will consistently improve the role played by legislative organs of government as tribunes of the people, and as platforms to monitor and advance the programme of change. It will continue to promote the transformation of the judiciary and to consolidate the legitimacy of this important arm of the state in a constitutional democracy. Informed by the doctrine of separation of powers, the ANC will encourage mutual respect among the three arms of the state – the legislature, the executive and the judiciary – in dealing with matters of common interest.

### **Building a developmental state**

188. The first attribute of a developmental state in our conditions should be its strategic orientation: an approach premised on people-centred and people-

driven change, and sustained development based on high growth rates, restructuring of the economy and socio-economic inclusion.

189. The second attribute of our developmental state should be its capacity to lead in the definition of a common national agenda and in mobilising all of society to take part in its implementation. Therefore, such a state should have effective systems of interaction with all social partners, and exercise leadership informed by its popular mandate.
190. The third attribute should be the state's organisational capacity: ensuring that its structures and systems facilitate realisation of a set agenda. Thus, issues of macro-organisation of the state will continue to receive attention. These include permutations among policy and implementation organs within each sphere, allocation of responsibilities across the spheres, effective inter-governmental relations and stability of the management system.
191. The fourth attribute should be its technical capacity: the ability to translate broad objectives into programmes and projects and to ensure their implementation. This depends among others on the proper training, orientation and leadership of the public service, and on acquiring and retaining skilled personnel.
192. The ongoing transformation of the state is meant to ensure that these capacities are attained; and the process of identifying weaknesses and correcting them will be intensified. This includes engendering new doctrines, culture and practices as well as ensuring that state institutions reflect the demographics of the country, including appropriate representation of women and people with disability.
193. This applies to the public service in its totality as well as specialised institutions such as the judiciary, the police, intelligence agencies and the defence force. All these organs should serve the people in an efficient and impartial manner.

### **Accelerated and shared growth**

194. Central to the country's economic challenges in the current phase is to build an integrated and growing economy from which all South Africans can benefit.
195. The ANC will continue to strive for macro-economic balances that support sustainable growth and development. This applies to such indicators as the budget deficit, inflation and interest rates. In other words these balances shall not be treated as things-in-themselves, but as requirements that ensure higher rates of growth, labour-absorption and poverty-reduction.

196. Government action will be guided by an industrial strategy and a corresponding programme which continually identifies and addresses constraints to investment. This will help build an economy that is characterised by high levels of manufacturing activity, modern services, expanding trade, cutting edge technology and a vibrant small business and co-operative sector. State and private capital as well as resources and capacities in the hands of communities will be mobilised for this purpose. During various periods, specific industries will be identified for concerted joint action by all economic partners. A critical element of this strategy will be a comprehensive programme of land and agrarian reform.
197. To ensure that benefits of growth are shared by all, there will be focus on creating decent jobs and ensuring an improving quality of life for workers. Government will implement programmes to eliminate economic dualism and exclusion. These include skills development, specific attention to industries that lend themselves to involvement by marginalized communities, access to micro-credit and small business assistance, land reform, public works projects and promotion of sustainable livelihoods at community and household levels.
198. The government will intensify broad-based programmes to empower those previously excluded from mainstream economic activity, including women. To ensure balanced and sustainable spatial development, systematic analysis will be conducted of economic potential and incidence of poverty in various geographic areas, and the three spheres of government will integrate their development plans to address these issues.
- business and land reform programmes as well as private retirement savings, unemployment and accident insurance and medical aids.
202. Government will align and integrate the various programmes – economic and social – directed at eradicating poverty with the aim of ensuring effectiveness and better monitoring and evaluation. Given the reality of feminisation of poverty, central focus in this regard will be paid to the conditions of women, especially in rural, ‘township’ and informal settlements.
203. Central to the preservation of human resources is the issue of the nation’s health profile and causes of death. The ANC government will strive massively to reduce cases of TB, diabetes, malnutrition, maternal deaths and malaria, as well as violent crime and road accidents. Over and above this, the impact of the pandemic of HIV and AIDS requires a massive joint effort of the state and all sectors of society so as to reverse and finally eradicate it. Government will intensify its implementation of the comprehensive strategy against this pandemic and mobilise all sectors and all citizens to play their role.
204. The ANC government will implement a comprehensive human development strategy which includes: improvement of the general education system; intensification of education in mathematics and natural sciences; promotion of social sciences that help build social cohesion; expansion of the nation’s artisanship base; improving throughput and research in the universities; and an effective adult basic education programme.
205. Specific programmes of redress such as land restitution and follow up to the recommendations of the Truth and Reconciliation Commission will continue.

### Macrosocial tasks – meeting social needs

199. The central objective of social policy should be to preserve and develop human resources and ensure social cohesion.
200. To achieve this objective, the ANC government will continuously improve service to society, through enhanced public infrastructure, efficient systems and requisite personnel. We approach these issues proceeding from the premise that the state has a critical role to play in providing public goods such as health, education, housing, public transport, education and social security.
201. The ANC will implement a comprehensive social security system which brings together initiatives such as free basic services for the poor, passenger transport subsidy, social grants, expansion of the asset base of the poor through housing, small

### Building social cohesion – promoting values of a caring society

206. The government led by the ANC will consolidate partnerships across society to strengthen social cohesion and ensure that our nation achieves the values of a caring society, inspired by the traits of human compassion which informed our struggle against colonialism. Indeed, the need to build co-operation among all South Africans applies more so to matters of spiritual sustenance such as beliefs and moral values, which are as communal as they are profoundly personal.
207. This we shall do, proceeding from the understanding that comprehensive social transformation entails changing the material conditions of all South

Africans for the better; but also ensuring that we forge a nation inspired by values of human solidarity. It is the combination of these factors that describe the civilisation of national democracy that we seek to build.

208. Liberation also means engendering freedom of the human spirit to search for better ways of doing things, to express oneself freely and to enjoy the creative endeavours of humanity. But, informed by the precepts of the country's Constitution, including the Bill of Rights, we do recognise that attached to individual freedom is individual responsibility; attached to collective freedom is collective responsibility.
209. We will work with all sectors of society to promote an overarching South African identity, recognising the diversity of the country's people. We will promote pride in our heritage including geographic and place names, our African identity and our common humanity as global citizens.
210. In this regard, we shall ensure that the content of the education system encourages the inculcation of these values while at the same time promoting critical thought.
211. In promoting intellectual discourse, media freedom and diversity of views, the ANC will encourage appreciation by the media fraternity and the intelligentsia as a whole of the role that they can play in promoting human solidarity and a caring society. The same applies to the arts including music, the oral and written word, crafts, theatre and film.
212. The ANC government will encourage development and promotion of languages used by South Africans. Traditions, religious expressions and other belief systems which are consistent with the values of the country's Constitution form a critical part of the nation's collective resource in the promotion of humane values. In this regard, we will seek to emphasise that which is common and good.
213. By encouraging a positive role for the institution of the family and community, youth involvement in a variety of social endeavours, patriotism and civic responsibility, community activism, sporting and other social activities, we will seek to promote healthy lifestyles, moral integrity and role models informed by human compassion, generosity, incorruptibility and accountability.
214. While encouraging individual initiative, drive and entrepreneurship, we shall also promote appreciation of the responsibility on the part of those who command political, social, material and other forms of power towards poor and vulnerable sectors of society. In this regard, we will fight against

all manifestations of racism, super-exploitation, patriarchy, ethnic chauvinism, religious and political intolerance, and abuse of women and children; discourage greed and the arrogant display of wealth; and campaign against the abuse of drugs and alcohol.

215. Central in this endeavour will be the mobilisation of all South Africans to strengthen the nation's moral fibre informed by the ideals of human compassion and solidarity.

### Safety and Security

216. The national struggle for freedom was the critical over-arching vehicle to bring about peace, security and stability to our society. In dealing with issues of crime, the ANC proceeds from the premise that a rising quality of life also means improvement in the safety and security of citizens in their homes and environs where they live, work and engage in extramural activity.
217. Three principles are critical in addressing the challenge of crime, especially its uniquely random and violent nature in our country.
218. The first of these is that the battle against crime cannot be separated from the war on want. In the main, incidents of contact crime such as murder, grievous bodily harm and rape occur among acquaintances in poor communities where living and entertainment environments do not allow for decent family and social life.
219. Secondly, specific mindsets and historical conditions drive elements of the crime problem. These are the proliferation of firearms in the hands of civilians, greed and conspicuous consumption, the psychology of patriarchal power relations and attitudes towards weaker members of society especially children.
220. Thirdly, the networks of crime have grown in their reach and sophistication across national boundaries. These include syndicates that deal with money laundering, human smuggling as well as drug trafficking and abuse.
221. The overall programme of national democratic transformation will gradually eliminate some of the conditions that breed social crime. So shall our contribution to creating an environment of peace, stability, economic growth and social development in Southern Africa and the rest of the continent.
222. Critically, focus must be placed on mobilising society to make life difficult for criminals in our midst. This should include an overhaul of gender and family relations and intolerance of abuse within communities. The transformation of institutions dealing with crime, including integrated efficiency is

also critical. This applies to management, expansion of personnel, utilisation of latest technology, enhanced intelligence capacity, commitment to work with the people and eradication of corruption within the 'criminal justice system'. It also applies to the efficient regulation of the private security industry to ensure that its various capacities, integrity of its recruitment practices and employees' conditions of service are in line with the requirements of what is otherwise an important part of our nation's security establishment.

223. Government will continue to expand and deepen co-operation among law-enforcement agencies in the region and further afield. At the same time we will enhance our systems of border control and improve the capacity of our defence force and intelligence agencies to secure the integrity of our nation-state. We will continue to pay attention to any remaining networks from apartheid's 'dirty war' some of which are an integral part of the criminal networks.

## CHAPTER IX: CONCLUSION

224. Contained in this outline of our Strategy and Tactics is the ANC's assessment of the environment in which we live and the immediate and long-term tasks that we face. It is our collective view of the theory of the South African revolution.
225. During the First Decade of Freedom, we were able to consolidate and deepen our democratic system and introduce critical programmes for social transformation. The progress we have made is commendable; and the decisive actions in the early

years of the Second Decade of Freedom hold out the promise of faster progress towards our ideals. But we are only at the beginning of a protracted process of change.

226. The ANC celebrates the end of the first century of its existence wielding political power - a critical platform to improve the quality of life of South Africans and contribute to building a better world. The strategic task remains the same. But the environment in which it has to be pursued has changed significantly for the better.
227. In this phase of national democratic transformation, the ANC commits itself to intensifying its work around the five pillars of social transformation:
- ☐ the state,
  - ☐ the economy,
  - ☐ organisational work,
  - ☐ ideological struggle, and
  - ☐ international work.
228. We will undertake these tasks conscious of our responsibility as one of the battalions of the global army for progressive social change, a disciplined force of the left.
229. The ANC is confident that South Africans will persist in building an enduring national partnership further to change our country for the better. Working together with them, we shall spare neither strength nor courage, until the strategic objective has been attained.
230. **The struggle continues!**



## GLOSSARY *to Strategy and Tactics*

**African People:** The indigenous inhabitants of the country principally composed of the Zulu, Xhosa, Pedi, Sotho, Tswana, Tsonga, Swazi, Venda, Ndebele, Khoi and San.

**African Renaissance:** A programme to renew and rebuild the African continent, from underdevelopment, poverty and Afro-pessimism.

**Anglo-Boer War:** A war fought between the Afrikaners and the British between 1899 and 1902.

**Apartheid Colonialism:** A variant of colonialism that existed in South Africa where the coloniser and the colonised shared one country Apartheid: An oppressive system based on white minority-rule over all other population groups - Blacks in general and Africans in particular - that started long ago, but was given this name and consolidated into a vicious state policy of the Nationalist Party Government since 1948.

**Archeological findings:** The study of ancient civilizations by scientific analysis of physical remains found in the ground as in Mapungubwe, Cradle of Humankind and Taung.

**Autonomous Leagues:** The principle that the ANCYL and the ANCWL operate independently, next to and in addition to ANC structures but within the framework of the constitution and policies of the ANC.

**Balance of Forces:** A power balance between contending forces in a conflict: the strengths and weaknesses of each contender at each moment.

**Battalion:** A section of the army

**Bedrock:** Foundation stone. Cornerstone.

**Black People:** These are the people in our country who suffered from apartheid generally composed of Africans, Coloureds and Indians.

**Bureaucracy:** A civil service of the state.

**Bureaucratic Bourgeoisie:** A capitalist class that depends for its existence and survival on the state through tenders, corruption and so on Bygone era: Past period

**Capitalism:** A system that makes profit by exploiting people who work for a wage.

**Chasm:** A big gap.

**Classes:** Large groups of people involved in social production, who differ from each other by the place

**Codification:** Made into law

**Cold War:** A situation of uneasiness in some instances involving arms race, contest for spheres of influence and propaganda warfare, that never involved direct physical confrontation between the Soviet Union and the United States and their allies since the end of the Second World War.

**Colonialism of a Special Type:** A variant of

colonialism where both the coloniser and the colonised share the same boundaries, within same territory of one state.

**Colonialism:** When countries establish their rule in other parts of the world outside their national borders.

**Colony:** A country or territory forcibly deprived of political and economic independence by a foreign state and exploited for the benefit of that other country.

**Communication and technological revolution:** Significant advancements in the computer field, that resulted in the development of robotics, cellular telephones, digital networks and the Internet.

**Comprador bourgeoisie:** A pseudo-capitalist that is a front, a public face or a representative of the real bourgeoisie, local or transnational.

**Concentric Circles:** An arrangement where the centre is the core and the less connected to the centre, the more to the outer periphery, the less significant

**Consensus:** Agreement of almost everyone involved.

**Corruption:** Dishonesty especially offering and/or accepting bribes for performance of some function

**Cradle of Humankind:** A place where because of archeological and palaeontological findings indicates that human evolution from its early stages flourished.

**Currency speculation:** Plotting and foreseeing how currencies are likely to perform in the stock market and taking advantage of this by playing the market.

**Developmental State:** An activist state that intervenes decisively in the economy with a generally progressive agenda

**Eliminate:** Bring to an end

**Emancipation:** Liberation from bondage, and the obtaining of the right to determine a community or nation's destiny.

**Endogenous factors:** Factors that influence the balance of forces from within.

**Endowments:** Benefits

**Epoch:** An important stage in the development of society with historical implications both domestically and at an international level.

**Evolution:** Gradual development that leads to change overtime Exogenous factors: Factors that influence the balance of forces from outside.

**Feminisation of poverty:** When women personify poverty. When women carry the burden of poverty in a patriarchal society

**Feudalism: Landlordism.** A class divided society of big landowners and serves who worked on the farms

**Fratricidal ethnic groups:** Ethnic groups that wage intra-communal warfare.

**Freedom Charter:** A document containing the essential policy of the ANC, adopted by the Congress of the People in 1955 and adopted by the ANC in 1956.

**Galvanise:** Conscientise and mobilise

**Gender relations:** Relations that of economic, political and other forms of social power between males and females, and in recent centuries it has been reflected in the domination of men and the subordination of women.

**Genocide:** Deliberate extermination of people on a large scale

**Globalisation:** The internationalisation of production, exchange and distribution of wealth, as well as culture and communication, which is currently reflected in the expansion of capitalism and its rules and methods across the world.

**Harare Declaration:** A Charter of the OAU Sub-Committee on Southern Africa, meeting at Harare in August 1989 which outlined the steps to be taken to find a negotiated settlement in South Africa.

**Hemorrhaging:** Bleed to death

**Historical injustice:** Unjust relations in Society that have accumulated over a period of time.

**Human civilisation:** The existence of a human race on earth and its advancement in all areas of social activity.

**Hyper-power:** An ultra super-power like the US after the Cold War

**Ideological Struggle:** A battle of ideas Imperialism: A stage of capitalism characterised by the high degree of concentration and centralisation of production, emergence of giant monopolies and efforts to dominate the world by the capitalist powers.

**Insurrection:** An intense mass uprising that can lead to take-over of state power.

**Intelligentsia:** The intellectuals. The educated crop of society

**Legacy:** An inheritance of those who came before to those who came after Macro-social trends: Those major movements that are taking place within society like migration, urbanisation, etc.

**Marginalisation:** A feeling of being an outsider, not engaged or disregarded, both real and imagined

**Metropolis:** The colonial power. A state that extends its power to other parts of the world outside its national border.

**Millennium:** A period of a thousand years.

**Motive forces:** These forces that benefit when a revolution is victorious, and often push for its success.

**Multilateral institutions:** Those institutions that govern international inter-state relations, involving a large number of states, such as the United Nations and its agencies.

**Multilateralism:** The use of international organisations and agencies like the UN, WTO, etc.

**Multi-polar:** More than one centre of power

**Myriad:** Large number

**Nation:** A historical community of people established on the basis of a common economic life, live a common territory and share a common identity about that territory.

**National Democratic Revolution:** A process of struggle that seeks to transfer power to the people and transform society into a non-racial, non-sexist, united, democratic one, and changes the manner in which wealth is shared, in order to benefit all the people.

**National Liberation Movement:** An array of forces organised to achieve political freedom: in South Africa it took the form of the Tripartite Alliance, the Mass Democratic Movement and other sectoral forces, led by the ANC.

**National Oppression:** The system which suppressed and discriminated against the African people in particular and Blacks in general. Neo-liberalism: See globalisation.

**Oppression:** A situation where a category of people are held in a subservient position of total inequality by another.

**Ostentatiousness:** Negative display of wealth and possessions intended to impress people or make them envious; like flashy cars, expensive houses, labeled clothes, hot furniture, dated alcohol and jewelry.

**Paradigm:** Pattern

**Parasitic bourgeoisie:** A capitalist class that depends for its existence and survival on the State through tenders, corruption and so on.

**Pastoral Communities:** Those communities in the rural areas dependent on livestock and subsistence farming for their livelihoods.

**Patriarchal:** A system of male domination.

**Patriotic bourgeoisie:** Those people who own businesses and industries in the Country and remain loyal to the objectives of society as a whole.

**Peaceful forms of resistance:** Forms of struggle such as petitions, demonstrations, strikes and boycotts such as pursued by the ANC from 1912 to 1961. This policy changed with the adoption of armed struggle in 1961.

**Peasantry:** Those people who depend on land for their livelihood

**Perception:** A concrete and sensual image of objects of reality resulting from their direct impact on sense organs. Socially, it means an interpretation of events on the basis of concrete experience or of the influence of others.

**Political incumbency:** Being in state system

**Political liberation:** To get freedom to elect your own government, be represented in all bodies that make laws, to have a new flag and a new anthem.

**Protracted:** Taking a long time

**Pseudo:** A false or unreal.

**Racial superiority:** A backward mentality of imagining that some races are superior and better than others

**Rampant:** Unrestrained

**Rapacious:** Greedy with desire to rob and plunder

**Revolution:** Fundamental change in society.

**Ruling bloc:** Those forces that hold decisive elements of state control directly and indirectly by various means.

**Slave revolts:** Uprising by slaves against the system of slavery

**Slavery:** A class divided society of slave owners and slaves who lived and worked under inhuman conditions

**Social Cohesion:** A feeling of being together as one

**Social Distance:** A real and imagined distance in lifestyle, interaction and even geography between deployed cadres or leadership and the masses of our people.

**Socialism:** A social system midway between capitalism and communism

**Sovereignty:** State independence and official status for its decisions, borders and existence.

**Statist:** Putting too much focus on the State both in theory and practice

**Stoicism:** Extraordinary bravery, courage and steadfastness.

**Strategic objective:** The final aim to be achieved by the freedom struggle, to establish a non-racial, non-sexist, united, democratic society.

**Strategy:** The long-term objective and how to arrive there.

**Stratification:** Division into layers each with a different status.

**Subjugation:** To be put in an inferior or oppressed position

**Survivalist micro-entrepreneurial activity:** Those methods of living from hand to mouth, from day to day

**Symbiosis:** A mutual relationship of benefiting from each other

**Tactics:** The immediate things that are done depending on objective situation to arrive at the strategic goal.

**Terrorism:** Deliberate targeting of civilians in conflict they occupy in that system of social production.

**Tripartite Alliance:** An Alliance of the national liberation forces as led by the ANC, composed of working class organisations in the form of the Communist Party and a progressive trade union movement.

**Triple Oppression:** The oppression of women in South Africa that usually take the form of class, race and gender

**Ultra-leftism:** Excessive subjectivism that confuses what is desirable with what is objectively possible here and now.

**Unilateralism:** When one superpower by-passes and undermines the UN and other multilateral bodies and takes action on its own in the world, almost as a global policeman.

**Unipolar World:** The collapse of the Cold War two bloc world system and the ascendance of the U.S as the only surviving superpower.

# NGC 2015 – REFERENCE DOCUMENTS VOLUME ONE

4

# ANC Constitution

*as amended and adopted at the  
53rd National Conference, Mangaung, 2012*

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## PREAMBLE

**WHEREAS** the African National Congress was founded in 1912 to defend and advance the rights of the African people after the violent destruction of their independence and the creation of a white supremacist Union of South Africa;

**AND WHEREAS** in the course of fulfilling this historic aim, the African National Congress has emerged to lead the struggle of all democratic and patriotic forces to destroy the apartheid state and replace it with a united, non-racial, non-sexist and democratic South Africa in which the people as a whole shall govern and all shall enjoy equal rights;

**AND WHEREAS** through the struggles and sacrifices of its members over the generations, the African National Congress has come to be recognised as the central organiser and inspirer of a vast popular upsurge against apartheid, involving a great array of social, cultural, religious, trade union, professional and political organisations;

**AND WHEREAS** the fundamental goal of the African National Congress remains to construct a united, non-racial, non-sexist, democratic and prosperous society in South Africa;

**AND WHEREAS** the historic April 1994 election has placed the African National Congress in a position of responsibility for leading the process of reconstruction and development aimed at eradicating the problems of poverty and inequality created by apartheid and creating a just and equitable economic and social order;

**NOW THEREFORE** the National Conference of the African National Congress, duly constituted and assembled, cognisant of the historic mission of the African National Congress and of the need to build a mass based democratic structure to enable it to fulfil its historic mission, hereby adopts this amended Constitution, as follows:

## DEFINITIONS

The words, terms and acronyms used in the Constitution and the Appendices bear the following meanings, unless the context indicates otherwise:

**“accountable”** means to answer for, or explain, one’s conduct, decisions or acts;

**“ANC”** means the African National Congress;

**“appeal”** means to resort to or apply to a higher authority in the ANC structures for a decision;

**“appellant”** means a member, office bearer or public representative who appeals against a decision of a Disciplinary Committee;

**“Appendix”** means an attachment or annexure to this Constitution;

**“assembly or gathering”** means a grouping of ANC members who come together for a specific purpose;

**“autonomous”** means that the Leagues function independently, next to and in addition to ANC structures and within the framework of the Constitution and policies of the ANC;

**”BDC”** means a Branch Disciplinary Committee;

**“BEC”** means the Executive Committee of a Branch of the ANC;

**“biennial”** means once every two years;

**“Branch in good standing”** means a Branch that is recognised by the ANC to be fully compliant with its obligations in terms of this Constitution and whose members are paid-up members;

**“bribe”** means any promise or offer to give something, usually money, to procure services or gain influence in an improper manner;

**“candidate duly endorsed”** means a candidate nominated and elected democratically by the constitutional structures of the ANC at the appropriate levels, and endorsed by the NEC, the PEC or the Branch;

**“caucus”** means an organised group of public representatives of the same political party which exists as a structure or institution at each respective sphere of governance and which meets privately to discuss policy, issues pertaining to voting and strategies in preparation for open meetings with other political parties where such policies are discussed and voting takes place;

**“chaplain”** means a priest, religious or spiritual leader;

**“Chief National Presenter”** means a person appointed in terms of this Constitution to present the case of the PDC, NDC and NDCA, as the case may be, in disciplinary and appeal proceedings and **“Chief Provincial Presenter”** and **“Chief Regional Presenter”** have the same meaning, in respect of the relevant organisational level and **“Presenter”**, where used, refers to all of the persons included in the definition of **“Chief National Presenter”**;

**“complainant”** means, in the context of disciplinary proceedings, the ANC;

**“consistent with”** means agreeing, compatible, not contradictory;

**“Constitution”** means the ANC Constitution;

**“contractual liability”** means the debt or risk a party takes on or assumes when it enters into an agreement with another party or parties, usually expressed in a written and binding contract;

**“co-opt”** means to add to a structure by a vote or decision of those already members of that structure;

**“days”** means calendar days and include Saturdays, Sundays and public holidays;

**“deemed”** means a state of affairs which does not necessarily or in fact exist, but is taken for granted to exist;

**“Department”** means any operational division of the ANC at national, provincial, regional and local level and excludes structures and committees established in terms of this Constitution;

**“deployed member or deployee”** means a member who accepts to perform certain duties and functions on behalf of the ANC in a representative capacity, in addition to his or her duties and obligations as a member;

**“designated to administer oaths”** means the person or persons designated within the ANC to administer the oath;

**“direct”** means to conduct the affairs of, manage, or regulate;

**“directive”** means an order or instruction, especially one issued by a central authority;

**“disciplinary committee”** means a disciplinary of the ANC constituted in terms of this Constitution;

**“disrepute”** means the absence or loss of reputation, discredit or disgrace;

**“election agent”** means a representative of a candidate contesting an election who represents the interests of that candidate;

**“elective office”** refers to an office held as Councillor, Member of the Provincial Legislature or Member of Parliament;

**“Electoral Commission”** refers to a body appointed by the ANC from amongst its members to constitute an Electoral Commission;

**“eligible/ineligible [for membership]”** refers to the rules that determine which persons are eligible for (qualified for or worthy of) membership of the organisation. (A person qualified for membership is not necessarily entitled to membership);

**“endorsed”** means approved or supported;

**“ethnic chauvinism”** means a prejudiced belief in the superiority of a certain ethnic group (a cultural or social group with certain characteristics like religion, language, ancestry or physical traits);

**“ex-officio”** means by virtue of his or her position or office;

**“Freedom Charter”** means the document containing the essential philosophy of the ANC, adopted by the (then) alliance in 1955 and ratified by the ANC in April 1956 and which is annexed to this Constitution as *Appendix 2*;

**“full-time functionaries”** means members of the National Officials Committee and Provincial Secretaries who are engaged full-time by the ANC on a salaried basis;

**“good cause shown”** means sufficient reason for any fact or circumstance that would make it just and fair between the parties;

**“honorary membership”** refers to membership given as a mark of honour without the usual requirements or privileges of membership;

**“impede”** means to obstruct the way of, or hinder the progress of;

**“invitee”** means a person who has been invited to a gathering of the ANC or of a structure of the ANC and who enjoys no rights or privileges in the Organisation;

**“jurisdiction”** means the range of authority one has over individuals and events;

**“Leagues”** means the ANC Womens’ League, the ANC Youth League and the ANC Veterans’ League;

**“legal relationship”** means a relationship, like a contract, from which legal rights, obligations and duties flow;

**“logo and colours”** means that the ANC is the sole copyright holder of its logo and colours;

**“member”** means a member of the ANC;

**“member not in good standing”** means a member who fails to pay his or her subscriptions for three months and whose membership has lapsed;

**“misappropriation”** means to use money or funds wrongly or dishonestly, especially for one’s own use;

**“money-laundering”** means a criminal offence as defined by statute and means the process of concealing the source of money obtained by illicit means;

**“mutatis mutandis”** means that the body of information remains essentially the same but only minor details will change to fit the circumstances;

**“National Chairperson”** means the National Chairperson of the ANC;

**“National Democratic Revolution”** means the process of transforming the country from an apartheid state to a non-racial, non-sexist, united democratic society in which all people enjoy equal rights;

**“National List Committee”** means a committee appointed annu-

ally by the NEC and which is responsible for drawing up regulations and procedures to be used in the selection of candidates for Parliament;

**“NDC”** means the National Disciplinary Committee;

**“NDCA”** means the National Disciplinary Committee of Appeal;

**“NEC”** means the National Executive Committee of the ANC;

**“NGC”** means the National General Council of the ANC;

**“natural justice”** means the rule of law, that no one can be a judge in his/her own cause and one should be given the opportunity to be heard;

**“nominate”** means to propose by name as a candidate;

**“non-earning members”** means members who are not in gainful employment;

**“NWC”** means the National Working Committee of the ANC;

**“office bearer”** means any member who has been elected and holds an office or position of authority in a structure of the ANC;

**“officials”** means the National Officials referred to in Rules 16.1 to 16.8;

**“Organisation”** means the African National Congress;

**“Party in alliance”** means the South African Communist Party (SACP), the Congress of South African Trade Unions (COSATU) and the South African National Civic Organisation (SANCO);

**“PDC”** means a Provincial Disciplinary Committee;

**“PEC”** means a Provincial Executive Committee of the ANC;

**“periodic”** means from time to time;

**“perpetual succession and power”** means the rights that vest indefinitely in the Organisation as a legal person as distinct from its individual members;

**“PGC”** means the Provincial General Council of a Province, of the ANC;

**“President”** means the President of the ANC and **“Deputy President”** means the Deputy President of the ANC;

**“presumption”** means a fact or state of existence that is taken for granted unless the contrary is proved;

**“properly constituted Branch General Meeting”** means a Branch meeting that complies with all aspects or requirements of the Constitution, including any quorum requirements;

**“Provincial List and Candidates’ Committee”** means the Committee in each Province responsible for the compilation of elections lists and ward candidates;

**“provisional membership”** means the membership of a member whose application for membership has not yet been confirmed, but who may participate in the activities of the Organisation except being elected to any committee, structure, commission or delegation of the ANC;

**“public representative”** means a member who represents the ANC in national, provincial or local government as a deployed member or deployee as defined or in terms of a contract of deployment entered into with the ANC;

**“Provincial Secretary”** means the secretary of a Province of the ANC;

**“PWC”** means the Provincial Working Committee of a Province of the ANC;

“**quorum**” means the minimum number of officials or members of a structure, committee, assembly or gathering, usually a majority, who must be present for the valid transaction of the business of the meeting;

“**ratify**” means to approve or give formal sanction to;

“**RDC**” means a Regional Disciplinary Committee;

“**rebuttable**” in relation to a presumption means that which can be challenged by evidence to the contrary;

“**REC**” means the Regional Executive Committee of a Region of the ANC;

“**recall**” means to order to return;

“**Region**” means the geographical area of the Province, and not the “**region**” as defined in Rule 21;

“**registered political party**” refers to registration in terms of the Electoral Act, 1998 (Act No. 73 of 1998);

“**representative**” means a member of the ANC in good standing who acts on behalf of a charged member in disciplinary proceedings;

“**rescind**” means to void or repeal;

“**review**” means to reconsider the acceptance or refusal of;

“**RWC**” means a Regional Working Committee of the ANC;

“**Secretary General**” means the Secretary General of the ANC and “**Deputy Secretary General**” means the Deputy Secretary General of the ANC;

“**Standing Order**” means a directive or instruction made by a structure in authority;

“**supervise**” means to direct and inspect the performance of work or to oversee;

“**suspend**” means to bar for a period of time access to a privilege, office or position;

“**tied vote**” means a state of equality of votes, a draw;

“**Treasurer General**” means the Treasurer General of the ANC;

“**tribalistic exclusivism**” means to prevent persons from certain tribes to play a role in the Organisation, or to admit only persons from certain tribal backgrounds to membership or participation;

“**undermines**” means to weaken, injure or ruin insidiously or secretly;

“**Whip**” means an officer, usually a Member of Parliament, of a political party in Parliament who exercises some authority over other members of the same party;

“**universal suffrage**” means the right of all persons to vote;

“**voting district**” refers to a geographical area demarcated or defined by the Electoral Commission referred to in the Electoral Act, 1998, for the purpose of voting in elections in the country; and

“**zone**” means a (geographical) area distinguished from adjacent parts by some distinctive feature or character.

## Rule 1 NAME

- 1.1 The name of the organisation is the African National Congress, hereinafter referred to as the ANC.
- 1.2 The colours of the ANC are black, green, and gold and the logo is as described in *Appendix 1*.

## Rule 2 AIMS AND OBJECTIVES

The aims and objectives of the ANC are:

- 2.1 To unite all the people of South Africa, Africans in particular, for the complete liberation of the country from all forms of discrimination and national oppression;
- 2.2 To end apartheid in all its forms and transform South Africa as rapidly as possible into a united, non-racial, non-sexist and democratic country based on the principles of the Freedom Charter (*Appendix 2*) and in pursuit of the National Democratic Revolution;
- 2.3 To defend the democratic gains of the people and to advance towards a society in which the government is freely chosen by the people according to the principles of universal suffrage on a common voters' roll;
- 2.4 To fight for social justice and to eliminate the vast inequalities created by apartheid and the system of national oppression;
- 2.5 To build a South African nation with a common patriotism and loyalty in which the cultural, linguistic and religious diversity of the people is recognised;
- 2.6 To promote economic development for the benefit of all;
- 2.7 To support and advance the cause of women's emancipation;
- 2.8 To support and advance the cause of national liberation, development, world peace, disarmament and environmentally sustainable development; and
- 2.9 To support and promote the struggle for the rights of children and the disabled.

## Rule 3 THE CHARACTER OF THE ANC

- 3.1 The ANC is a non-racial and non-sexist and democratic liberation movement.
- 3.2 Its policies are determined by the membership and its leadership is accountable to the membership in terms of the procedures laid down in this Constitution.
- 3.3 The ANC also contests elections as a registered political party drawing its electoral support from all sections of South African society.
- 3.4 The ANC shall, in its composition and functioning,



be democratic, non-racial and non-sexist and combat any form of racial, tribalistic or ethnic exclusivism or chauvinism.

- 3.5 While striving for the maximum unity of purpose and functioning, the ANC shall respect the linguistic, cultural and religious diversity of its members.
- 3.6 The ANC shall support the emancipation of women, combat sexism and ensure that the voice of women is fully heard in the Organisation and that women are properly represented at all levels.
- 3.7 The principles of freedom of speech and free circulation of ideas and information shall operate within the ANC.
- 3.8 Membership of all bodies of the ANC shall be open to all men and women in the Organisation without regard to race, colour or creed.
- 3.9 The ANC shall cooperate closely with religious bodies in the country and shall provide, on an interfaith basis, for the recognition of the spiritual needs of its many members who are believers.

## Rule 4 MEMBERSHIP

- 4.1 Membership of the ANC shall be open to all South Africans above the age of 18 years, irrespective of race, colour and creed, who accept its principles, policies and programmes and who are prepared to abide by its Constitution and rules.
- 4.2 Spouses or children of South Africans who have manifested a clear identification with the South African people and its struggle, may apply for membership.
- 4.3 All other persons who have manifested a clear identification with the South African people and their struggle and are resident in South Africa may apply for membership.
- 4.4 The National Executive Committee may, acting on its own or on the recommendation of Branch or Provincial Executives Committees, grant honorary membership to those men and women who do not qualify for membership under Rule 4.1, 4.2 or 4.3, but who have demonstrated an unwavering commitment to the ANC and its policies.
- 4.5 Applications for membership shall be considered by the Branch Executive Committee where such exists, and by the Regional Executive Committees, if no Branch exists. The Branch Executive Committee, the Regional Executive Committee, or such interim structures as the Provincial Executive Committee or the NEC may create from time to time to decide on applications, may accept or refuse any application for membership provided such acceptance or refusal is subject to review by the next higher organ of the ANC.
- 4.6 Membership cards shall be issued to registered members of the ANC.
- 4.7 Persons whose applications for membership have been accepted, subject to review as provided for in Rule 4.12, shall be issued with:
  - 4.7.1 A temporary membership card; and
  - 4.7.2 An acknowledgement of provisional membership and the details of the Branch and constituency/area in which the applicant resides and any available information about the local Branch structures.
- 4.8 Membership and temporary membership cards referred to in 4.7.1 and 4.7.2 above shall be issued subject to payment of the prescribed subscription fee.
- 4.9 Provisional membership shall apply to persons who wish to join the Organisation for the first time or who wish to rejoin the Organisation after a considerable lapse of time or circumstances determined by the NEC.
- 4.10 Provisional membership rights commence from the date of acknowledgement following receipt of the application and the appropriate membership subscription. A provisional member may attend Branch meetings only in a non-voting capacity.
- 4.11 Any objection to any application for membership may be made by any member of the ANC to the Branch, Regional or Provincial Secretary within 6 (six) months of the notification.
- 4.12 At any time before the individual is accepted as a full member of the Organisation, or in exceptional circumstances even after the member has been admitted, the Secretary General may rule that the application or the membership be rejected if it was obtained invalidly.
- 4.13 In the absence of any objection from the structures and/or any ruling by the Secretary General, the applicant shall, on the expiry of 6 (six) months from the date of notification of provisional membership, become a full member. The provisional member shall then be transferred to the national membership list as a full member as soon as is practicable.
- 4.14 The reasons for the rejection of an application for membership by the Secretary General or the objection to the application for membership must be sent to the individual applicant in writing.
- 4.15 Members shall pay an annual subscription fee as determined by the National Executive Committee.
- 4.16 Non-earning members or those on reduced incomes shall pay such fees as may be determined by the NEC.
- 4.17 On being accepted in the ANC, a new member shall, in a language he or she knows well, make the following solemn declaration to the body or person designated to administer such oaths:
 

*‘I, [...], solemnly declare that I will abide by the aims and objectives of the African National Congress as set out in the Constitution, the Freedom Charter and other duly adopted policy positions, that I am joining the Organisation voluntarily and without motives of material advantage or personal gain, that I agree to respect the Constitution and the structures and to work as*



*a loyal member of the Organisation, that I will place my energies and skills at the disposal of the Organisation and carry out tasks given to me, that I will work towards making the ANC an even more effective instrument of liberation in the hands of the people, and that I will defend the unity and integrity of the Organisation and its principles, and combat any tendency towards disruption and factionalism”.*

- 4.18 Members who fail to pay their subscriptions for three months and having been reminded of their lapse, will not be regarded as members in good standing until they pay their arrears.

## Rule 5 RIGHTS AND DUTIES OF MEMBERS

### 5.1 Rights:

#### 5.1 A member shall be entitled to:

- 5.1.1 Take a full and active part in the discussion, formulation and implementation of the policies of the ANC;
- 5.1.2 Receive and impart information on all aspects of ANC policy and activities;
- 5.1.3 Offer constructive criticism of any member, official, policy programme or activity of the ANC within its structures;
- 5.1.4 Take part in elections and be elected or appointed to any committee, structure, commission or delegation of the ANC; and
- 5.1.5 Submit proposals or statements to the Branch, Province, Region or NEC, provided such proposals or statements are submitted through the appropriate structures.

### 5.2 Duties

#### 5.2 A member of the ANC shall:

- 5.2.1 Belong to and take an active part in the life of his or her Branch;
- 5.2.2 Take all necessary steps to understand and carry out the aims, policies and programmes of the ANC;
- 5.2.3 Explain the aims, policies and programmes of the ANC to the people;
- 5.2.4 Deepen his or her understanding of the social, cultural, political and economic problems of the country;
- 5.2.5 Combat propaganda detrimental to the interests of the ANC and defend the policies, aims and programme of the ANC;
- 5.2.6 Fight against racism, tribal chauvinism, sexism, religious and political intolerance or any other form of discrimination or chauvinism;
- 5.2.7 Observe discipline, behave honestly and carry out loyally the decisions of the majority and

decisions of higher bodies; and

- 5.2.8 Inform his or her Branch of movement of residence to any area outside his/her Branch and report to the Branch Committee Secretary on arriving at the new area.

- 5.3 All members shall ensure that they are registered as voters in the constituency in which they live.

- 5.4 ANC members who hold elective office in any sphere of governance at national, provincial or local level are required to be members of the appropriate caucus, to function within its rules and to abide by its decisions under the general provisions of this Constitution and the constitutional structures of the ANC.

## Rule 6 GENDER AND AFFIRMATIVE ACTION

- 6.1 In the endeavour to reach the objective of full representation of women in all decision-making structures, the ANC shall implement a programme of affirmative action, including the provision of a quota of not less than 50% (fifty per cent) of women in all elected structures of the ANC to enable such effective participation.

- 6.2 The method of such implementation will be addressed in all ANC structures immediately and on a continuous basis.

## Rule 7 ORGANISATIONAL STRUCTURE

### 7.1 The ANC consists of the following organs:

- 7.1.1 The National Conference which elects the National Executive Committee;
- 7.1.2 The Provincial Conference which elects the Provincial Executive Committee;
- 7.1.3 The Regional Conference which elects the Regional Executive Committee;
- 7.1.4 The Branch Biennial General Meeting which elects the Branch Executive Committee.

- 7.2 Branches may be grouped together in zones and may be subdivided, for the purpose of co-ordination, into smaller units such as street committees, voting districts and zones may be grouped into sub-regions. Any sub-branch so established shall have the same voting powers as a branch.

### ANC WOMEN'S LEAGUE

- 7.3 Membership of the ANC Women's League shall be open to women who are members of the ANC and it has the same basic structures, namely, national, provincial

and Branch structures. Its objectives are to defend and advance the rights of women, both inside and outside the ANC, against all forms of national, social and gender oppression and to ensure that women play a full role in the life of the Organisation, in the people's struggle and in national life. The ANC Women's League shall function as an autonomous body within the overall structure of the ANC, of which it shall be an integral part, with its own Constitution, rules and regulations, provided that these shall not be in conflict with the Constitution and policies of the ANC.

### ANC YOUTH LEAGUE

- 7.4 The ANC Youth League shall be open to all persons between the ages of 14 (fourteen) and 35 (thirty five) years. It operates on a national, provincial and branch basis. Its objectives are to unite and lead young men and women in confronting and dealing with the problems that face the youth and to ensure that the youth make a full and rich contribution to the work of the ANC and the life of the nation. The ANC Youth League shall function as an autonomous body within the overall structure of the ANC, of which it shall be an integral part, with its own Constitution, rules and regulations, provided that these shall not be in conflict with the Constitution and policies of the ANC.
- 7.5 Members of the ANC Youth League over the age of 18 (eighteen) are expected to play a full part in the general political life of the ANC.
- 7.6 A member of the ANC Youth League shall not be eligible for election to any position as office-bearer of the ANC or to attend ANC conferences, members' or executive meetings of the ANC (unless specially invited), unless he or she is a full member of the ANC.

### ANC Veterans' LEAGUE

- 7.7 The ANC Veterans' League shall be open to all ANC members 60 (sixty) years of age or older, who have served the ANC and the movement over an unbroken period of 40 (forty) years. It shall operate on a national, provincial and branch basis. Its objectives are to ensure that Veterans' make a full and rich contribution to the work of the ANC, to the movement and to the life of the nation. The ANC Veterans' League will function as an autonomous body within the overall structure of the ANC, of which it shall be an integral part, with its own Constitution, rules and regulations, provided that these shall not be in conflict with the Constitution and policies of the ANC.

## Rule 8 THE HEADQUARTERS

- 8.1 The site of the National Headquarters of the ANC shall be determined by the NEC.

## Rule 9 PROVINCES

- 9.1 For purposes of ANC structures, the country will be divided into the following provinces, which will be demarcated to correspond strictly to the provincial boundaries established in the South African Constitution:
- 9.1.1 Eastern Cape;
  - 9.1.2 Free State;
  - 9.1.3 Gauteng;
  - 9.1.4 KwaZulu/Natal;
  - 9.1.5 Limpopo;
  - 9.1.6 Mpumalanga;
  - 9.1.7 North West;
  - 9.1.8 Northern Cape; and
  - 9.1.9 Western Cape.
- 9.2 The provincial headquarters shall be determined by the Provincial Conference.

## Rule 10 THE NATIONAL CONFERENCE

- 10.1 The National Conference is the supreme ruling and controlling body of the ANC. It shall be comprised of:

### 10.1.1 *Voting delegates:*

- 10.1.1.1 At least 90% (ninety per cent) of the delegates at Conference shall be from branches, elected at properly constituted branch general meetings. The number of delegates per branch shall be in proportion to their paid up membership, provided that each branch in good standing shall be entitled to at least 1 (one) delegate;
- 10.1.1.2 The number of delegates to be allocated to each province to attend National Conference shall be fixed by the NEC in proportion to the paid up membership of each Province;
- 10.1.1.3 All members of the National Executive Committee shall attend, *ex-officio*, as full participants in, and as delegates to, the Conference; and
- 10.1.1.4 The remainder of the voting delegates at the Conference shall be allocated by the NEC from among members of the Provincial Executive Committees, the ANC Veterans' League, the ANC Youth League and the ANC Women's League.

### 10.1.2 *Non-Voting Delegates:*

- 10.1.2.1 The NEC may invite individuals, who have made a special contribution to

the struggle or who have special skills or experience, to attend the Conference.

- 10.2 The NEC shall appoint a Conference Preparatory Committee which shall circulate Conference information in advance, determine the precise procedure for the selection of delegates and indicate how the membership can then ensure that their concerns are on the agenda.
- 10.3 The Conference shall determine its own procedures in accordance with democratic principles.
- 10.4 Voting on key issues, as determined by Conference, shall be by secret ballot if at least one third of the delegates at the National Conference demand it.
- 10.5 The National Conference shall be convened at least once every five years.

### National General Council

- 10.6 A National General Council may be convened by the NEC from time to time, provided that the NEC shall convene a National General Council not later than 30 (thirty) months after the National Conference.
- 10.7 The NEC shall, after consultation with Provinces, determine the composition of the National General Council.
- 10.8 The National General Council shall:
  - 10.8.1 Subject to 10.8.3 and 10.8.4 below, determine and review the policies and programmes of the ANC;
  - 10.8.2 Receive and discuss reports of the NEC;
  - 10.8.3 Have the right to ratify, alter or rescind any decision taken by any of the constituent bodies, units or officials of the ANC, except the National Conference, including the evaluation of the performance of members of the NEC; and
  - 10.8.4 Have the power to discuss any issue it deems necessary taking into account policies and directives of the National Conference.
- 10.9 Subject to 13.13 below, the NGC may fill vacancies that have arisen in the NEC provided that such vacancies do not exceed 50% (fifty per cent) of the NEC.

## Rule 11 DUTIES AND POWERS OF THE NATIONAL CONFERENCE

The National Conference shall:

- 11.1 Decide and determine the policy, programme and Constitution of the ANC;
- 11.2 Receive and discuss the reports of the NEC which shall include the Presidential Address, the Secretary General's Report, which shall include a report on the

work and activities of the ANC Veterans' League, the ANC Women's League and the ANC Youth League, and the Treasurer General's Report;

- 11.3 Have the right and power to review, ratify, alter or rescind any decision taken by any of the constituent structures, committees or officials of the ANC;
- 11.4 Elect the President, the Deputy President, National Chairperson, the Secretary General, Deputy Secretary General, the Treasurer General and the remaining 80 (eighty) additional members of the NEC; and
- 11.5 Have the power to elect or appoint any commission or committee and assign specific tasks and duties to such commission or committee.

## Rule 12 NATIONAL EXECUTIVE COMMITTEE

### Powers of the NEC

- 12.1 The National Executive Committee is the highest organ of the ANC between National Conferences and has the authority to lead the organisation, subject to the provisions of this Constitution.
- 12.2 Without prejudice to the generality of its powers, the NEC shall:
  - 12.2.1 Carry out the decisions and instructions of the National Conference and the National General Council;
  - 12.2.2 Issue and send directives and instructions to and receive reports from the Provinces;
  - 12.2.3 Supervise and direct the work of the ANC and all its organs, including national, provincial and local government caucuses;
  - 12.2.4 Ensure that the Provincial, Regional and Branch structures of the ANC function democratically and effectively. (The NEC may suspend or dissolve a PEC where necessary. A suspension of a PEC shall not exceed a period of 3 (three) months. Elections for a PEC, which has been dissolved, shall be called within 9 (nine months) from dissolution. The NEC may appoint an interim structure during the period of suspension or the dissolution of the PEC to fulfil the functions of the PEC);
  - 12.2.5 Oversee the work of the ANC Veterans' League, the ANC Women's League and the ANC Youth League;
  - 12.2.6 Establish Departments and set up committees, as it considers appropriate;
  - 12.2.7 Manage and control all the national and international property and assets of the ANC;
  - 12.2.8 Receive reports, supervise the work of, and delegate such functions to the NWC, as it considers necessary;

- 12.2.9 Issue documents and other policy directives as and when it deems fit;
- 12.2.10 Confer such honours, as it may deem appropriate;
- 12.2.11 Appoint annually a National List Committee of not fewer than 5 (five) and not more than 9 (nine) persons for the selection and adoption of candidates for Parliament. (The NEC shall draw up regulations for the procedures to be followed in such a selection. The National List Committee shall report to the NEC prior to the implementation of its recommendations. Provincial structures for the adoption of candidates shall report to the National List Committee);
- 12.2.12 Institute disciplinary proceedings against any member and temporarily suspend the membership of any member;
- 12.2.13 Have the power to institute and defend legal proceedings on behalf of the Organisation;
- 12.2.14 Develop and adopt Rules and Regulations and Standing Orders for the due and efficient functioning of the Organisation and the achievement of its aims and objectives;
- 12.2.15 Appoint at least 6 (six) but not more than 10 (ten) members from among its membership and/or from other structures of the ANC, one of whom shall be designated as Chairperson, to constitute the National Disciplinary Committee;
- 12.2.16 Appoint at least 6 (six) but not more than 10 (ten) members from among its membership and/or from other structures of the ANC, one of whom shall be designated as Chairperson, to constitute the National Disciplinary Committee of Appeal;
- 12.2.17 Appoint 4 (four) members as Presenters, one of whom shall be designated as Chief National Presenter, to investigate, represent and present the case of the ANC, from time to time, in any NDC and NDCA hearing;
- 12.2.18 Have the power to appoint a National Chaplaincy on an interfaith basis to provide spiritual guidance;
- 12.2.19 Have the power to delegate any of its powers to the NWC, the Officials or Secretary General;
- 12.2.20 Take all steps necessary or warranted for the due fulfilment of the aims and objectives of the ANC and the due performance of its duties; and
- 12.2.21 The NEC may:
  - 12.2.21.1 Convene a Policy Conference, as a recommendation-making body on any matter of policy, whenever it deems it necessary, but the NEC shall convene a National Policy

Conference at least 6 (six) months before the National Conference to review policies of the ANC and to recommend any new or to amend any present policy for consideration by the National Conference; and

- 12.2.21.2 Sign deployment contracts with public representatives and recall any public representative.

### Elections and composition of the NEC

- 12.3 The NEC, as a whole, shall not consist of less than 50% (fifty per cent) of women. The NEC, except where otherwise stipulated, shall be elected by secret ballot by the National Conference and shall hold office for 5 (five) years and shall be constituted as follows:
  - 12.3.1 The President, Deputy President, National Chairperson, the Secretary General, Deputy Secretary General and the Treasurer General who will be elected separately by the National Conference;
  - 12.3.2 80 (eighty) additional members of the NEC;
  - 12.3.3 The Chairperson and the Secretary of each elected ANC Provincial Executive Committee who shall be *ex-officio* members of the NEC;
  - 12.3.4 The President and Secretary General of the ANC Women's League who shall be *ex-officio* members of the NEC;
  - 12.3.5 The President and Secretary General of the ANC Youth League who shall be *ex-officio* members of the NEC;
  - 12.3.6 The President and Secretary General of the ANC Veterans' League who shall be *ex-officio* members of the NEC.
  - 12.3.7 Not more than 5 (five) additional members that the NEC may co-opt at any time during its term of office in order to provide for a balanced representation that reflects the true character of the South African people.
- 12.4 Should a vacancy occur on the NEC for any reason, the NEC shall have the power to appoint a replacement.
- 12.5 The quorum for meetings of the NEC shall be 50% (fifty per cent) plus 1(one) of its total membership.
- 12.6 A person must have been a member in good standing of the ANC for at least 10 (ten) years before she or he can be nominated for election to the NEC.
- 12.7 Nominations for the NEC members referred to in Rule 12.3.1 and 12.3.2 above, shall be by the following procedure:
  - 12.7.1 Subject to sub-rule 12.7.1.1 below, nominations for the posts of:
    - 1. The President;
    - 2. Deputy President;
    - 3. National Chairperson;
    - 4. Secretary General;



5. Deputy Secretary General; and
  6. Treasurer General,
- shall be made by any Province and placed before the National Conference.

12.7.1.1 A delegate to the Conference shall, however, have the right to nominate any person whose name has not been proposed in terms of Rule 12.7.1 above. In such event the presiding officer shall call for seconders for the nomination. If such nomination is seconded by a minimum of 25% (twenty-five per cent) of Conference delegates, then such nomination shall be regarded as having been duly seconded, in which event the name of such nominee shall be placed on the ballot paper. If the nomination fails to secure the support of a minimum of 25% (twenty five per cent) of conference delegates, such nomination shall fall away.

12.7.2 Nominations of candidates for election to the NEC, other than the above positions, shall be carried out by the following procedure:

12.7.2.1 Subject to subrule 12.7.2.2 below, only those candidates who have been proposed by a Province shall appear on the National Conference ballot paper.

12.7.2.2 Subject to sub-rule 12.7.2.3 below, a delegate to the Conference shall, however, have the right to nominate any person whose name has not been proposed in terms of 12.7.1 above. In such event the presiding officer shall call for seconders to the nomination. If such nomination is seconded by a show of hands by a minimum of 25% (twenty five per cent) of Conference delegates, then such nomination must be regarded as having been duly seconded, in which event the name of such nominee shall be placed on the ballot paper. If the nominee fails to secure the support of a minimum of 25% (twenty five percent) of delegates, such nomination shall fall away.

12.7.2.3 Not more than 2 (two) persons per province may be successfully nominated in terms of 12.7.2.2 above.

12.8 For purposes of the nomination procedures referred to in Rules 12.7.1 and 12.7.2 the Veterans' League, as a whole, the Women's League, as a whole and the Youth League, as a whole, shall be regarded as a province.

12.9 Voting shall take place by secret ballot. Each voting

delegate shall vote once in each ballot.

12.10 In accordance with Rule 6, not less than 50% (fifty per cent) of the directly elected and co-opted members of the NEC must be women.

12.11 Subject to the provisions of this Constitution, the Secretary General, the Deputy Secretary General and the Treasurer General shall be full-time functionaries of the ANC.

12.12 The NEC shall meet in plenary session at least once every three months and will provide broad political and organisational perspectives to the National Working Committee.

12.13 The NEC may invite any ANC member in good standing to attend its meetings. The number of invitees shall be limited by the NEC. An invitee may speak and participate at such meeting, but shall not vote.

12.14 A member who is elected to the NEC shall resign from any lower executive structure in the ANC.

## **Rule 13 NATIONAL WORKING COMMITTEE**

13.1 As soon as possible after the conclusion of the National Conference, the NEC shall meet and elect a National Working Committee.

13.2 The National Working Committee shall be constituted as follows:

1. The President;
2. Deputy President;
3. National Chairperson;
4. Secretary General;
5. Deputy Secretary General; and
6. the Treasurer General.

13.3 In addition, the NEC shall elect additional members to the NWC from among the directly elected members of the NEC. These shall not exceed one-quarter of the composition of the directly elected members.

13.4 The members of the NWC may not necessarily be full-time functionaries of the ANC. However, the NEC shall determine the extent to which the elected members shall be full-time functionaries who may be allocated specific responsibilities.

13.5 The ANC Veterans' League, ANC Women's League and the ANC Youth League shall appoint one representative each to serve on the NWC.

13.6 In accordance with Rule 6, not less than 50% (fifty per cent) of the members of the NWC must be women.

13.7 The NWC may invite any ANC member in good standing to attend its meetings. The number of invitees shall be limited by the NWC. An invitee can be given a specific assignment by the NWC, but cannot speak on behalf

of the NWC. An invitee may speak and participate at such meeting for the purpose for which he or she was invited, but shall not vote.

13.8 The National Working Committee shall:

- 13.8.1 Carry out decisions and instructions of the NEC;
- 13.8.2 Conduct the current work of the ANC and ensure that provinces, regions, branches and all other ANC structures, such as parliamentary caucuses, carry out the decisions of the ANC; and
- 13.8.3 Submit a report to each NEC meeting.

## Rule 14 THE ELECTORAL COMMISSION

14.1 The NEC shall appoint an Electoral Commission of not fewer than 3 (three) members whose task it will be:

- 14.1.1 To prepare the ballot papers;
- 14.1.2 To make provision for ballot boxes or other means of secret voting;
- 14.1.3 To create machinery for the counting of ballot papers and the effective supervision of the counting of votes;
- 14.1.4 To announce the results of all ballots and make known the number of votes received by each successful candidate; and
- 14.1.5 To establish procedures for voting and to determine any dispute raised in regard to elections and election procedures, and to determine how any tied vote should be resolved.

14.2 The names of the electoral commission, whose work is to commence before the Conference opens, shall be submitted to the National Conference for endorsement and they will then be complemented by a representative appointed by each Provincial and League delegation.

## Rule 15 THE NATIONAL FINANCE COMMITTEE

15.1 The NEC shall appoint the National Finance Committee.

15.2 The NEC shall determine the composition and powers of the National Finance Committee.

15.3 The National Finance Committee will report to the NEC at least twice a year on the finances and budget of the ANC.

## Rule 16 DUTIES AND FUNCTIONS OF OFFICIALS

The powers and duties of the individual members of the Officials are as set out below.

### 16.1 *The President*

The President is the political head and chief directing officer of the ANC and the leader of the house at National Conference or National General Council meetings. He or she shall:

- 16.1.1 Make pronouncements for and on behalf of the NEC outlining and explaining the policy or attitude of the ANC on any question;
- 16.1.2 Present to the National Conference and National General Council a comprehensive statement of the state of the nation and the political situation generally; and
- 16.1.3 Under the overall supervision of the NEC, orient and direct the activities of the ANC.

### 16.2 *Deputy President*

The Deputy President shall assist the President, deputise for him or her when necessary and carry out whatever functions that are entrusted to him or her by the National Conference, the National General Council, the President, the NWC or the NEC. He or she shall be an *ex-officio* member of the NWC.

16.3 In the event of death or permanent incapacity of the President and the Deputy President, the NEC shall as soon as possible appoint an Acting President until such time as the National Conference meets. Until such appointment is made, the provisions of 16.6.7 shall apply.

### 16.4 *The National Chairperson*

The National Chairperson shall:

- 16.4.1 Remain the custodian of the policies adopted and decisions taken by the National Conference and National General Council and ensure that all organs of the ANC implement decisions taken by the National Conference, National General Council, NEC and the NWC and operate within the parameters of policy set out by the National Conference, NGC and the NEC;
- 16.4.2 Preside over meetings of the National Conference, the National General Council, the NEC and the NWC;
- 16.4.3 Carry out such additional tasks or functions, as are entrusted to him or her, by the Conference, Council, NEC or NWC.

16.5 In the absence or incapacity of the National Chairperson, the President will assume his or her functions.

### 16.6 *The Secretary General*

The Secretary General is the chief administrative officer of the ANC. He or she shall:

- 16.6.1 Communicate the decisions of all national structures of the ANC on behalf of the NEC;
- 16.6.2 Keep the minutes of the National Conference, the National General Council, the NEC, the NWC, as well as other records of the ANC;
- 16.6.3 Conduct the correspondence of the NEC and the NWC and send out notices of all conferences and meetings at the national level;
- 16.6.4 Convey the decisions and instructions of the National Conference, the National General Council, the NEC and the NWC to the provincial executive committees and see to it that all units of the ANC carry out their duties properly.
- 16.6.5 Prepare annual reports on the work of the NEC and the NWC and such other documents which may, from time to time, be required by the NEC and the NWC;
- 16.6.6 Present to the National Conference and National General Council a comprehensive statement of the state of the organisation and the administrative situation of the ANC;
- 16.7 In the absence of the President and the Deputy President, the Secretary General shall assume the functions of the President.
- 16.8 All departments shall report on their activities and be accountable to the Secretary General.
- 16.9 **Deputy Secretary General**  
The Deputy Secretary General shall assist the Secretary General, deputise for him or her, when necessary, and carry out the functions entrusted to the Secretary General by the National Conference, the National Council, the NEC, or NWC and shall be an *ex-officio* member of the NWC.
- 16.10 **Treasurer General**  
The Treasurer General is the chief custodian of the funds and property of the ANC. He or she shall:
  - 16.10.1 Receive and bank all monies on behalf of the NEC and shall, together with any 2 (two) members of the NEC, open and operate a banking account;
  - 16.10.2 Keep such books of account as may be necessary to record accurately the financial position of the ANC;
  - 16.10.3 Submit to the National Conference a report showing the Income and Expenditure Account and Balance Sheet of the ANC for the period since the previous National Conference, and shall submit periodic reports to the NEC and the NWC;
  - 16.10.4 Be responsible, with the National Finance Committee, for working out and executing plans for fund raising; and
  - 16.10.5 Present to the National Conference and Na-

tional General Council a comprehensive statement of the state of the finances of the ANC.

## **Rule 17 PROVINCIAL CONFERENCE**

17.1 Subject to the decisions of the National Conference and the National General Council, and the overall guidance of the NEC, the Provincial Conference is the highest organ of the ANC in each Province.

17.2 The Provincial Conference shall:

17.2.1 Be held at least once every 4 (four) years and more often if requested by at least one third of all branches in the Province.

17.2.2 Be composed of:

(i) **Voting delegates** as follows:

17.2.2.1 At least 90% (ninety per cent) of the delegates at the Conference shall be from branches, elected at properly constituted branch general meetings. The number of delegates per branch shall be in proportion to their paid up membership, provided that each branch in good standing shall be entitled to at least 1 (one) delegate.

17.2.2.2 All members of the Provincial Executive Committee shall attend *ex-officio* as full participants in and delegates to the Conference.

17.2.2.3 The remainder of the voting delegates at Conference shall be from members of the RECs, ANC Veterans' League, ANC Youth League and the ANC Women's League, as allocated by the PEC.

(ii) **Non voting delegates**

17.2.2.4 The PEC may invite individuals, who have made a special contribution to the struggle or who have special skills or experience, to attend the Conference. In addition, the PEC shall permit representation as non-voting delegates to structures, which do not have the minimum requirement to form a branch.

Provincial Conference shall:

17.2.2.5 Determine its own procedures in accordance with democratic principles and practices;

17.2.2.6 Vote on key questions by secret ballot if at least one third of

the delegates at the Provincial Conference demand it; and

- 17.2.2.7 Vote for the election of the PEC by secret ballot. Each voting delegate shall vote once in each ballot.

### 17.3 The Provincial Conference shall:

- 17.3.1 Promote and implement the decisions and policies of the National Conference, the National General Council, the NEC and the NWC;
- 17.3.2 Receive and consider reports by the Provincial Executive Committee, which shall include the Chairperson's address, the Secretary's report, which shall include a report on the work and activities of the Veterans' League, Women's League and Youth League in the province, and the Treasurer's report;
- 17.3.3 Elect the Provincial Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and the additional 30 (thirty) members of the Provincial Executive Committee, who will hold office for four (4) years. The Provincial Secretary shall be a full-time functionary of the organisation;
- 17.3.4 Carry out and develop the policies and programmes of the ANC in the Province;
- 17.3.5 Have the right and power to review, ratify, confirm, alter or rescind any decision taken by any of the constituent structures or officials of the ANC in the Province; and
- 17.3.6 Have the power to elect or appoint any commission or committee and assign specific tasks and duties to such commission or committee.

- 17.4 A member elected to the PEC shall resign from any position held in a lower structure in the ANC.

## Rule 18 THE PROVINCIAL GENERAL COUNCIL

- 18.1 A Provincial General Council (PGC) shall be convened between Provincial Conferences.

- 18.2 The PGC shall meet at least once a year. A PGC will, on good cause shown, be convened by the PEC upon the request of one-third of branches in the Province.

### Composition

- 18.3 The PGC consists of all members of the PEC and delegates representing branches in proportion to their membership, with a minimum of 1 (one) delegate per branch. The ANC Veterans' League, ANC Women's League and the ANC Youth League shall be represented by their respective PECs. The RECs will be

appropriately represented as determined by the PEC.

### Powers and duties

- 18.4 The PGC may discuss and decide any issue it deems necessary, including any matter brought before it by the PEC, and may decide on any matter falling within its competence, subject always to the policies and directives of the National Conference, National General Council, Provincial Conference and the NEC.

### Filling of vacancies

- 18.5 The PGC may fill any vacancy on the PEC, provided that the filling of vacancies does not exceed 50% (fifty per cent) of the membership of the PEC.

## Rule 19 PROVINCIAL EXECUTIVE COMMITTEE

### Authority

- 19.1 The PEC is the highest organ of the ANC in a province between Provincial Conferences and has the authority to lead the organisation in the province, subject to the provisions of this Constitution.

### Composition

- 19.2 The PEC shall consist of elected, co-opted and *ex-officio* members.
- 19.3 The elected members shall consist of the Provincial Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and not more than 30 (thirty) other persons elected by the Provincial Conference. A person must have been a member in good standing of the ANC for 7 (seven) years before she or he can be nominated to a Provincial Executive Committee of the ANC.
- 19.4 Each Region in the Province shall be equally represented in the PEC, by the Chairperson and/or the Secretary, as determined by the PEC, with *ex-officio* status, provided that the number of regional representatives on the PEC does not exceed the number of elected members of the PEC.
- 19.5 The ANC Veterans' League, the ANC Women's League and the ANC Youth League in the Province shall be represented by the Chairperson and Secretary of the respective Leagues in the PEC with *ex-officio* status.
- 19.6 The PEC may co-opt not more than 3 (three) persons, in order to provide for a balanced representation that reflects the true character of the South African people.
- 19.7 In accordance with Rule 6 above, not less than 50% (fifty per cent) of the directly elected and co-opted members of the PEC must be women.

### Invited members

- 19.8 The PEC may invite any ANC member in good standing to attend its meetings. The number of invitees shall be limited by the PEC. An invitee may be given a specific



assignment by the PEC, but may not speak on behalf of the PEC. An invitee may speak and participate at such meeting, but shall not vote.

### **Powers and duties**

19.9 The PEC shall:

- 19.9.1 Meet as soon as possible after its election to elect the Provincial Working Committee and thereafter meet at least once a month;
- 19.9.2 Carry out the policies and programmes of the ANC in the Province and do all things necessary to further the interests, aims and objectives of the Organisation;
- 19.9.3 Carry out the decisions and instructions of the Provincial Conference, the PGC, the NEC and the NWC;
- 19.9.4 Provide broad political and organisational perspectives to the Provincial Working Committee. (For this purpose it shall receive reports, supervise the work of and delegate such functions to the PWC, as it considers necessary);
- 19.9.5 Manage and control the funds and assets of the ANC in the Province;
- 19.9.6 Submit reports to the NEC, the Provincial Conference and the Provincial General Council, as often as is required, on the state of the organisation, the financial position of the Province, and such other matters as may be specified;
- 19.9.7 Issue and send directives and instructions to and receive reports from the Regions, Branches and other substructures in the Province;
- 19.9.8 Supervise and direct the work of the ANC and all its organs in the Province, including the ANC provincial and local government caucuses;
- 19.9.9 Oversee the work of the ANC Veterans' League, the ANC Women's League and the ANC Youth League in the Province;
- 19.9.10 Ensure that the Provincial, Regional, Branch and other structures of the ANC in the Province function democratically and effectively. (To this end, it shall organise, establish and service Branches in the Province and supervise the work of the Regions in the Province; suspend, dissolve and re-launch Branch Executive Committees and Regional Executive Committees where necessary, subject to any directives from the Provincial Conference, provided that where a BEC or a REC has been suspended or dissolved there shall be a right of appeal to the NEC. A suspension of a REC shall not exceed a period of two months. Elections for a REC, which has been dissolved, shall be called within six months from the date of dissolution. A suspension of a BEC shall not exceed a period of one month. Elections for a BEC, which

has been dissolved, shall be called within three months from the date of dissolution. The Provincial Executive Committee may appoint an interim structure during the period of suspension or the dissolution of the REC or BEC to fulfil the functions of such REC or BEC);

- 19.9.11 Establish, wherever possible, Provincial Departments in line with National Departments and establish committees, as it considers appropriate;
  - 19.9.12 Issue documents and other provincial policy directives, as and when it deems fit;
  - 19.9.13 Appoint the provincial and regional staff as required, subject to directions from the office of the Secretary General;
  - 19.9.14 Have the duty to appoint annually a Provincial List and Candidates Committee, of not less than five and not more than nine persons, which will identify regulations for the drawing up of the Provincial List of candidates for national elections, provincial elections and for the selection of candidates for local government elections. (The Provincial Executive Committee shall report to the NEC and shall be bound by the recommendations of the National List Committee.)
  - 19.9.15 Appoint at least 5 (five) but not more than 10 (ten) members from the PEC and/or from any structure within the Province, one of whom shall be designated as Chairperson, to constitute the Provincial Disciplinary Committee;
  - 19.9.16 Appoint 4 (four) members as Presenters, one of whom shall be designated as Chief Provincial Presenter, to represent and present the case of the ANC in any PDC hearing and in appeal and review proceedings before the NDC; and
  - 19.9.17 Take all steps necessary or warranted for the due fulfilment of the aims and objectives of the ANC in the Province and the due performance of its duties.
- 19.10 The quorum for any meeting of the PEC shall be 50% (fifty percent) + 1 (one) of its total membership.
  - 19.11 Provincial officials shall, with due allowance for differences of scale and level of work, perform the same functions as their national counterparts, provided that there is no equivalent or counterpart for the position of National Chairperson.

## **Rule 20 PROVINCIAL WORKING COMMITTEE**

### **Composition**

20.1 The Provincial Working Committee (PWC) shall

consist of the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary and Treasurer of the Province and the Chairperson or Secretary of the ANC Veterans' League, the ANC Women's League and the ANC Youth League in that Province and not less than one quarter of its directly elected members. The PEC shall elect the additional members of the PWC from amongst the directly elected additional members of the PEC.

- 20.2 In accordance with Rule 6 above, not less than 50% (fifty per cent) of the members of the PWC shall be women.

#### Powers and duties

20.3 The PWC shall:

- 20.3.1 Carry out decisions and instructions of the Provincial Conference, the NEC and the PEC;
- 20.3.2 Conduct the current work of the ANC in the province and ensure that regions, branches and all other ANC structures, such as parliamentary caucuses, carry out the decisions of the ANC; and
- 20.3.3 Submit a report to each PEC meeting.

#### Meetings

- 20.4 The PWC will meet as often as is necessary, but at least once every two weeks.

#### Invitees

- 20.5 The PWC may invite any ANC member in good standing to attend its meetings. The number of invitees shall be limited by the PWC. An invitee may be given a specific assignment by the PWC, but may not speak on behalf of the PWC. An invitee may speak and participate at such meeting for the purpose for which he or she was invited, but shall not vote.

## Rule 21 REGIONS

- 21.1 The PEC, under the supervision of the NEC, shall divide the Province into regions for the more efficient and democratic functioning of the ANC.
- 21.2 Provincial Regions shall be demarcated to correspond strictly to district and metro municipal boundaries in each Province.

#### Regional Conference

- 21.3 Each Region shall hold a Regional Conference once every 3 (three) years.
- 21.4 The Regional Conference shall be composed of:
- (i) **Voting delegates** as follows:
    - 21.4.1 At least 90% (ninety per cent) of the delegates at the Conference shall be from Branches in the Region, elected at properly constituted Branch General Meetings. The number of delegates per Branch shall be in

proportion to their paid up membership, provided that each Branch in good standing shall be entitled to at least 1 (one) delegate.

- 21.4.2 All members of the Regional Executive Committee shall attend *ex-officio* as full participants in and as delegates to the Conference.
- 21.4.3 The remainder of the voting delegates at Conference shall be from among members of the BECs, the ANC Veterans' League, the ANC Youth League and the ANC Women's League, as allocated by the REC.

#### (ii) **Non voting delegates**

- 21.4.4 The REC may invite individuals, who have made a special contribution to the struggle or who have special skills or experience, to attend the Conference. In addition, the REC shall permit representation as non-voting delegates to structures, which do not have the minimum requirement to form a Branch.

21.5 The Regional Conference shall:

- 21.5.1 Promote and implement the decisions and policies of the PGC, the PEC and the PWC;
- 21.5.2 Receive and consider reports by the Regional Executive Committee, which shall include the Chairperson's address, the Secretary's report, which shall include a report on the work and activities of the ANC Veterans' League, the ANC Women's League and the ANC Youth League in the Province, and the Treasurer's report;
- 21.5.3 Elect the Regional Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and 20 (twenty) additional members who shall hold office for 3 (three) years. In addition the Chair and Secretary of the ANC Veterans' League, the ANC Women's League and the ANC Youth League in that Region shall be *ex-officio* members of the Regional Executive Committee. A person must have been a member of the ANC for at least 5 (five) years before he or she can be nominated to a Regional Executive Committee of the ANC. The Regional Secretary shall be a full-time functionary of the ANC.
- 21.6 Each Branch in good standing within a Region shall be entitled to send delegates to the Regional Conference in proportion to its members.
- 21.7 A member elected to the REC shall resign from any position held in a lower structure in the ANC.
- 21.8 There shall be at least one Regional Council Meeting in the course of each year with each Branch being entitled to send at least one delegate. Additional Regional

Council meetings may be convened by the Regional Executive Committee or the PEC or at the request of at least one third of the delegates.

### **Powers of REC**

21.9 The REC shall be accountable to the PEC for its functioning.

21.10 The powers of the REC are those as may be delegated to it by the PEC. In addition, the REC may, subject to the directions and instructions of the PEC, exercise the following powers:

- 21.10.1 Meet as soon as possible after its election to elect the Regional Working Committee and thereafter meet as and when necessary but at least once a month;
- 21.10.2 Carry out the policy and programme of the ANC in the Region and do all things necessary to further the interests, aims and objectives of the Organisation;
- 21.10.3 Carry out the decisions and instructions of the Provincial Conference, the Provincial General Council, the PEC, the Regional Conference and the Regional Council;
- 21.10.4 Provide broad political and organisational perspectives to the Regional Working Committee. It shall further receive reports, supervise the work of, and delegate such functions to the RWC, as it considers it necessary;
- 21.10.5 Manage and control the funds and assets of the ANC in the Region;
- 21.10.6 Submit reports to the PEC, the Regional Conference and the Regional General Council, as often as is required, on the state of the Organisation, the financial position of the Region, and such other matters as may be specified;
- 21.10.7 Request and receive reports from the Branches and other substructures in the Region;
- 21.10.8 Supervise and direct the work of the ANC and all its organs in the Region, including the ANC local government caucuses; and
- 21.10.9 Recommend to the PEC the suspension or dissolution of a BEC, a Zonal Committee or a Sub-Regional Committee.

21.11 The REC may co-opt no more than 2 (two) persons, in order to provide for a balanced representation that reflects the true character of the South African people.

21.12 In accordance with Rule 6 above, not less than 50% (fifty per cent) of the directly elected and co-opted members of the REC must be women.

### **Invitees**

21.13 The REC may invite any ANC member in good standing to attend its meetings. The number of invitees shall be

limited by the REC. An invitee may be given a specific assignment by the REC, but may not speak on behalf of the REC. An invitee may speak or participate at such meeting, but may not vote.

### **21.14 The Regional Working Committee**

21.14.1 The Regional Working Committee (RWC) shall consist of the Chairperson, Deputy Chairperson, Secretary, Deputy Secretary and Treasurer of the Region and not less than one quarter of its directly elected members plus officials, including the Chairperson or Secretary of the ANC Veterans' League, the ANC Women's League and the ANC Youth League in that Region. The REC shall elect the RWC from among the directly elected additional members of the REC.

21.14.2 The RWC shall:

- 21.14.2.1 Carry out decisions and instructions of the NEC, PEC, REC, the Regional Conference and the Regional General Council;
- 21.14.2.2 Conduct the current work of the ANC in the Region and ensure that Branches and all other ANC structures, such as municipal council caucuses, carry out the decisions of the ANC; and
- 21.14.2.3 Submit a report to each REC meeting.

### **Meetings and representation**

21.15 The RWC will meet as and when necessary but at least every two weeks.

21.16 In accordance with Rule 6 above, not less than 50% (fifty per cent) of the members of the RWC must be women.

### **Invitees**

21.17 The RWC may invite any ANC member in good standing to attend its meetings. The number of invitees shall be limited by the RWC. An invitee may be given a specific assignment by the RWC, but may not speak on behalf of the RWC. An invitee may speak and participate at such meeting for the purpose for which he or she was invited, but may not vote.

## **Rule 22 PROVINCIAL CHAPLAINCIES**

Provincial Chaplains may be appointed by the PEC on the same basis as the National Chaplaincy.

## Rule 23 BRANCHES

- 23.1 Every member of the ANC shall belong to a branch, which is the basic structure of the organisation.
- 23.2 The branch shall:
- 23.2.1 Be registered with the PEC and have a minimum of 100 (one hundred) members, provided that the PEC may confer special recognition, where due to exceptional circumstances, the Branch has fewer than 100 (one hundred) members;
  - 23.2.2 Meet as provided for in the rules and regulations, at least once per month in a general meeting;
  - 23.2.3 Be the place where members exercise their basic democratic rights to discuss and formulate policy;
  - 23.2.4 Be the basic unit of activity for members.
  - 23.2.5 Elect at a biennial general meeting a Branch Executive Committee consisting of a Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer, and 10 (ten) additional members. A person must have been a member of the ANC for 2 (two) years before she or he can be nominated to a Branch Executive Committee of the ANC, provided that where a new Branch is being established, the PEC may waive this provision. The ANC Veterans' League, the ANC Women's League and ANC Youth League shall be represented on the BEC, by the chairperson and secretary of the ANC Veterans' League Branch, the ANC Women's League Branch and the ANC Youth League Branch within that Branch, with *ex-officio* status.
- 23.3 Branches covering an extensive geographical area, or in respect of which some special circumstance exists, may divide into smaller manageable units. Such units shall only be used as a co-coordinating and administrative tool by the Branch and shall not possess any decision-making powers. These units shall operate on the basis of acceptable democratic principles and practices.
- 23.4 In accordance with Rule 6 above, not less than 50% (fifty per cent) of the directly elected and co-opted members of the BEC shall be women.
- 23.5 The Branch shall meet at least once per month in a general meeting.
- 23.6 The **Branch Executive Committee (BEC)** shall:
- 23.6.1 Meet as soon as possible after its election and allocate tasks and functions among its members to enable it to carry out the day-to-day activities of the Branch;
  - 23.6.2 Carry out the publicity and organisational work in its area in furtherance of the policies, programmes and decisions of the ANC;
  - 23.6.3 Meet at least once per fortnight;
  - 23.6.4 Submit reports on its work to the Branch

meeting and at least each month to the Regional Executive Committee;

- 23.6.5 Co-opt not more than 3 (three) persons, if it considers it necessary to ensure greater representivity.

- 23.7 The quorum for each meeting of the Branch Executive Committee shall be 50% (fifty percent) plus 1 (one) of the total BEC membership.
- 23.8 The quorum for the Annual Branch Meeting and any other Branch meetings where the Branch makes nominations of candidates for elections within the ANC or for public representatives or takes decisions relating to policy matters, shall be 50% (fifty per cent) plus 1 (one) of the total paid-up members of the Branch.

## Rule 24 ZONAL STRUCTURES AND SUB-REGIONS

- 24.1 The PEC, under the guidance of the NEC, must establish Sub-Regions within a Region. Sub-Regions shall be demarcated to correspond strictly with B-type or metro sub-council municipal boundaries, depending on their location, with similar arrangements and powers that apply to Zones.
- 24.2 Any 3 (three) or more Branches within a Region for the purpose of coordinating activities and better organisational efficiency, shall be formed into a Zone at the instance of the Regional Executive Committee after consultation with the relevant Branches, or on application to the PEC, by at least 2 (two) Branches within an area of a proposed Zone.
- 24.3 Whenever a Sub-Region or Zone has been established, the Branch Executive of constituent Branches, within that sub-region or zone, will at a properly convened meeting elect a Sub-Regional or Zonal Committee, as the case may be, consisting of a Chairperson, Deputy Chairperson, Secretary, Deputy Secretary, Treasurer and five (5) additional members elected from constituent Branches in a meeting convened every two (2) years for that purpose.
- 24.4 In accordance with Rule 6 above, not less than 50% (fifty per cent) of the members of the Sub-Regional Committee and the Zonal committee must be women.
- 24.5 Where Sub-Regional or Zonal structures of the Veterans' League, Women's League and Youth League exist, they will be represented by 1 (one) member each, subject to the same provisions relating to the requirement for ANC membership.
- 24.6 The tasks of the Sub-Regional or Zonal Committee shall include the following:
- 24.6.1 To meet at least once a month;
  - 24.6.2 To co-ordinate the work and activities of the



constituent Branches and submit reports to the REC;

24.6.3 To see to the implementation of the instructions of the NEC, the PEC, the PWC or the REC in the Sub-Region or Zone;

24.6.4 To participate in the work of the Regional Council; and

24.6.5 To maintain effective links with all Branches in the Sub-Region or Zone.

## **Rule 25 MANAGEMENT OF ORGANISATIONAL DISCIPLINE**

### **Duties of members, officer bearers and public representatives**

25.1 The Secretary General and Provincial Secretaries shall communicate all Standing Orders, Rules, Regulations, Resolutions and policies adopted or made in terms of the Constitution to the structures of the ANC.

25.2 All members, office bearers and public representatives have a duty to familiarise themselves with the contents of this Constitution, Standing Orders, Rules, Regulations, Resolutions and policies adopted or made in terms of the Constitution.

25.3 Any member, office bearer or public representative who fails, refuses and/or neglects to abide by the provisions of the Constitution of the ANC, its Standing Orders, Rules, Regulations, Resolutions and policies adopted or made in terms of the Constitution shall be liable to be disciplined in terms of this Constitution.

### **Jurisdiction**

25.4 The ANC shall have jurisdiction to discipline any member, office bearer or public representative for committing any act of misconduct as contained in Rule 25.17 below as a member of the ANC and/or by virtue of his or her contract of deployment and/or by virtue of his or her membership of any of the structures of the ANC.

### **Presumption of knowledge**

25.5 Notwithstanding a principle of this Constitution that a member is presumed innocent until proven guilty, the charged member, in disciplinary proceedings, shall be presumed to have knowledge of the documents and information referred to in Rule 25.2 above and shall bear the onus of rebutting this presumption.

### **Disciplinary proceedings not to stifle debate or solve private problems**

25.6 Disciplinary proceedings against a member shall not:  
25.6.1 Be used as a means of stifling debate or denying members their basic democratic rights; or  
25.6.2 Be instituted as a means of solving private

problems or as a means of interfering in the private lives of members where the norms of the Organisation are not directly affected, unless such conduct itself constitutes a violation or an offence affecting the Organisation.

25.7 The Presenter at any disciplinary proceedings shall do all in his or her power to ensure that disciplinary proceedings are not instituted for any of the purposes set out in Rule 25.6 above.

25.8 If the Presenter has information that disciplinary proceedings have been instituted for any ulterior motive, the Presenter shall disclose such information to the Chairperson of the relevant Disciplinary Committee who, in turn, shall have the discretion to investigate such information and, if necessary, refer the matter for further investigation to the relevant party which instituted the disciplinary proceedings, prior to the commencement of the disciplinary proceedings or to put an immediate stop to such disciplinary proceedings.

### **Institution of disciplinary proceedings**

25.9 The NEC, the NWC, the PEC, the PWC, the REC, the RWC, the BEC or office bearers of any of these structures or the relevant body exercising its right to invoke disciplinary proceedings under this Constitution, may initiate and/or institute disciplinary proceedings against any member, office bearer or public representative of the Organisation in respect of any act of misconduct referred to in Rule 25.17 below.

25.10 If a REC, RWC or BEC or office bearers of these structures, as the case may be, is satisfied that the institution of disciplinary proceedings is warranted against a member or office bearer of an REC or BEC within its Region or Branch in respect of any misconduct referred to in Rule 25.17 below, he or she shall first obtain the written approval of the Provincial Secretary before commencing with the institution of such disciplinary proceedings.

### **One stage inquiry and onus**

25.11 Disciplinary proceedings in the ANC shall be a one-stage inquiry and shall be conducted in terms of the procedure set out in *Appendix 3*. All the evidence regarding the merits of the case and all evidence relating to an appropriate sanction shall be led by the parties before the Disciplinary Committee retires to adjudicate and make its finding.

25.12 The onus shall be on the Presenter in disciplinary proceedings to lead evidence, to prove the guilt of a charged member on a balance of probabilities and, if it chooses, in aggravation of a sanction.

25.13 A charged member shall have the right to lead evidence, call relevant witnesses, submit documentary evidence, interrogate all evidence submitted by the ANC and cross-examine witnesses called by the Presenter in making or supporting his or her defence and in mitigation of a sanction.

- 25.14 After all the evidence has been led, the members of the Disciplinary Committee concerned shall deliberate in private and make a finding.
- 25.15 A Disciplinary Committee which has conducted a disciplinary hearing in terms of this Constitution may make a finding of guilt and impose an appropriate sanction only if it is satisfied that the evidence presented is of such a cogent nature as to prove the guilt of such member, office bearer or public representative on a balance of probabilities.
- 25.16 Where the Disciplinary Committee concerned makes a finding of guilt, it shall take into consideration all information and evidence placed before it in aggravation and mitigation of sanction, before imposing an appropriate sanction.
- Acts of misconduct**
- 25.17 The following conduct by a member, officer bearer or public representative shall constitute misconduct in respect of which disciplinary proceedings may be invoked and instituted against him or her:
- 25.17.1 Conviction in a court of law and being sentenced to a term of imprisonment without the option of a fine, for any serious non-political offence;
- 25.17.2 Conviction in a court of law for any serious non-political offence;
- 25.17.3 Failing, refusing or neglecting to execute or comply with any ANC Policy, Standing Order, Rule, Regulation or Resolution adopted or made in terms of this Constitution or breaching the provisions of this Constitution;
- 25.17.4 Behaving in a manner or making any utterance which brings or could bring or has the potential to bring or as a consequence thereof brings the ANC into disrepute;
- 25.17.5 Sowing racism, sexism, tribal chauvinism, religious and political intolerance, regionalism or any other form of discrimination;
- 25.17.6 Behaving in a manner which provokes or is likely to provoke or has the potential to provoke division or impact negatively on the unity of the ANC;
- 25.17.7 Engaging in sexual or physical abuse of women or children or abuse of office to obtain sexual or any other undue advantage from members or others;
- 25.17.8 Abuse of elected or employed office in the Organisation or in the State to obtain any direct or indirect undue advantage or enrichment;
- 25.17.9 Participating in any organised factional activity that goes beyond the recognised norms of free debate inside the ANC and which threatens its unity;
- 25.17.10 Publishing and/or distributing any media publication without authorisation which purports to be the view of any organised grouping, faction or tendency within the ANC;
- 25.17.11 Undermining the respect for or impeding the functioning of any structure or committee of the ANC;
- 25.17.12 Joining or supporting a political organisation or party, other than an organisation in alliance with the ANC, in a manner contrary to the aims, objectives and policy of the ANC;
- 25.17.13 Standing in an election for local, provincial or national government or acting as the election agent or canvasser of a person standing in such election for any political party and in opposition to a candidate duly endorsed by the NEC or PEC;
- 25.17.14 Misappropriating funds of the ANC or destroying its property;
- 25.17.15 Fighting, assaulting another member or behaving in a disorderly or unruly manner at ANC meetings, assemblies or gatherings and/or disrupting meetings and interfering with the orderly functioning of the ANC;
- 25.17.16 Prejudicing the integrity or repute of the Organisation, its personnel or its operational capacity by:
- 25.17.16.1 impeding the activities of the Organisation;
- 25.17.16.2 creating divisions within its ranks or membership;
- 25.17.16.3 doing any other act which undermines the ANC's effectiveness as an organisation; or
- 25.17.16.4 acting on behalf of or in collaboration with:
1. counter-revolutionary forces;
  2. a political organisation or party other than an organisation or party in alliance with the ANC in a manner contrary to the aims, policies and objectives of the ANC;
  3. intelligence or the security services of other countries; or
  4. any person or group who seriously interferes with the work of the Organisation or prevents it from fulfilling its mission and objectives.
- 25.17.17 Being convicted in a court of law for the offence of fraud, theft of money, corruption, money-laundering, racketeering or any other act of financial impropriety;
- 25.17.18 Soliciting or accepting any bribe for performing or not performing any task pertain-

ing to or in connection with the ANC;

25.17.19 In the case of a public representative, breaching his or her contract of deployment concluded with the NEC;

25.17.20 In the case of a member of an ANC Caucus, failing, refusing or neglecting to carry out or execute an instruction or mandate of such caucus; and

25.17.21 In the case of a representative in disciplinary proceedings, charging or soliciting a fee for services rendered or levying a disbursement for associated costs when representing a charged member, appellant or review applicant, as the case may be.

25.18 Notwithstanding the discretion afforded to a Disciplinary Committee in terms Rules 25.21 and 25.22 below, any member, office bearer or public representative found guilty by a Disciplinary Committee of any act of misconduct referred to in Rule 25.17. 12, 25.17.13 or 25.17.17 above shall be ineligible to be or remain as a member of the ANC and shall be expelled from the Organisation.

#### **National Disciplinary Committee**

25.19 The quorum for any sitting of the NDC shall be 3 (three) of the members appointed in terms of 12.2.17 above, one of whom shall chair the relevant disciplinary proceedings in the absence of the designated Chairperson of the NDC.

25.20 The NDC shall have jurisdiction to:

25.20.1 Hear and adjudicate upon any violation or act of misconduct contemplated in Rule 25.17 above and referred to it by the relevant body.

25.20.2 Act as an appeal committee in respect of cases adjudicated upon by a PDC; and

25.20.3 Act as a review committee in respect of cases adjudicated upon by a PDC, RDC or BDC which may be referred to it.

25.21 Where the NDC acts as a disciplinary tribunal of first instance, it shall have the competence to impose the following sanctions:

25.21.1 a fine;

25.21.2 a reprimand;

25.21.3 payment of compensation;

25.21.4 performance of useful tasks;

25.21.5 remedial action;

25.21.6 suspension of membership;

25.21.7 expulsion from the ANC;

25.21.8 in the case of an office bearer, removal or suspension from office;

25.21.9 In the case of a public representative, cancellation or suspension of his or her contract of deployment and/or removal from

any list or instrument which entitles such person to represent the ANC at any level of government; and

25.21.10 A combination of sanctions set out in 25.21.1 to 25.21.6 above.

25.22 The NDC may suspend the operation of any of the sanctions imposed in terms of 25.21 above, with or without conditions, for a period to be determined by the NDC.

#### **Where the NDC acts as an appeal or review tribunal**

25.23 Where the NDC acts as an appeal tribunal or reviews a decision of a PDC, it shall have the competence to impose the following verdicts:

25.23.1 Uphold the appeal and set aside the decision of the PDC;

25.23.2 Dismiss the appeal and confirm the sanction imposed by the PDC;

25.23.3 Dismiss the appeal and impose an appropriate sanction;

25.23.4 Uphold the application for review and refer the matter back to the PDC for re-hearing;

25.23.5 Uphold the application for review, consider the merits and impose an appropriate sanction, if necessary; and

25.23.6 Dismiss the application for review.

25.24 Where the NDC acts as a disciplinary tribunal of first instance, an appeal from or review of its decision shall be to the NDCA.

#### **National Disciplinary Committee of Appeal**

25.25 The quorum for any sitting of the NDCA shall be 3 (three) of the members appointed in terms of 12.2.18 above, one of whom shall chair the relevant disciplinary proceedings in the absence of the designated Chairperson of the NDCA.

25.26 The NDCA shall have jurisdiction to:

25.26.1 Adjudicate upon appeals and review applications in matters determined by the NDC;

25.26.2 Adjudicate upon appeals and/or review applications lodged by public representatives; and

25.26.3 Adjudicate upon applications brought before it in terms of this Constitution.

25.27 The NDCA shall have the competence to impose the following verdicts:

25.27.1 Uphold the appeal and set aside the decision of the NDC and/or PDC;

25.27.2 Dismiss the appeal and confirm the sanction imposed by the NDC and/or PDC;

25.27.3 Dismiss the appeal and impose an appropriate sanction;

25.27.4 Uphold the application for review and refer the matter back to the NDC or PDC

- for rehearing or with an appropriate directive;
- 25.27.5 Uphold the application for review, consider the merits and impose an appropriate sanction, if necessary; and
- 25.27.6 Uphold or dismiss the application.

25.28 The decision of the NDCA shall be final.

#### **Review by NEC**

- 25.29 The NEC may, in its discretion, review any decision of the NDCA or NDC (if it was the final arbiter) to ensure that procedural fairness has been afforded to the charged member, appellant or applicant for review, as the case may be.
- 25.30 If the NEC finds that procedural fairness has not been afforded to the charged member, appellant or applicant for review, as the case may be, the NEC shall refer the matter back to the appropriate disciplinary committee, for re-hearing.
- 25.31 The members of the NEC who were party to the institution of the disciplinary proceedings and the NDCA or NDC members, as the case may be, who are also members of the NEC and who presided over the hearing and appeal concerned, shall recuse themselves from the NEC meeting during the discussion of the case.

#### **Provincial Disciplinary Committee**

- 25.32 The quorum for any sitting of the PDC shall be 3 (three) of the members appointed in terms of Rule 19.9.16 above, one of whom shall chair the relevant disciplinary proceedings in the absence of the designated Chairperson of the PDC.
- 25.33 The PDC shall have jurisdiction to hear and adjudicate upon any violation or act of misconduct referred to it by the PEC, PWC or the Provincial Secretary.
- 25.34 The provisions of 25.19 to 25.22 above shall, *mutatis mutandis* apply to a PDC, RDC or BDC.

#### **Rights of appeal and review and procedure**

- 25.35 A member, office-bearer or public representative found guilty by a Disciplinary Committee of the ANC shall have 1 (one) further opportunity to either appeal or apply for the review of proceedings, but not both, to the appropriate Disciplinary Committee.
- 25.36 Any member, office bearer or public representative found guilty by a Disciplinary Committee shall have the right within 21 (twenty one) days from the date of the public announcement of the ruling and sanction, to appeal against the conviction or sanction or both to the next higher Disciplinary Committee.
- 25.37 The ANC, as the complainant, shall have the right to appeal against the decision and sanction imposed by a Disciplinary Committee within 21 (twenty one) days from the date of the public announcement of the ruling and sanction and to cross appeal in cases where an

appellant has noted and lodged an appeal.

- 25.38 Any member, office bearer or public representative found guilty by a Disciplinary Committee shall have the right within 21 (twenty one) days from the date of the public announcement of the ruling and sanction, to apply to review the decision of the Disciplinary Committee concerned to the next higher Disciplinary Committee.
- 25.39 The grounds of such review shall be limited to procedural irregularities and shall not deal with the merits of the decision of the Disciplinary Committee concerned.
- 25.40 The ANC, as the complainant, shall have the right to oppose any application for review.
- 25.41 The decision of the Disciplinary Committee adjudicating the appeal or review shall be final.
- 25.42 The procedure to be followed for the conduct of appeal and review proceedings before the NDC, NDCA and/or PDC shall be determined by the NEC.

#### **Status of guilty member, office bearer or public representative**

- 25.43 If a member, office bearer or public representative has appealed against or applied to review a decision of a PDC or the NDC, the sanction imposed by such Disciplinary Committee shall only come into operation after the finalisation of the appeal or review, as the case may be.
- 25.44 Where the NDC or a PDC has found a member, office bearer or public representative guilty and imposed a sanction of suspension or expulsion, the Secretary General or Provincial Secretary, acting on the authority of the NEC, NWC, PEC or PWC, as the case may be, may suspend the membership of such member, office bearer or public representative and provide reasons therefor, until the finalisation of any appeal or review application instituted by such member.
- 25.45 During the period of suspension, such member, office bearer or public representative shall be precluded from exercising any right in terms of this Constitution, save to prosecute his or her appeal or review application and be present at any necessary attendance in connection therewith.
- 25.46 A member, officer bearer or public representative affected by such suspension may, within 14 (fourteen) days of being notified of such suspension, apply to the NDCA to set aside such suspension.
- 25.47 The NDCA may set aside such suspension on good cause shown.

#### **Obligation to dispose of disciplinary proceedings expeditiously**

- 25.48 All disciplinary proceedings shall be disposed of expeditiously and within a reasonable time.



- 25.49 Notice of the charge shall be delivered to the charged member or his or her representative within 3 (three) months of the date when knowledge of a member's alleged act of misconduct or conviction in a court of law is brought to the attention of the ANC.
- 25.50 Disciplinary proceedings shall be finalised by the Disciplinary Committee concerned within 6 (six) months from the date that a notice of the charge was delivered to the charged member or his or her representative.
- 25.51 Where the NEC, the PEC, the REC or the BEC, as the case may be, fails or neglects to initiate disciplinary proceedings within the time limit in referred to in Rule 25.49 above, the charged member may apply to a Disciplinary Committee having jurisdiction for the withdrawal of the charge.
- 25.52 Where a BDC, RDC, PDC or NDC unduly delays the commencement of or finalisation of disciplinary proceedings within the time limit in referred to in Rule 25.50 above, the charged member may apply for the charge to be withdrawn or proceedings to be stopped, as the case may be.
- 25.53 Notwithstanding the provisions of Rule 25.52 above, where disciplinary proceedings cannot commence or be finalised due to the unavailability or dilatoriness of a charged member and/or his or her representative, or due to the unavailability of one or more of the members of the Disciplinary Committee concerned, the Chairperson of the Disciplinary Committee may apply, in writing, to the NDCA for an extension of time.
- 25.54 The NDCA may grant such application on good cause shown.
- 25.55 Where a charged member has appealed against or applied to review a decision of a Disciplinary Committee, the NDC or NDCA, as the case may be, shall do all in its power to finalise such appeal or review within 6 (six) months from the date the appeal was noted or the application for the review was lodged.
- duct that the member could engage in;
- 25.57.4 Put the accusations to the member for comment;
- 25.57.5 Afford the member 48 (forty eight) hours to respond to the accusations.
- 25.58 Due to the circumstances and urgency of the matter, the Secretary General or the Provincial Secretary, as the case may be, acting on the authority of the NEC, the NWC, the PEC or the PWC, may convey the decision of temporary suspension to the member telephonically.
- 25.59 Should the member fail, refuse or neglect to make representations or make it impossible for the NEC, the NWC, the PEC or the PWC, as the case may be, to give notice of its intention to suspend the member, the NEC, the NWC, the PEC or the PWC, as the case may be, may proceed to make such decision.
- 25.60 If justifiable exceptional circumstances warrant an immediate decision of temporary suspension of a member without eliciting the comment or response of such member as contemplated above, the NEC, the NWC, the PEC or the PWC, as the case may be, may summarily suspend such member.
- 25.61 The member shall immediately be informed of such suspension either directly, by letter or telephonically or, if that is not possible, through a public announcement.
- 25.62 In the case of the suspension of a public representative, the NEC, the NWC, the PEC or the PWC, as the case may be, must also provide for any terms and conditions which will regulate the member's participation and conduct as a public representative during the period of suspension.
- 25.63 The public representative concerned shall immediately be informed of such terms and conditions.
- 25.64 Where a temporary suspension is imposed, the NEC, the NWC, the PEC or the PWC through the office of the Secretary General or Provincial Secretary, as the case may be, shall immediately forward a report of such suspension and the reasons for it to the NDCA and the NDCA may, in its discretion, at any stage set aside such suspension.
- 25.65 The temporary suspension shall lapse if a notice of a charge relating to such suspension is not delivered to the member within 30 (thirty) days from the date of commencement of the temporary suspension.
- 25.66 The temporary suspension shall remain in force until the finalisation of the disciplinary proceedings, including any appeals or reviews, provided that the NDCA may, upon application, or of its own accord if the circumstances so warrant, set aside such suspension at any stage.
- 25.67 During the temporary suspension the member shall not be entitled to exercise any of his or her rights in terms of the Constitution, save for attending the dis-

### **Temporary Suspension**

- 25.56 The NEC, NWC, PEC or PWC, as the case may be, may, at any stage prior to the commencement of disciplinary proceedings against a member, office bearer or public representative, summarily suspend the membership of such member, office bearer or public representative in accordance with the provisions of this Rule.
- 25.57 Before making such a decision, the NEC, the NWC, the PEC or the PWC, as the case may be, shall:
- 25.57.1 Have due regard to the nature and seriousness of the alleged violation or act of misconduct;
- 25.57.2 Consider the likelihood of the member engaging in further acts of misconduct;
- 25.57.3 Consider the impact on the repute of the Organisation of the alleged violation or act of misconduct and/or further acts of misconduct

ciplinary proceedings and enforcing his or her right of appeal and/or review.

- 25.68 The member may, at any stage, apply to the NDCA to set aside the temporary suspension.
- 25.69 The NEC, the NWC, the PEC or the PWC may at any stage set aside the temporary suspension if new facts warrant such setting aside and inform the member and the NDCA accordingly.
- 25.70 Where a public representative, office-bearer or member has been indicted to appear in a court of law on any charge, the Secretary General or Provincial Secretary, acting on the authority of the NEC, the NWC, the PEC or the PWC, if satisfied that the temporary suspension of such public representative, office bearer or member would be in the best interest of the Organisation, may suspend such public representative, elected office bearer or member and impose terms and conditions to regulate their participation and conduct during the suspension.

#### **Appearance of charged member at disciplinary proceedings**

- 25.71 A charged member shall appear at the venue and at the specified date and time to answer the charge against him or her.
- 25.72 Should the charged member fail or neglect to appear at the venue and at the time determined for such proceedings or does not remain in attendance when required to do so by the Chairperson of the Disciplinary Committee, the Disciplinary Committee, if satisfied that the charged member was properly and timeously notified of such date, venue and time, may order that the proceedings continue in the absence of such member and make a finding in the absence of the charged member.
- 25.73 Should the chosen representative of the charged member fail or neglect to appear at the disciplinary hearing, the onus shall be upon the charged member to explain the absence of his or her representative and the Disciplinary Committee concerned shall, after deliberations, decide whether or not to proceed with the disciplinary proceedings.

#### **Representation in disciplinary proceedings**

- 25.74 A charged member, or appellant or applicant for review, as the case may be, shall have the right to be represented in disciplinary proceedings by a member of the ANC in good standing and who has been a member in good standing for a period of at least three (3) months prior to the date of the hearing.
- 25.75 The representative of a charged member or appellant or applicant for review, as the case may be, shall not be entitled to charge any fee for such representation or levy a disbursement for costs associated with such representation.
- 25.76 The onus shall be upon the charged member, appellant

or applicant for review, as the case may be, to arrange his or her representation timeously.

- 25.77 The choice of dates, times and duration for sittings of a Disciplinary Committee shall be the prerogative of the Disciplinary Committee concerned.
- 25.78 Where a charged member or appellant or applicant for review, as the case may be, elects to choose a legal practitioner, who is a member in good standing of the ANC, as his or her representative, such representative shall provide an undertaking at least 5 (five) days before the commencement of the disciplinary proceedings concerned that he or she has set aside sufficient time to ensure that the matter can be disposed of expeditiously.
- 25.79 If the representative cannot provide such undertaking as aforesaid, the onus shall be upon the charged member or appellant or applicant for review, as the case may be, to secure the services of another representative or failing that, to represent himself or herself at such disciplinary proceedings.
- 25.80 The ANC shall be represented at disciplinary proceedings as provided for in the Constitution.

#### **Principles of Fairness, Equity and Legal Precedent**

- 25.81 Disciplinary Committees of the ANC shall make decisions and findings on the principles of fairness and equity.
- 25.82 If the NDCA or NDC (as the final arbiter) has adjudicated, made a finding and pronounced on:
- 25.82.1 The interpretation of any Rule in the ANC Constitution, resolution or policy of the ANC; or
- 25.82.2 The relationship between structures of the ANC; or
- 25.82.3 The status of a structure of the ANC; or
- 25.82.4 A point of law raised by any party in disciplinary proceedings;

such decision of the NDCA shall constitute a precedent and shall be binding on subsequent disciplinary proceedings in the NDC, PDC, RDC or BDC where the interpretation of the same Rule or relationship or status or point of law is raised by a charged member, office bearer or public representative.

## **Rule 26 RULES AND REGULATIONS**

- 26.1 The NEC may adopt Rules and Regulations for the better carrying out of the activities of the ANC.
- 26.2 The PECs may adopt Rules and Regulations for the better functioning of the ANC in their respective Provinces.
- 26.3 All such rules and regulations shall be consistent with the constitutional norms of the ANC, and the rules

and regulations framed by the PEC shall only become operative when approved by the NEC, or, on a provisional basis pending approval by the NEC, by the NWC.

- 26.4 The NEC may frame a code of conduct to cover all structures, officials, public representatives, office bearers and members.

### **Rule 27 GENERAL**

The ANC shall have perpetual succession and power, apart from its individual members, to acquire, hold and alienate property, enter into agreements and do all things necessary to carry out its aims and objects and defend its members, its property and its reputation.

### **Rule 28 AMENDMENTS**

Any amendments to this Constitution shall be by a two-thirds majority of delegates present and voting at the National Conference or Special Conference. Notice of intent to propose any amendments to the Constitution should be forwarded to the Office of the Secretary General at least three months before the National or Special Conference. The NEC shall give at least one month's notice for any Constitutional amendment.

### **Rule 29 SPECIAL CONFERENCE**

- 29.1 A Special Conference of the ANC may be convened by the NEC at any time or at the request of a majority of the Provinces for the stated purpose or purposes.
- 29.2 Not less than one month's notice of such Conference shall be given.
- 29.3 Participation at the Conference shall be determined by the NEC, provided that branches are represented at such a Conference in proportion to their membership.

### **Rule 30 CONTRACTUAL LIABILITY**

Only the National Officials Committee shall have the authority to bind the ANC or to create any legal relationship. Any other person purporting to bind the ANC must produce a written authorisation from one of the National Officials, which must indicate the extent of that person's authority.

### **Rule 31 BORROWING POWER**

The NEC may from time to time borrow any amount of money, on such terms and conditions as the NEC considers fit, with the power from time to time to alter the terms of any such borrowing, and to secure such borrowing or any other obligations of the ANC by the mortgage or pledge, either generally or specifically, of the assets of the ANC.

### **Rule 32 TRANSITIONAL ARRANGEMENTS**

- 32.1 The amendments to this Constitution were duly adopted at the 53rd National Conference and shall come into effect on 21 December 2012.
- 32.2 The NEC is authorised to make consequential changes to the content and style of these Rules following these amendments and to make such transitional arrangements as may be necessary.
- 32.3 Processes commenced prior to the amendment of the Constitution relating to membership, discipline and eligibility to hold office shall be finalised in terms of the amended Constitution.

### **Rule 33 DISSOLUTION**

The National Conference or any Special Conference may dissolve the ANC and transfer the assets and liabilities of the ANC in such a manner as determined by the Conference, by way of a resolution passed by a seventy-five percent (75%) majority of duly accredited delegates in good standing who are present and voting, provided that the NEC shall have received notice of such resolution from a structure of the ANC at least 12 months before it was voted on by such conference.

## Appendix 1

### SCHEDULE TO ANC CONSTITUTION

#### ANC Logo and Colours

The ANC logo is a black African shield in the form of a pointed oval with a narrow white border and canton, the latter bearing six narrow black horizontal bars, surmounted in the centre by a spear erect the shaft white bearing a narrow black vertical line and the blade faceted vertically, white and black, held by a right hand issuant from behind an eight-spoked wheel set to the viewer's right, both white, the rim and spaces between the spokes of the wheel, black, floutant from the upper shaft of the spear and partly surmounting the wheel, a horizontal tricolour, comprising from top to bottom, equal bands of black, green and gold.

#### ANC Flag

The ANC flag is rectangular; it is one and a half times longer than it is wide. It is a horizontal tricolour, comprising from top to bottom, equal bands of black, green and gold.



## Appendix 2

# THE FREEDOM CHARTER

*Adopted at the Congress of the People, Kliptown, on 26 June 1955*

### **We, the People of South Africa, declare for all our country and the world to know:**

- that South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of all the people;
- that our people have been robbed of their birthright to land, liberty and peace by a form of government founded on injustice and inequality;
- that our country will never be prosperous or free until all our people live in brotherhood, enjoying equal rights and opportunities;
- that only a democratic state, based on the will of all the people, can secure to all their birthright without distinction of colour, race, sex or belief;
- And therefore, we, the people of South Africa, black and white together equals, countrymen and brothers adopt this Freedom Charter;
- And we pledge ourselves to strive together, sparing neither strength nor courage, until the democratic changes here set out have been won.

### **The People Shall Govern!**

- Every man and woman shall have the right to vote for and to stand as a candidate for all bodies which make laws;
- All people shall be entitled to take part in the administration of the country;
- The rights of the people shall be the same, regardless of race, colour or sex;
- All bodies of minority rule, advisory boards, councils and authorities shall be replaced by democratic organs of self-government.

### **All National Groups Shall have Equal Rights!**

- There shall be equal status in the bodies of state, in the courts and in the schools for all national groups and races;
- All people shall have equal right to use their own languages, and to develop their own folk culture and customs;
- All national groups shall be protected by law against insults to their race and national pride;
- The preaching and practice of national, race or colour discrimination and contempt shall be a punishable crime;
- All apartheid laws and practices shall be set aside.

### **The People Shall Share in the Country's Wealth!**

- The national wealth of our country, the heritage of South Africans, shall be restored to the people;
- The mineral wealth beneath the soil, the Banks and monopoly industry shall be transferred to the ownership of the people as a whole;
- All other industry and trade shall be controlled to assist the wellbeing of the people;
- All people shall have equal rights to trade where they choose, to manufacture and to enter all trades, crafts and professions.

### **The Land Shall be Shared Among Those Who Work It!**

- Restrictions of land ownership on a racial basis shall be ended, and all the land re-divided amongst those who work it to banish famine and land hunger;
- The state shall help the peasants with implements, seed, tractors and dams to save the soil and assist the tillers;
- Freedom of movement shall be guaranteed to all who work on the land;
- All shall have the right to occupy land wherever they choose;
- People shall not be robbed of their cattle, and forced labour and farm prisons shall be abolished

### **All Shall be Equal Before the Law!**

- No-one shall be imprisoned, deported or restricted without a fair trial;
- No-one shall be condemned by the order of any Government official;
- The courts shall be representative of all the people;
- Imprisonment shall be only for serious crimes against the people, and shall aim at re-education, not vengeance;
- The police force and army shall be open to all on an equal basis and shall be the helpers and protectors of the people;
- All laws which discriminate on grounds of race, colour or belief shall be repealed.

**All Shall Enjoy Equal Human Rights!**

- The law shall guarantee to all their right to speak, to organise, to meet together, to publish, to preach, to worship and to educate their children;
- The privacy of the house from police raids shall be protected by law;
- All shall be free to travel without restriction from countryside to town, from province to province, and from South Africa abroad;
- Pass Laws, permits and all other laws restricting these freedoms shall be abolished.

**There Shall be Work and Security!**

- All who work shall be free to form trade unions, to elect their officers and to make wage agreements with their employers;
- The state shall recognise the right and duty of all to work, and to draw full unemployment benefits;
- Men and women of all races shall receive equal pay for equal work;
- There shall be a forty-hour working week, a national minimum wage, paid annual leave, and sick leave for all workers, and maternity leave on full pay for all working mothers;
- Miners, domestic workers, farm workers and civil servants shall have the same rights as all others who work;
- Child labour, compound labour, the tot system and contract labour shall be abolished.

**The Doors of Learning and Culture Shall be Opened!**

- The government shall discover, develop and encourage national talent for the enhancement of our cultural life;
- All the cultural treasures of mankind shall be open to all, by free exchange of books, ideas and contact with other lands;
- The aim of education shall be to teach the youth to love their people and their culture, to honour human brotherhood, liberty and peace;
- Education shall be free, compulsory, universal and equal for all children; Higher education and technical training shall be opened to all by means of state allowances and scholarships awarded on the basis of merit;
- Adult illiteracy shall be ended by a mass state education plan;
- Teachers shall have all the rights of other citizens;
- The colour bar in cultural life, in sport and in education shall be abolished.

**There Shall be Houses, Security and Comfort!**

- All people shall have the right to live where they choose, be decently housed, and to bring up their families in comfort and security;
- Unused housing space to be made available to the people;
- Rent and prices shall be lowered, food plentiful and no-one shall go hungry;
- A preventive health scheme shall be run by the state;
- Free medical care and hospitalisation shall be provided for all, with special care for mothers and young children;
- Slums shall be demolished, and new suburbs built where all have transport, roads, lighting, playing fields, creches and social centres;
- The aged, the orphans, the disabled and the sick shall be cared for by the state;
- Rest, leisure and recreation shall be the right of all;
- Fenced locations and ghettos shall be abolished, and laws which break up families shall be repealed.

**There Shall be Peace and Friendship!**

- South Africa shall be a fully independent state which respects the rights and sovereignty of all nations;
- South Africa shall strive to maintain world peace and the settlement of all international disputes by negotiation – not war;
- Peace and friendship amongst all our people shall be secured by upholding the equal rights, opportunities and status of all;
- The people of the protectorates Basutoland, Bechuanaland and Swaziland shall be free to decide for themselves their own future;
- The right of all peoples of Africa to independence and self-government shall be recognised, and shall be the basis of close co-operation.

Let all people who love their people and their country now say, as we say here:

**These freedoms we will fight for, Side by side, throughout our lives,  
Until we have won our liberty.**

## Appendix 3

# Procedure for the Conduct of Disciplinary Proceedings

1. The objective of disciplinary procedure is to ensure that in all disciplinary proceedings:
  - ☐ There is a formal procedure.
  - ☐ There is a just and fair procedure.
  - ☐ A member is presumed innocent until proven guilty.
  - ☐ A member has a chance to defend herself or himself.
  - ☐ A member has the right to appeal.
2. A charge must be made within a reasonable time after the violation or misconduct was allegedly committed as provided for in the Constitution..
- 2.9 Inform the charged member that if he or she does not appear at the venue on the date and time determined for such proceedings or does not remain in attendance when required to do so by the Chairperson of the Disciplinary Committee, the relevant Disciplinary Committee, if satisfied that such member was timeously notified of such venue, date and time, may order that the proceedings continue in the absence of the charged member.

### Starting Disciplinary Procedure

1. Disciplinary proceedings are commenced with the service of a charge sheet on the charged member.

### *The charge sheet*

2. The charge sheet must:
  - 2.1 Be in writing
  - 2.2 Set out sufficient details of description of the violation or act of misconduct;
  - 2.3 Provide the date and place of the offence;
  - 2.4 Identify the provision of the ANC Constitution, the Rule, Regulation, the Standing Order, Resolution and/or policy of the ANC that was allegedly breached;
  - 2.5 Inform the charged member of his or her right to be represented by a member of the ANC in good standing and who has been a member in good standing for a minimum period of 3 (three) months before the disciplinary enquiry commences, to call witnesses to make his or her defence and in mitigation of sanction and to produce supporting documents and to cross-examine witnesses called for the prosecution of the charge.
  - 2.6 Provide the date, time and venue for the hearing;
  - 2.7 Inform the charged member that the Disciplinary Proceedings will be a one-stage inquiry and that he or she will also be required to lead evidence in mitigation of sanction if so desired;
  - 2.8 Draw the attention of the charged member to the relevant provisions of the ANC Constitution pertaining to disciplinary proceedings; and

### *Service of the charge sheet*

3. It is preferable that the charge sheet is served personally on the charged member by a member of the ANC so authorised.
4. If personal service is not possible, the charge sheet may be faxed or sent by registered post to the physical or postal address of the charged member.
5. Service of the charge sheet on the representative of the charged member shall be deemed to constitute service to the charged member.

### *Proof of service*

6. Documentary or oral evidence presented to the disciplinary committee concerned that the charge sheet, containing the information set out in 2 above, was served shall constitute sufficient proof.

### *Sufficient notice to charged member*

7. A charge sheet shall be served at least 14 (fourteen) calendar days before the date of the hearing.
8. To avoid postponements, the Presenter shall either simultaneously with service of the charge sheet or within a short time thereafter, provide the charged member or his or her representative with the documentary evidence, if available, that will be submitted in evidence by the prosecution.

### *Pre-hearing conference*

9. The Presenter and the representative of the charged member or if he or she is not represented, the charged member may convene a pre-hearing conference for the purpose of exchanging documents, determining the number of witnesses, recording admissions and estimating the duration of the disciplinary proceedings.

10. At the pre-hearing conference the charged member or his or her representative should provide details of any preliminary points that would be raised at the disciplinary proceedings.
11. The parties must convene a pre-hearing conference if requested by the Chairperson of the Disciplinary Committee concerned.
12. The parties shall draw a minute of the pre-hearing conference and forward it to the Chairperson of the Disciplinary Committee concerned at least 2 (two) days prior to the commencement of the disciplinary proceedings. If any preliminary points are to be raised, the pre-hearing minute should contain the written arguments of both parties.
13. If both parties seek a postponement of the disciplinary proceedings the Chairperson of the Disciplinary Committee concerned shall be informed immediately and shall make a ruling and inform the parties accordingly.

#### **Forum and venue of disciplinary hearing**

14. Disciplinary proceedings will normally be conducted before a Disciplinary Committee at the level where the alleged violation or misconduct took place, namely the branch, region, provincial or national level.
15. Likewise, the venue for the hearing will normally be within the jurisdiction of the Disciplinary Committee concerned.
16. The Secretary General or Provincial Secretary concerned may direct that for the sake of convenience or safety concerns, the disciplinary hearing take place at a venue outside the jurisdiction of the Disciplinary Committee concerned.

#### **Persons eligible to be present at disciplinary proceedings**

17. The following persons must be present at a Disciplinary Proceeding:
  - 17.1 Members of the Disciplinary Committee, one of whom shall act as Chairperson;
  - 17.2 The Presenter of the charge, who may be assisted by not more than 2 (two) additional persons who must be ANC members in good standing and who have been members in good standing for a minimum period of three (3) months before the commencement of the hearing;
  - 17.3 The charged member;
  - 17.4 The charged member's representative and/or interpreter, both of whom must be members of the ANC in good standing;
  - 17.5 The witnesses (if any)
  - 17.6 The minute taker.

#### **Chairperson's discretion**

18. The Chairperson shall have the discretion:
  - 18.1 to make interim Rulings during the proceedings;
  - 18.2 to disallow the calling of any witness or production of any documentary evidence which is not relevant to the proceedings;
  - 18.3 to allow the parties to raise any preliminary point;
  - 18.4 to intervene in the proceedings to ensure that the proceedings are held in a fair and equitable manner;
  - 18.5 to determine which party bears the onus of proof.
  - 18.6 to determine whether the argument of both parties should be presented orally or in writing.
  - 18.7 to determine the time to be allocated to the parties to present their evidence, including that of witnesses.
  - 18.8 to investigate such information as contemplated in rule 25.6 of the ANC Constitution and, if necessary, refer the matter for further investigation prior to the commencement of disciplinary proceedings or put an immediate stop to such disciplinary proceedings.

#### **Charged member must be a member of the ANC and representative must be a member in good standing**

19. At the outset the Chairperson of the disciplinary committee shall satisfy himself or herself that the charged member is a member of the ANC and that his or her representative, if applicable, is a member in good standing of the ANC.
20. If the Disciplinary Committee has engaged the services of a legal adviser or minute taker, that person shall be introduced by the Chairperson.
21. If the charged member is not a member of the ANC, the proceedings will be halted and the charged member will be informed that he or she is free to leave because the Disciplinary Committee does not have jurisdiction over him or her.
22. If the representative is not a member in good standing, the representative will be asked to leave the proceedings and the proceedings will continue. The charged member, if he or she so elects, may engage another representative. However, such engagement may occur at any stage of the proceedings and does not preclude the continuation of the proceedings.
23. Any preliminary point raised by the charged member shall be dealt with at the outset of the proceedings and the Chairperson shall make a ruling.
24. Once the preliminary point has been dealt with and if the matter is to be proceeded with, the Presenter shall read out the charge if required and the charged member shall be required to plead to the charge.



**Plea of guilty**

25. If a charged member pleads guilty, the Chairperson shall ask the representative if the plea is in accordance with his instructions from the charged member.
26. If the representative answers in the affirmative, the Chairperson shall record a plea of guilty.
27. The Chairperson should question the charged member or the representative about the alleged violation or misconduct to establish whether the charged member understands the nature and consequences of his or her plea of guilty. The Chairperson shall also consider the minute of the pre-hearing conference, if held, to satisfy himself or herself that the charged member understands the nature and consequences of his plea of guilty.
28. If satisfied, the Chairperson shall record a plea of guilty.
29. If not satisfied, the Chairperson shall record a plea of not guilty.

**Mitigation proceedings following plea of guilty**

30. The charged member shall have the opportunity to lead evidence in mitigation of sanction and call witnesses or submit documents for that purpose.
31. Before any oral evidence is led, the Chairperson shall ask the witness, be it the charged member or any of his or her witnesses, whether they wish to take an oath or make an affirmation.
32. If the witness wishes to take an oath, the Chairperson should administer the oath and ask the witness to repeat after him or her as follows:  
*"Do you swear that the evidence you are about to give is the truth, the whole truth and nothing but the truth? Raise your right hand and say "So Help Me God".*
33. After the witness is sworn in, he or she may give evidence.
34. If a witness does not wish to take the oath but wants to make an affirmation, the Chairperson shall ask the witness to repeat after him or her the following:  
*"Do you affirm that the evidence you are about to give is true?"*
35. After the witness has made an affirmation, he or she may give evidence.
36. The Presenter shall be permitted to cross examine the charged member and submit documentary evidence in aggravation of sanction.
37. The Presenter may also call witnesses to testify in aggravation of sanction.
38. Witnesses of the Presenter shall be sworn in or affirmed as above.
39. After all the evidence has been led, the Disciplinary

Committee shall deliberate the issues in private and impose an appropriate sanction.

40. The Disciplinary Committee shall, in writing, report the outcome to the Secretary General or relevant Provincial Secretary and then publicly announce its finding.
41. The charged member shall be informed of his right to appeal if the relevant Disciplinary Committee sat as a tribunal of first instance.

**Proceedings following plea of not guilty**

42. If a charged member pleads not guilty, the Chairperson shall confirm with the representative whether the plea of not guilty is in accordance with his or her instructions from the charged member.
43. If so confirmed, the Chairperson shall record a plea of not guilty.
44. If the representative does not confirm, then the Chairperson shall briefly adjourn the proceedings to give the representative an opportunity to consult with the charged member before resuming.
45. The Chairperson shall request the charged member to disclose the basis of his or her defence to the charge. The charged member may, but is not obliged, to do so.

**Onus**

46. Generally, the onus shall be on the prosecution to prove its case on a balance of probabilities.
47. In certain cases or during the course of the disciplinary proceedings, the onus may shift to the charged member.
48. The Chairperson of the disciplinary proceedings shall be the final arbiter in determining which party bears the onus of proof for the entire case or when any matter is raised during the course of the disciplinary proceedings.

**Calling of witnesses and production of documents, video material and photographs**

49. The Chairperson shall request the Presenter to call the complainant's witnesses and, if the complainant wishes to do so, submit in evidence any documents including video material and photographs, in support of its case.
50. It shall not be necessary for either the Presenter or the charged member to call any witness to confirm the authenticity of any document, video or photograph submitted in evidence.
51. Witnesses called by the Presenter shall be required to take the oath or make an affirmation.
52. The charged member or his or her representative may cross examine any witnesses called by the Presenter and question the relevance and evidentiary value of any other evidence produced.

53. The Presenter may re-examine any witness after the cross-examination.

**Close of complainant's case**

54. The complainant shall close its case after presenting the evidence of its witnesses and documentary evidence and shall inform the Chairperson of the disciplinary proceedings accordingly.

**Opening of charged member's case**

55. The charged member shall call his or her witnesses and produce documentary evidence, video material and photographs in defence of his or her case and, if he or she chooses, in mitigation of sanction.
56. The prosecution may cross examine any witness called and question the relevance and evidentiary value of any documentary evidence produced.
57. The charged member or his or her representative may re-examine any defence witness.

**Close of charged member's case**

58. The charged member shall close his or her case after presenting the evidence of witnesses and documentary evidence and shall inform the Chairperson of the disciplinary proceedings accordingly.

**Argument**

59. Both parties shall be afforded an opportunity to present argument, orally or in writing, which may include argument in aggravation and/or mitigation of sanction).

**Adjudication**

60. After both parties have closed their respective cases, the Chairperson of the Disciplinary Committee must ensure that:
- 60.1 The members of the Disciplinary Committee discuss the issues raised at the disciplinary proceedings in private, immediately after all the evidence has been led or during an appropriate period of adjournment;
- 60.2 Make a finding based on the facts and evidence of the case and make a ruling.

**Ruling and sanction**

61. If a charged member is found guilty, such ruling shall include a sanction as provided for in the ANC Constitution.

**Announcement and rights of appeal**

62. The Disciplinary Committee shall inform the Secretary General or the relevant Provincial Secretary of the ruling and sanction.
63. The charged member must be advised of the ruling and the sanction of the Disciplinary Committee together with reasons and of his or her right to appeal.
64. The ruling and sanction must be publicly announced.

## NOTES

This image shows a full page of blank, lined paper. It features approximately 28 horizontal blue or grey lines spaced evenly apart, typical of notebook paper. The lines extend across the entire width of the page, leaving small margins at the top and bottom. There are no vertical lines, text, or other markings on the page.

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## NOTES

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Issued by the African National Congress  
P.O. Box 61884, Marshalltown, 2107.  
Tel: 011 376 1000