

Building a Regional Labour Movement:

The Southern African Trade Union Co-ordinating Council
SATUCC

May 2001

Prepared for SATUCC by
Herbert Jauch
Labour Resource and Research Institute (LaRRI), Namibia

Table of Contents

Acknowledgements

Foreword

Introduction

SATUCC's early years

- SATUCC launch

- The Maseru congress

- Early activities

- Shifting offices

- Empowering Women ('Brother Alice')

Challenges in the 1990s

- Education activities

- Influencing SADC policies

 - The Social Charter

 - Export Processing Zones

 - Regional integration

 - HIV/AIDS

 - Health, Safety and the Environment

- SATUCC's political role

- SATUCC and the international labour movement

- Institutional capacity

Future Priorities

Conclusion

Appendix 1: The SATUCC affiliates

Appendix 2: The Social Charter

Appendix 3: Code on HIV/AIDS and Employment

References

Acknowledgements

This booklet is based on the information that was available at the SATUCC office and the offices of the Malawi Congress of Trade Unions (MCTU) where many SATUCC documents are being kept. Additional information was obtained through interviews with current and former leaders of SATUCC and its affiliates. Interviews were also conducted with representatives of the Organisation of African Trade Union Unity (OATUU), the International Confederation of Free Trade Unions (ICFTU - AFRO) and the Norwegian trade union federation LO. Without their readiness to share their views, ideas and experiences, this booklet would not have been possible.

We wish to thank Herbert Jauch from the Labour Resource and Research Institute (LaRRI) in Namibia for producing this booklet on behalf of SATUCC. We also want to extend a special word of thanks for their important contributions to:

Alcino Antonio (UNTA-CS, Angola)
Francis Antonio (MCTU, Malawi)
Chakufwa Chihana (former SATUCC secretary general)
Blessing Chiripanhura (ZCTU, Zimbabwe)
Bernard Esau (NUNW, Namibia)
Jeffrey Jankie (BFTU, Botswana)
Simon Jonatha (LTUC, Lesotho)
Anderew Kailembo (ICFTU Afro)
Dorothy Kawala (MCTU, Malawi)
Richard Nxumalo (SFTU, Swaziland)
Ken Mhango (MCTU, Malawi)
Monyake S. Monyake (BFTU, Botswana)
Japhet Moonda (ZCTU, Zambia)
Margaret Mukamba (ZCTU, Zambia)
Abisha Nyanguwo (SATUCC)
Fackson Shamnedda (ZCTU, Zambia, and ICFTU)
Alice Gondwe Siame (LO, Zambia)
Robinson Sikazwe (LO, Zambia)
Hassan Adebayo Sunmonu (OATUU)
Karin Beate Theodorsen (LO Norway)

Vesla Vetlesen (LO Norway)

We are grateful to the Friedrich Ebert Stiftung (FES) in South Africa whose financial support made the publication of this booklet possible.

Abbreviations

AALC	African-American Labour Centre
ATUCC	Azania Trade Union Co-ordinating Centre
BFTU	Botswana Federation of Trade Unions
COSATU	Congress of South African Trade Unions
FES	Friedrich Ebert Stiftung
FNV	
ICFTU	International Confederation of Free Trade Unions
ILO	International Labour Organisation
LaRRI	Labour Resource and Research Institute
LO	
LTUC	Lesotho Trade Union Congress
MCTU	Malawi Congress of Trade Unions
NACTU	National Council of Trade Unions
NUNW	National Union of Namibian Workers
OATUU	Organisation of African Trade Union Unity
OTM	
SATUCC	Southern African Trade Union Co-ordinating Council
SFTU	Swaziland Federation of Trade Unions
ZaCTU	Zambia Congress of Trade Unions
ZiCTU	Zimbabwe Congress of Trade Unions

Foreword

Written by a person to be decided by the SATUCC Executive Council

Introduction

Although the Southern African Trade Union Co-ordinating Council (SATUCC) was formed 17 years ago, its history, struggles, achievements and challenges have not been well documented. SATUCC represents all major trade union federations in the Southern African region but is not always well known beyond the national trade union leadership. This booklet therefore aims to present a brief overview of SATUCC's history and its activities, achievements and challenges since its formation in 1983.

The first section looks at the events that led to the formation of SATUCC and how the organisation tried to establish itself under trying conditions while playing an important role in the struggle for liberation. The second section outlines SATUCC's activities in the 1990s, its attempt to introduce a Social Charter for the region, its attempts to influence SADC policies and its attempts to build the capacity of trade unions in the region. The second section also looks at SATUCC's relations with international organisations like OATUU, the ICFTU and the international trade secretariats (ITSs).

Section three sketches some of SATUCC's future priorities and challenges including the need to build regional links beyond the union leadership and the need to reduce donor dependency.

The main aim of this booklet is to introduce SATUCC to a wider audience by presenting its history, achievements and challenges in an easily understandable and hopefully interesting publication. We hope that this booklet captures at least the main events on the long road towards building a strong regional labour movement that will be able to influence developments in the region to the benefits of workers. We cannot afford to leave Southern African workers at the mercy of global economic forces that continue to cause havoc amongst the working class, particularly in developing countries. Labour movements will have to build their own strength to confront these challenges and SATUCC provides an interesting case study of union collaboration across borders.

SATUCC's Early Years

The original idea to form SATUCC came from the Zambian trade unionists Frederick Chiluba and ...Zimba who were the president and general secretary of the ZaCTU at the time. The main idea was to form a strong regional trade union body that could influence decisions in favour of workers at regional level. This idea was presented at an ILO – OATUU conference that took place in Geneva in 1982. At that meeting, Zimba and Chiluba presented the idea of forming a regional trade union council in Southern Africa to the representatives of LO Norway. The idea behind the Southern African initiative was similar to the trade union council that existed in the Nordic countries. The Norwegians reacted positively to the idea and were prepared to finance the initiative and to speak about the experiences of the council in the Nordic countries (Interview with Vetlesen).

The idea of forming a regional union body was supported by the Organisation of African Trade Union Unity (OATUU) to which all SATUCC members were (and still are) affiliated. According to secretary general Hassan Adebayo Sunmonu, the general council of OATUU at the time realised that:

'...the whole continent could not be represented effectively because of the large areas and also because of communication limitations. There was a resolution that OATUU should have sub-regional organisations to be able to be nearer to our affiliates in the five sub-regions of Africa – West, Central, North, East and Southern Africa'.

OATUU believed that sub-regional organisations would be able to act faster to any problem that might arise in their respective region. Sub-regional bodies were also seen as being better placed to represent trade union positions and proposals to regional government structures like SADCC at the time (Interview with Sunmonu). The idea of forming a Southern African Trade Union Co-ordination Committee – as SATUCC was initially called – was first approved in principle by the OAU council of Labour Ministers in 1992. SATUCC was also endorsed by the ILO and formally approved by the General Council of OATUU in April 1983 (SATUCC 1985).

According to the former NUNW secretary general Bernhardt Esau SATUCC was formed to give material expression to the slogan 'Workers of the World Unite!'. SATUCC's co-ordinator Abisha Nyanguwo recalled some other reasons for the formation of SATUCC:

'I think the main reason for the formation of SATUCC was to strengthen solidarity amongst the trade unions in regions. Solidarity around the questions of the fellow trade unions in South Africa who couldn't organise freely. Also solidarity against subversive forces. At least the voice of labour in Southern Africa, which was suppressed, could be pronounced in the region. This also coincided with the formation of a regional block which was also political block, then SADCC formed in 82/83 to bring together the independent countries of the region against South Africa. The idea was to bring the regional economies

together that were affected by the sanctions against South Africa. The idea was to establish a collective defence and to bring resources together’.

Robinson Sikazwe from ZaCTU added:

‘Initially the idea behind the formation of SATUCC was to mobilise the trade union movement generally. To promote and defend the interest of the trade unions in the SADC region in light of the formation of Southern African Development Co-ordination Conference (SADCC). We felt that the trade unions within the region should also have an organ that would respond to government initiatives or initiate programs and activities in defence of and to promote workers’ interests within the framework of SADCC.’

However, not everybody supported the idea of forming SATUCC as the cold war realities were very visible at the time. Some unions in the region belonged to the communist World Federation of Trade Unions (WFTU) while others belonged to the pro-Western ICFTU and some were independent. These unions had never before belonged to a joint organisation and the ICFTU feared that its affiliates would be overpowered by the WFTU affiliates and unions affiliated to one-party governments. Although the LO Norway was an ICFTU affiliate, the ICFTU was less than enthusiastic fearing the dominance of leftist unions. At the time, the only ICFTU affiliates in Southern Africa were Botswana, Lesotho and Malawi (Vetlesen 1998).

There were also some tensions between OATUU and the Zambian unions who were the driving force among SATUCC affiliates at the time. The Zambians had proposed that SATUCC should be launched in Zambia in September 1982. However, during the ILO conference in Geneva in June 82 that plan was changed. OATUU proposed that the conference should be held in Gaborone and financed by the ILO. The Zambians were unhappy with this proposal and saw it as ‘coup d’etat’ by OATUU secretary general James Dennis Akumu. His proposal resulted in a postponement of the SATUCC launch.

The tension between the ZaCTU and OATUU dated back to the year before when Chiluba and Zimba had been arrested in Zambia but Denis Akumu had not made an attempt to assist them. He was seen as being closer to the Kaunda government than to the Zambian unions and did thus not support independent unions like the ZaCTU (Vetlesen 1998).

Despite these tensions, SATUCC was eventually launched in Gaborone, Botswana in March 1983. At that time a draft constitution had been prepared by the unions of Zambia, Zimbabwe, Tanzania, Mozambique, Botswana and Swaziland as well as the exiled trade union wings of South Africa, SACTU and ATUCC. They had met in Maseru, Lesotho at an ILO-sponsored conference to prepare a constitution and make some recommendations for the inaugural SATUCC congress (Interview with Sikazwe).

SATUCC launch

In March 83 the first SATUCC conference took place in Botswana with the financial assistance of the ILO and LO Norway. Nine national union federations from Mozambique, Zimbabwe, Zambia, Angola, Botswana, Swaziland, South Africa, Namibia and Tanzania were present and decided that SATUCC should constitute a sub-regional organ of OATUU. The ZaCTU played a strong role in preparing the conference and its follow-up activities. The Zambian choice for SATUCC secretary was Chakufwa Chihana, a Malawian trade unionist who had studied in Europe and at the time of the launch had an LO scholarship to do research work in Southern Africa. However, the launching congress did not establish a secretariat yet.

SATUCC had asked the LO to prepare a paper on the Nordic Trade Union Council 'Nordens Faglige Samorganisasjon' as a model for SATUCC. This formed the basis of discussion at the SATUCC conference. The launching conference then adopted the constitution ('founding charter') which set out SATUCC's key objectives:

- ◆ To co-ordinate union activities in the region.
- ◆ To contribute towards economic and social liberation of the region.
- ◆ To develop democratic and free trade unions in the region and to assist the oppressed black trade unions in South Africa and Namibia.
- ◆ To intensify workers education and collaborate on matters related to occupational safety, health, social security, international labour standards and human rights.
- ◆ To be involved in the development process with particular emphasis on rural development and assistance to migrant workers. (BFTU memorandum 1986).

The founding conference worked out proposals for funding the organisation's activities and envisaged that the national trade union centres would eventually finance SATUCC. Initially, SATUCC had to rely on outside funding which it sought from various organisations.

After the launch, the structures of SATUCC still had to be decided and the deliberations were shaped by the many different interests at play. The exiled union wings of Namibia and South Africa (NUNW, SACTU and ATUCC) were invited to participate in SATUCC. Although SACTU demanded sole and authentic status as the South African representative, the SATUCC board decided that ATUCC should also be represented (Vetlesen 1998; interview).

There were also other political questions that had to be debated among the SATUCC affiliates. Some wanted to build strong and independent unions while others wanted to maintain close links with the former liberation movements who had become the ruling parties. Interestingly, these differences still exist today with some labour movements still being in close alliance with their ruling parties (i.e. South Africa and Namibia) while others have turned into an opposition movement (i.e. Zimbabwe, Swaziland). Nonetheless, SATUCC as an organisation tried to secure its independence and to define a common regional agenda for the labour movements.

A follow-up meeting was held in November 1983 in Lusaka to modify the SATUCC constitution (charter). A decision was taken to change the organisation's name to 'Southern African Trade Union Co-ordination Council' (instead of 'committee'). The meeting also noted in its working document that 'member organisations should be the major source of income'. The document further states that the creation of SATUCC is an attempt to increase workers participation in the economic and social development of the SADCC region and that there is no conflict of interests between governments and trade unions 'in the search for economic and social independence of Southern Africa' (SATUCC 1985).

The Maseru Congress

In August 1984 SATUCC held its second congress in Maseru, Lesotho. Ten national trade union federations from nine countries attended with only Angola and Namibia being absent. Delegates from OATUU, ILO, ICFTU, LO Norway, AALC, UNDP, LO Sweden and the CTUC attended as international observers. The congress discussed the socio-economic situation in the SADCC region and reports from the 'trade union liberation centres' of South Africa and Namibia.

A significant decision of this congress was to change SATUCC's relationship with OATUU. At the launching congress in Gaborone it had been agreed that SATUCC shall be a sub-regional organ of OATUU and that OATUU shall act as its secretariat and convenor. At the Maseru Congress some union federations felt that since SADCC was not an organ of the OAU, SATUCC should also not be a part of OATUU. The Congress agreed and decided that SATUCC should be a completely autonomous organisation that should, however, continue collaborating with OATUU (SATUCC 1985). While SATUCC agreed to work within the framework of the principles of OATUU, it wanted to ensure that its decisions on policies and programmes were taken by its affiliated national trade union centres.

This move towards independence was met with hostility by OATUU's former secretary general Denis Akumu who perceived it as the work of imperialist interests trying to separate SATUCC from OATUU. He expressed his concern about the presence of American unions whom he accused of stabbing the liberation movements in the back. He believed that SATUCC was being hijacked by US labour groups who used financial support as a vehicle to separate the workers struggle from that of the liberation movements (Industrial Review, 10 May 1985). SATUCC responded angrily particularly to Akumu's allegations that some SATUCC funds had been provided by the American Central Intelligence Agency (CIA).

The Maseru Congress also decided to establish the SATUCC secretariat and to appoint an executive secretary. In October 1984, the SATUCC executive board interviewed Michael Beshu and Chakufwa Chihana as candidates for this post. Both candidates were seen as well qualified for the job but the board decided to appoint Chihana because of his international experience and interest in the sub-region. He assumed his duties on 1 December 1984 and the SATUCC secretariat became operational.

Early Activities

The organisation soon became politically visible, reporting on economic and employment conditions and making suggestions to SADCC. The unions tried to influence SADCC's policies and development plans. SATUCC arranged courses and conferences for unions in the region. The role of women in society and in working life became an important aspect of SATUCC's work.

Chihana prepared many papers on SADCC policies and had a high political trade union profile. However, his book-keeping was somewhat lacking. The LO used resources from 1986 – 89 to improve SATUCC's accounting practices. The LO also seconded an economist to SATUCC. The idea at the time was that the SATUCC secretariat should be paid by the affiliates while specific activities should be funded from outside sources.

During SATUCC's early year, the question of political liberation featured prominently on the organisation's agenda. SATUCC mobilised international support for the liberation of Namibia and South Africa which suffered under the oppression of the apartheid regime. According to Bernhardt Esau of the NUNW:

'During the early years we had the frontline states and the agenda of SATUCC was to at least expedite the process of independence, to free countries that were subjected to colonial rule like Namibia, and South Africa which was still fighting for democratic change and a non-racial South Africa. So the agenda was to strengthen the liberation struggle at all fronts, politically, militarily and also to mobilise the working people of the region into a federation of trade unions. That was the ultimate aim'.

On the other hand, SATUCC also saw the need to influence regional policies in favour of workers- a role that would become even more pronounced in the 1990s.

On the international front, the ICFTU eventually accepted the LO's support for SATUCC. Even the American trade union federation AFL-CIO was supportive towards SATUCC despite the American's strong anti-communist attitudes. The Afro-American Labour Centre (AALC) supported SATUCC financially 'outside' the budget, e.g. buying a car. Thus, the first organisations to render financial support SATUCC were the LO Norway, the AALC, the Commonwealth Trade union Council (CTUC) and the ICFTU. (BFTU memorandum 1986; Vetlesen 1998; interview).

Likewise, the relationship between SATUCC and OATUU improved when Hassan Sunmonu became OATUU's new secretary general. Chakufwa Chihana recalled:

At the beginning OATUU never supported SATUCC because we did not have a socialist orientation. Three quarters of the SADC countries were not socialist and if SATUCC had moved fast towards a socialist outlook, it would have been banned in the SADC region... OATUU's attitude changed when Denis Akumu was replaced by Hassan Sunmonu as general secretary. Hassan was a close friend of mine and of Frederick Chiluba. He realised that Southern Africa was a focal

point for international attention and that SATUCC represented an important constituency’.

Shifting Offices

On 17th February 1985, the Botswana government revoked Chihana’s residence permit for Botswana. His high political profile might have provoked the Botswana politicians. However, it remained unclear what actually led to his expulsion and many speculations were voiced:

- ◆ Pressure from South Africa on the Botswana Authorities
- ◆ Pressure from James Dennis Akumu via OATUU on Botswana authorities
- ◆ Antagonism of governments in the region against free trade unions
- ◆ Personal intrigues, i.e. some politicians and individuals in BFTU against Chihana
- ◆ The attitude of the Botswana government against trade unions.
- ◆ Lacking of support from the government in his home country Malawi, where he previously had been arrested for trade union activities (Interview with Vetlesen).

SATUCC immediately convened an emergency meeting of the executive board in February 1986 while the BFTU submitted a very polite and humble memorandum to the Botswana president Q.K.J. Masire. The memorandum outlined SATUCC’s aims and protested against the attempts by Akumu to discredit SATUCC. The memorandum appealed to President Masire to exercise his discretion to reverse the decision on Chihana’s residence permit because:

‘...Mr Chihana has done a great deal to promote the ideals and aspirations of both SATUCC and SADCC in the short time that he has been in office. He has also campaigned ceaselessly internationally against the South African regime and especially, against its destabilisation policies towards Botswana. We feel that in view of this, his removal as Executive Secretary of SATUCC will seriously compromise trade union development in the sub-region.’ (BFTU memorandum 1986).

Despite this appeal, the Botswana government upheld its decision to expel Chihana who recalled:

It was not easy to operate because countries like Botswana were against the labour movement from the beginning...South African commandos were hitting hard in Botswana and most of my colleagues in the ANC were killed. When I was given the marching orders by the Botswana government, they were expecting that the SATUCC executive council would sack me because the BFTU wanted the SATUCC office to remain in Botswana’.

The SATUCC executive Council supported Chihana and the Lesotho Federation of Trade Unions offered to accommodate the SATUCC office in Maseru. Although the Lesotho government at that time was sponsored by the South African apartheid regime, Chihana was never harassed or arrested:

I was able to write and move in and out of the country, organising workshops with all trade union movements. We were even able to receive funding from overseas

visitors and managed to build SATUCC into an active organisation. We also made use of intellectuals from the SADC region to come and lecture on different subjects’.

However, the security situation was precarious. Agents of the South African regime were deployed everywhere and they monitored SATUCC’s and Chihana’s movements. In 1988, during a SADC conference of labour ministers, Chihana told the Malawian labour minister that SATUCC was operating from a hotel room in Maseru. The Minister reported this to the late Malawian dictator Kamuzu Banda, who offered that ‘our citizen’ and the whole SATUCC office should move to Malawi. Chihana explained how this was possible despite the autocratic rule of the Banda regime:

‘We used to hide our political imaginations, we worked like a tortoise in some countries. When there was danger we used to hide our head inside the shell. Whenever we came to Malawi for workshops we moved with our heads in the shell. We rubbed shoulders with ministers and invited them to open our workshops. As a result, the Malawian government was impressed with SATUCC, thinking that ‘these people are for bread and butter’. Dr Banda said that this is the kind of labor movement he wanted and he also wanted to help me - thinking I would help him to justify his dictatorship. We knew what to do and what to say, and what to write when we came to Malawi... The regime was digging its own grave and laid the foundation for its own funeral.’

The SATUCC offices then moved to Zambia and Malawi. Swaziland’s Richard Nxumalo remembers:

‘The office then moved with Chihana to Malawi. Then there was again a problem with the government and we had to move our offices to Zambia at a time when Shamenda was still the president of SATUCC. We ran the office with the assistance of ZaCTU in Kitwe. We had employed some project co-ordinators on a temporary basis. This arrangement worked for some time until Chihana resigned at a congress. He was interested in politics and his ambitions became very strong’.

.....(more details needed).

Promoting Women (‘Brother Alice’)

After his appointment as executive secretary Chihana approached Alice Gondwe Siame of ZaCTU to co-ordinate SATUCC’s women activities. She recalled:

‘Zambia hosted the first regional women conference of trade unions. We invited other women from the regions to come and participate. That was in 1985. Then

Chihana came and he talked to us about gender issues at SATUCC level. From then I was invited to the various meetings which they used to hold in the Southern African region. Later on in 1988 when we established the women's committee at SATUCC level, the chairperson was Alice Rathimo from Lesotho and I was the secretary of the committee. Because I'm a trainer, I was also involved in co-ordinating education programmes in SATUCC not only for the women but for everyone. My position as secretary of the women's committee also entitled me to sit on the board because later on when SATUCC held its congress in Mauritius in 1990 I pushed for the recognition of women in the SATUCC constitution so that the women could also be represented on the board. I pushed for the amendment of the constitution, so that SATUCC recognises the women in its structure and also that there's representation on the executive board. So I became a member of the SATUCC executive board officially. I was the only woman and they used to call me 'Brother Alice'. They still call me that today.

Basically most of my work related to gender issues in SATUCC. Our activities were mainly supported by LO Norway just like the major SATUCC activities were funded by LO Norway. They also supported the budget for the women activities. We used to have three regional meetings per year on gender issues. We did focus on education and training and we held one meeting in Namibia. It was on occupational health and safety.

We came up with a policy on education and training, and we also came up with a policy on occupational health and safety and we also had a workshop where we looked at the legislation in the region that affects women. We looked at the general labour laws and the overall legislation of each country and how it impacts on the women's performance. These were the four major areas that we covered.

The problematic part was taking our policy proposal further. After we made the proposal we took it to the executive board but it was becoming very difficult to take action. They needed to prioritise the issue but we found that they put the women issues aside because of other priorities and also because of time. But we women have put together a good network through all these meetings. My focus was that we should spread this network to the sub-regions. We were also in the process of starting a newsletter which we could circulate to the members so that each national centre can contribute what is happening in each country. That was what we proposed to Chihana when he was executive secretary'.

The concept of a women's desk was discussed in SATUCC in 1985 at its third congress and executive meeting. The first SATUCC Women's Committee was then established in April 1988 at a regional women's conference in Harare. The late Alice Rathimo from Lesotho was elected chairperson with Zambian Alice Gondwe Siame as secretary. Miriro Pswarai from Zimbabwe, Maudline Castico from Tanzania and Onalenna Letamo from Botswana served as committee members. Three women's conferences and various

workshops for female union leaders and educators were held since then (SATUCC background paper, undated).

The women's committee's main aim was to unite women workers in the region and to ensure that all unions work towards gender equality. The committee also wanted to convince the male unionists that women can be presidents and general secretaries.

The main activities of the committee were education programmes for women to prepare them for leadership positions in the unions and to inform them about their rights. The committee also encouraged women to become active in the political field. Despite many obstacles, the committee persisted in its attempts to put gender equality on the SATUCC agenda (Interview with Mukamba).

SATUCC's women programmes were funded by LO Norway until 1994. At that time donors were not so keen to render support any longer and SATUCC seemingly did not see the women's committee as a priority. The Office of the Friedrich Ebert Stiftung (FES) in South Africa then took the initiative and tried to introduce a new format and structure for gender activities. It introduced the Annual Southern African Trade Union Women Forum (ASATUW) which aimed to provide women trade unionists in the region with a platform to discuss, co-operate and network on a regional level. The forum kept contact with the SATUCC Women's Committee and held three fannual forums from 1994 to 1996.

This initiative was, however, was not well received by the SATUCC leadership which did not like the idea of an annual women's forum under a different name and logo. Questions were also raised over the FES's idea to include women from unions who were not affiliates of SATUCC. ASATUW thus was abandoned in 1996 as SATUCC insisted that such activities should be carried out under the umbrella of SATUCC (Interview with Siame, SATUCC background paper, undated).

In July 1997, a SATUCC women empowerment workshop was held in Durban, South Africa, attended by delegates from 9 national centres. The conference noted that most trade unions did not have gender policies and made recommendation to be discussed at the SATUCC executive meeting scheduled for later that month. On 26 July 97, a special workshop for the SATUCC executive and the SATUCC Women's committee was held to:

- ◆ brief the executive council on the state of women in the region
- ◆ sensitise the leadership on gender issues
- ◆ prepare the on-coming third women's conference.

After lengthy discussions the following recommendation were adopted by the SATUCC executive:

The third (and so far last) SATUCC Women's Conference took place in Durban in November 1997. It was attended by 29 delegates and adopted the following recommendations:

- ◆ All national centres should develop a gender policy
- ◆ Women should be involved in union policy formulation
- ◆ SATUCC should continue to secure resources for education and training
- ◆ SATUCC should carry out research on women in the region
- ◆ SATUCC and its affiliates should network with NGOs with similar objectives in the region
- ◆ SATUCC should facilitate regional exchange programmes which include human resources, information materials, education and training
- ◆ SATUCC should implement its congress resolution and employ a full-time women co-ordinator and encourage its affiliates to establish women desks with full-time co-ordinators
- ◆ SATUCC should ensure that all affiliates are represented on the women's committee and that the committees meetings take place a day before the executive council meetings (to enable the committee to table issues for discussion)

(SATUCC background paper, undated).

A few months later, in November 1997, SATUCC held its third women's conference under the theme 'Women Empowerment towards Gender Integration'. The conference noted the continued low participation of women in trade unions and called on all national centres to recruit more women into trade unions and to take measures to bring more women into leadership positions. The conference also called on SATUCC to strengthen women's structures, to employ a full-time gender co-ordinator, to include women in all education and training programmes, to build capacity amongst women through empowerment programmes, and to place women programmes on the main stream agenda of trade unions.

Regarding the variations of labour standards in the region, the conference called on SATUCC to lobby governments to harmonise labour standards, to implement ILO conventions and to take the plight of women into consideration when trade agreements are designed.

SATUCC's Women's Committee is determined to build women's confidence in the region and to ensure that they take their rightful place in the labour movement: 'Let us all remember what we agreed at our first forum in 1994 that women structures in all trade unions should not be viewed as permanent structures but are a process towards total integration'. (SATUCC background paper, undated).

Challenges in the 1990s

Chakufwa Chihana left SATUCC in 1992 and went into politics. Morgan Tsvangirai, the then secretary general of ZiCTU was appointed secretary general of SATUCC and held this position until the SATUCC delegate congress in 1998. At that congress SATUCC decided to appoint once more a full-time executive secretary to head the organisation. However, this position has not been filled to date. At present, SATUCC's full-time staff consists of an administrator and a co-ordinator.

During Tsvangirai's time in office, SATUCC first had an office in Kitwe, Zambia while the general secretary was based in Harare. This arrangement was impractical and the office was temporarily transferred to Harare before finally being re-opened again in Gaborone, Botswana in 1996.

The change in SATUCC's leadership contributed to changes in the organisation. Chihana was widely seen as having a high political profile, as placing gender programmes as one of SATUCC's priorities and as having a talent for mobilising funds. However, he had a poor administrative record and was also accused of having run SATUCC as a one – man – show (Interviews with Nxumalo, Esau, Siame, Theodorsen, Vetlesen).

During Tsvangirai's term of office, the Zimbabwean unions played a prominent role in SATUCC but the organisation was also faced with the challenge of adjusting to new realities. After the independence of Namibia in 1990 and the first democratic elections in South Africa in 1994, SATUCC no longer had the common political enemy that it had confronted during the 1980s. SATUCC's coordinator Abisha Nyanguwo explained:

'We have transformed from an organisation that initially had only a political dimension to an organisation with a developmental approach. Trade unions in general are no longer talking mainly politics but they also raise the question of democracy. We are no longer simply an appendix to the political system, we have now got to challenge the status quo when we feel that the system is not democratic enough. We have very good examples how SATUCC participate in the democratic process. The trade unions in South Africa played a big role in a democratization process, trade unions in Malawi and Zambia contributed to the democratisation process and right now in Zimbabwe there is already a process all emerging from the involvement of trade unions. We have just moved away from simple recipients of complaints towards bringing about a solution. We have taken more of a pro-active position to the point that we are no longer just recipients of policies. We are also beginning to inform policy for the betterment of our people a large. We are no longer a narrow section-minded organization, but we are now becoming broad to encompass other sectors and interests. We have seen of late that trade unions are beginning to have networks and coalition with other civic institutions - unlike before. There are now more points of engagement with other civic organisations than before and that's why trade unions these days are more widely acceptable as instruments of democracy.'

In the 1990s SATUCC also had to face a certain level of donor fatigue as the organisation was expected to at least run its secretariat from its own funds instead of remaining

completely donor-dependent. On various occasions SATUCC tried to address these issues through programmes that aimed to meet the needs of its affiliates. SATUCC's strategic agenda for 1996 – 98, for example identified the organisations key areas of activity as:

- ◆ Representing the interests of labour in the SADC
- ◆ Co-ordinating the activities of national centres in the region and promoting sectoral union co-operation.

The following sections present an outline how SATUCC tried to address these challenges.

Education activities

Education activities constituted a central part of SATUCC's activities since its formation. Education was seen as an important strategy to build capacity among the SATUCC affiliates. Alice Gondwe recalled the situation in the late 1980s:

'The only national centres that were running education programmes were Zambia and Tanzania. Zimbabwe was just starting also. We were looking at capacity building in the national centres and also in what areas they needed training. We looked also at health and safety and we also looked at the social and economic policy of the region and also at our participation at SADC level...

We are also trying to focus on some skills training for national centres that they can introduce skills training at national level. There was a proposal to meet annually with the people in charge of education from national centre as it was very important that they meet and discuss what are the focus areas of their education work. Education is also dynamic and we should look at the new methodology, the curriculum, curriculum development and incorporate other areas so that we would develop the best education programmes for the region. These were our dreams. We wanted to meet so that national centres could be strengthened to face the challenges ahead and to effectively service their members which is a priority area. Unless the national centres got the people with skills to do the work, check backups information, collective bargaining etc. the labour movement will be weak'.

The education programmes were based on the understanding that SATUCC needed to build and assist its national centres in order to build a strong labour movement in the region. Today, most SATUCC affiliates run their own education programmes either at national level or through their industrial unions. However, they all appreciate the regional programmes run by SATUCC. These programmes centred around issues like:

- ◆ Common labour standards in the region and the Social Charter
- ◆ Collective Bargaining
- ◆ Occupational Health and Safety
- ◆ HIV/AIDS
- ◆ The effects of Structural Adjustment Programmes
- ◆ Export Processing Zones (EPZs)

Ken Mhango from the Malawi Congress of Trade Unions (MCTU) pointed out that these programmes helped to raise awareness among unions:

'SATUCC has played a major role in educating our members and also the community in general benefited. They educated the worker who passed that information on to their family.'

Influencing SADC policies

This has been another key area of SATUCC's activities and will remain a key focus for the year to come. Initially SATUCC dealt primarily with the Southern African Labour Commission (SALC) where it first had only observer status. In January 1995, the SADC Council of Ministers decided to create a new SADC Employment and Labour Sector (ELS) which was constituted on a tripartite basis with representation from governments, businesses and trade unions in the region. SATUCC was recognised as the representative regional trade union body and has participated in all ELS conferences since its formation. The objectives of the sector are:

- ◆ To ensure that the sector retains the tripartite structure of the three social partners
- ◆ To promote the formulation and harmonisation of legal, economic and social policies and programmes in member states which contribute to the generation of productive employment opportunities
- ◆ To promote labour practices and measures in the member states which facilitate labour mobility, remove distortion in labour markets as well as enhance industrial harmony and increase productivity
- ◆ To promote the establishment and harmonisation of social security schemes
- ◆ To harmonise regulations relating to health and safety standards at work places across the region
- ◆ And to promote the development of institutional capacities as well as vocational and technical skills in the region.

Two technical committees were established to assist with the technical work of the sector. These are the technical sub-committee on occupational health and social security and the sub-committee on employment and productivity. These committees are composed of 7 workers, 7 employers and 14 government representatives (SATUCC Secretariat report 1998).

A fundamental challenge for the labour movement in the region was to define a development strategy in opposition to the neo-liberal policies that were increasingly introduced in Southern Africa since the mid-1980s. These mostly took the shape Structural Adjustment Programmes (SAPs) introduced by the IMF and World Bank as a pre-condition for further loans. The severe social hardships and economic devastation that resulted from SAPs were discussed at several SATUCC meetings as the regional labour movement tried to define its own alternative agenda. The unions were concerned that narrow economic concerns of SADC states have overridden the political aspirations for regional integration, as individual countries were increasingly pursuing competing

policies at national level which contradicted efforts towards regional integration (SATUCC 1995). A regional policy and planning workshop in July 1995 concluded that:

- ◆ ‘Free movement of labour within the current context of economic inequality and polarisation will lead to a drain of skilled people and influx of unskilled immigrants into richer countries in the region. There is a need for regulation of movement until greater economic equity is attained, and the real causes for the movements are addressed. This should allow for certain levels of flows of labour, with a preference for Southern African labour, multilateral arrangements on such movements and quotas based on the economic need for migrant earnings. Unions should also ensure that minimum labour standards apply to all workers, including migrants. It was noted that COSATU has called for a Commission on Labour Migration and it was proposed that this be established at a regional level.
- ◆ Completely free trade without trade/tariff barriers is not an appropriate measure for the region at present. It would be preferable to have a preferential trade area with temporary and flexible tariffs conditional upon improvement of productivity. However at a deeper level there is a need for an integrated policy of industrial and human resources development.
- ◆ Free movement of companies is not appropriate at this stage given the varying levels of development within the region. There should be regulations on movement of companies so that they do not move to avoid liabilities or to depress labour standards. There is a need to establish a single investment centre in the region to avoid competition between countries and the minimum standards of the Social Charter should be applied to protect workers and to reduce competition based on the non-implementation of labour standards.’(SATUCC 1995)

The Social Charter

The Social Charter is SATUCC most famous document and an expression of the labour movement’s desire to establish common minimum labour standards in the region. This Charter of Fundamental Rights of Workers in Southern Africa was the product of several workshops and meetings conducted by SATUCC, including the Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions (NACTU) of South Africa.

Following the resolution passed in Malawi during the August 1991 workshop, a task force team was mandated to refine and finalise the document. The charter was subsequently adopted by all tripartite partners during the 13th Southern African Labour Commission meeting, which took place in Lusaka, Zambia in March 1992. The Charter was again tabled at the SALC conference in Maseru in 1995 and the meeting decided to subject the charter to a tripartite review. After discussions in various SADC countries, the charter was defined further. However, SATUCC noted with concern that there had been deliberate delays by governments in an effort to obstruct its implementation.

In the foreword to the charter former SATUCC president and current ICFTU president Fackson Shamenda noted that :

‘This workers’ charter is a solemn declaration and lays down the broad principles underlying our Southern Africa model of labour law and indeed, more generally, the place of work in our societies. It embodies a foundation of trade union rights, which must be guaranteed and implemented by all tripartite partners depending on the field of their competence.

This charter is therefore an instrument embodying workers’ aspirations in Southern Africa, a reflection of our common social, economic and cultural identity, and indeed, contains a message for all peoples of the region who are looking forward to the progress of SADC, to give them reason for hope.’

The Social Charter (see appendix 2) expresses the regional labour movement’s concern about the social, political and economic problems and points out that moral and political will are needed to develop a socio-economic strategy that will be able to address the current problems. The labour movement demanded a set of fundamental workers rights which have to underpin a regional development strategy. These rights included:

- ◆ Basic human and trade union rights in line with the UN’s Universal Declaration of Human Rights and the African Charter of Human and People’s Rights;
- ◆ Ratification and implementation of ILO conventions by all governments in the region;
- ◆ Prevention and prohibition of any form of discrimination based on race, colour, sex, creed, religion, physical disability, marital status, nationality, sexual preference, or HIV status;
- ◆ Right to job security and protection against unfair dismissals;
- ◆ Upwards harmonisation of labour laws and the right of workers to live and work in a healthy environment;
- ◆ Legislation to minimise the use of pollutants and hazardous chemicals;
- ◆ Education programmes and adequate protective clothing and equipment to safeguard workers’ health;
- ◆ Enforcement of effective anti-trust legislation and the introduction of a harmonised system for the disclosure of company information;
- ◆ Establishment of autonomous labour and Industrial Relations Courts;
- ◆ Freedom of movement, residence and employment for workers throughout the region;
- ◆ Right for migrant workers to freely join trade unions, to send their wages and benefits to their home country and an end to the practice of keeping migrant workers on short-term employment contracts;
- ◆ Retirement and unemployment benefits for workers;
- ◆ Mandatory negotiations and protection of workers’ rights in case of dismissals due to mergers, transfers, insolvency or restructuring;
- ◆ Right to bargain at various levels – from plant to national level.
- ◆ Right for trade unions to participate in the social, economic and political decision-making process at all levels;
- ◆ Guaranteed labour standards across the region to prevent ‘social dumping’;

- ◆ Tripartite economic forums should be established to decide on investments. Structural adjustment must also be discussed at tripartite level as a component of national economic policy;
- ◆ Right for trade unions to take their rightful place in the democratisation process;
- ◆ End of discrimination based on sex and affirmative action programmes for women to allow them to take their rightful position in all leadership structures of society;
- ◆ Obligation on governments, employers and trade unions to contribute to workers' education and training;
- ◆ Right for all workers to paid study leave;
- ◆ Establishment of a tripartite supervisory body to monitor and enforce adherence to basic human and trade union rights in the region;
- ◆ Access to all print and electronic media for workers' organisations;
- ◆ Fostering solidarity as an instrument of trade union co-operation.

The Charter concludes that governments, employers and trade unions as well as the existing regional and national structures will be responsible for the implementation of these demands. 'We declare that the above objectives are in the best interests of all working people in Southern Africa. We pledge to struggle together for their full implementation'.

The Social Charter was tabled first at the SALC and further discussed at the SADC Employment and Labour Sector over many years. Governments were reluctant to adopt the charter and disagreed especially with the idea of free movement of people in the region. Employers also delayed the adoption of the charter and went as far as demanding that the right to lock-out should be entrenched as a basic right. In an attempt to reach consensus the charter went through several changes over the years as Abisha Nyanguwo explained:

'The charter started as a demand of fundamental rights and was transformed into a SADC social charter of fundamental rights. It has gone through a lot of debate throughout the years although it was very disappointing that its adoption has become a very major problem. It was only in 1999 that we almost came to the conclusion. There was a general acceptance by all Governments and other parties that the matter has gone through all kind of consultations and that there is a need that we move forward. The charter should form the basis of other protocols that may emerge within the sector. However, we now have a problem with the employers. Particularly employers from South Africa feared trade unions because of the gains made within the labour law in South Africa. They wanted to gain mileage through SADC and they want to pounce back in South Africa. The point they raised was the question of the right to strike which they want to put at the same level as the right to lock-out. However, workers are already in a vulnerable position because they are not the owners of capital and hence the only weapon they have is the strike. But the employers insisted that they must have the right to lock-out which even the ILO does not regard as something that is acceptable because of the inequalities. Employers own capital, they own the factories etc. So that's where we are now but we are hopeful that this will be solved in the next conference.'

The Social Charter was finally adopted at the Employment and Labour Sector meeting in Windhoek, Namibia in February 2001. The final document....

SATUCC office needs to supply final text of the Social Charter

Export Processing Zones (EPZs)

SATUCC noted with concern that some governments in the region were consciously adopting EPZs as part of a strategy for national liberalisation programmes to integrate their economies directly into the global economy. This carries serious implications for negotiated programmes and more strategic approaches towards the liberalised global economy and its agents like the World Trade Organisation. SATUCC noted that the national liberalisation approach of SADC states reflected negatively on their commitment to a joint regional approach. SATUCC's secretariat report of 1998 noted that: 'At this stage in the creation of development co-operation towards future integration of Southern Africa, it is natural that the separate governments still have to take separate decisions relating to their national economies. However, the creation of EPZs could exacerbate such natural tensions by actively fostering a narrow nationalistic approach and divisive competitive relations between neighbouring countries and fellow members of SADC.' (SATUCC 1998).

During a workshop on EPZs in Harare in 1996, SATUCC adopted a resolution that reflected the position of the labour movement. It was subsequently tabled for discussion in the SADC Employment and Labour Sector and reads as follows:

'Southern Africa Trade Unions note the introduction of Export Processing Zones (EPZ) in various countries of Southern Africa. Unions believe that EPZ's are a weak and inefficient strategy for economic investment and growth whose costs to national economics and populations and to regional integration greatly outweigh any perceived benefits. Unions note that the impact of EPZs in the SADC region will be to deepen division and competition between SADC member states and to undermine the essential and difficult process of regional economic integration.

Trade unions in the region observe from the international experience of EPZs that

- EPZs are an inefficient, costly mechanism for job creation
- EPZs do not yield significant real foreign exchange earnings due to high imported contents of EPZ goods and generous provisions for repatriation of profits.
- EPZs do not stimulate growth in the domestic economy, do not provide skills or technology transfer and may further undermine domestic industry where

leakages take place into the host country from the highly subsidised EPZ sector.

- EPZs attract and lead to industrial monocultures and do not encourage industrial diversification and intersectoral linkages.
- EPZs create an extremely distorted profile of tax, infrastructure and service subsidies and concessions that are not only withheld from domestic industry, but that are in fact subsidised from domestic industry, posing a further cost to national enterprise.

Trade unions reject the use of concessions on labour, environmental and health standards as incentives to investment, as has emerged in the EPZs everywhere. No economic measures, including that of EPZs should undermine labour, environment and health standards, and the sustainable management of domestic resources. National labour, health and environmental laws should apply without derogation in EPZs. SADC should also establish standards in these areas that harmonise these national standards and define the responsibilities and liabilities between member states.

However trade unions note that even where labour and environmental laws apply in EPZs the nature of EPZ production undermines the development of a stable industrial relations climate and basic rights to union organisation, as:

- Enclave EPZs limit the access of unions, control the movement and undermine the rights of workers in the name of controlling the flow of goods
- The enclave and controlled nature of EPZs limits the physical access of government inspectorates and trade union health and safety officials.
- EPZ employment practices create insecure employment, unskilled and contract jobs for local employees, while skilled and managerial jobs are reserved for foreign employees.
- EPZ jobs bring women into employment but generally in insecure, low skill jobs, and do so deliberately to undermine worker unity.
- EPZ companies have a short-term horizon linked to the life of the economic concessions, and may have moved on by the time labour, health and environmental liabilities emerge.
- Governments in the region have limited or no access to information on the past performance of EPZ companies to reduce exposure to companies with poor practices or criminal records.
- Through tax concessions EPZs do not contribute to local infrastructural, resource management and health costs and thus impose a subsidy on local companies and populations.
- EPZ customs concessions make it difficult to monitor and regulate the flow of hazardous goods, including across national borders.
- There may be resistance within the state to monitor and enforce labour, environmental and health standards to avoid sending “negative signals” to investors.

Trade unions thus note that EPZs undermine the conditions for national decision making over human and natural resources essential for sustainable development in the region.

This is reinforced by the lack of substantive consultation with domestic employer and labour groups that precede the introduction of EPZ Acts.

It is thus our position that the EPZ policy is not only a substantial threat to industrial democracy and sustainable development within our countries, but establishes a competition between SADC member states for investment that will not only lead to a downward spiral of labour and environmental standards, but can also lead to competition on concessions and to retaliatory tariff, transport and trade measures. Such measures will undermine the climate of political and economic co-operation necessary for regional economic integration. SADC has already taken a position that multilateral co-ordinated liberalisation within the region would yield greater advantage over unilateral liberalisation of states, but EPZs contradict this policy as an extreme form of unilateral liberalisation.

We therefore urge our governments and local employers in the region to move from short term, potentially costly and relatively ineffective measures like EPZs to intensify the work towards developing co-ordinated industrial, social, resource management and labour market policies in the region that enable Southern Africa to integrate into the global economy NOT on a disadvantageous “one-by-one” basis but as a stronger regional block.

Should EPZ policies be implemented, we believe that the SADC Employment and Labour sector should monitor and seek report from member states on the measures that they have put in place to apply labour, environmental and health laws in EPZs where they do exist, and that SADC should further monitor and report on the real impact of such EPZ policies on regional economic and trade integration.’

Regional Integration

In the same year (1996) SATUCC released a statement that set out the labour movements position on regional integration as follows:

‘Trade unions in Southern Africa note with concern the growing tensions over economic, trade and investment issues between member states of the Southern African Development Community. The current situation signals a trend that, if not recognised and countered, may undermine and even threaten regional co-operation and integration. Aware of the full range of motivations behind the formation of SADC, workers and other concerned citizens of Southern Africa understand that in the current competitive global economy, with strong regional blocks such as NAFTA and the EU, developing alternatives to global liberalisation and creating sustainable, appropriate development strategies depends upon our countries working together as a regional block. The formation of such a block in Southern Africa would build upon deeply rooted political, economic, labour market and other links between our peoples and countries.

The trade union movement in Southern Africa is concerned at the apparent lack of seriousness of SADC member governments and the business community towards the objectives of SADC.

When South Africa joined SADC in August 1994 there was great optimism as countries in the region recognised that this signaled new potential for developing a meaningful regional economic community. The regional co-operation expressed in the “preventive diplomacy initiatives” that helped reduce conflicts in Lesotho, Mozambique and Angola indicated the potential also for regional political co-operation to contribute to peace, security and development throughout the region.

During the last two years since 1994, as SADC was at last positioned to move forward towards concrete agreements in trade, investment and other areas of technical co-operation, many unanticipated problems and even conflicts have become evident. The expression and resolution of national differences, and even conflicts, between SADC member states are an inherent part of the integration process. However such inevitable tensions have been aggravated by two other factors. On the one hand, external forces have deliberately encouraged unilateral policies of competition rather than co-operation amongst Southern African countries. On the other hand, many of the governments of the region have, themselves, adopted policies of self-promotion and short sighted nationalistic competition with fellow-SADC members.

Regional co-operation is being undermined and disrupted by governments pursuing separate bilateral trade and other economic deals rather than inclusive multilateral agreements. Inherited imbalances are being expressed and exacerbated – by sharp trade disputes. Competition is increasing between SADC member states to attract foreign investment on the basis of cheap labour policies, compromises on labour conditions and rights, and unsustainable financial and other inducements to foreign companies. Rather than regionally co-ordinated investment strategies and restructuring of economies, individual countries in the region are being subject to national structural adjustment programmes that promote competing rather than mutually beneficial trade and investment strategies. Many governments in the region are creating Export Processing Zones (EPZs) as another device to attract foreign investment and ‘create jobs’, but these EPZs carry negative implications for labour and environmental standards and encourage further regional competition rather than co-operation.

All Southern African governments seem intent upon enhancing their relations with the European Union and other developed markets. The region is secondary. Vertical integration into the North has orientated SADC government strategies away from one another, down-graded the importance and undermined the potential of intra-regional trade. The recent SADC meeting on trade and investment provided evidence of rising tensions between member states. Such tensions and conflicts detract from important and constructive work being done in the spheres of political co-operation, collective approach to regional security and defence; regional systems for transport, food security, power generation and water provision; discussions on regional labour and skills migration; joint work on capital and a regional stock exchange and in other areas.

We understand that the actions of any government are an outcome of forces that define “the national interest” both within the region and internationally. We understand that conflicts can emerge over specific production and investment issues. However, in the absence of a regional strategy for ensuring more balanced development across the region, including the equitable creation of employment opportunities, such differences and tensions can become seriously damaging to the potential for regional co-operation and development.

We are determined as, trade unions, that those we put in government must have the courage, vision, democratic spirit and long term perspective to take us out of the narrow nationalistic, conflict-ridden and short term trends that are emerging. We must, together, create in a transparent manner the political environment and economic measures and multilateral agreements required for a longer term regional framework of economic cooperation and mutual development.’ (SATUCC 1996)

HIV/AIDS

Another policy area where SATUCC tried to influence regional policies was HIV/AIDS. After several workshops on the effects and possible strategies to counter the further spread of the disease without discriminating against those who are HIV positive, the regional labour movement played an active role in preparing and promoting a regional code on HIV/AIDS. The proposed code on HIV/AIDS and employment (see appendix 3) was adopted by a SALC conference in 1996 in an attempt to address the social and economic problems caused by the pandemic. It aims to ensure non-discrimination of people living with HIV and sets out guiding principles for national codes on HIV/AIDS and employment. SADC member states are expected to ensure that their national policies are in line with the code. Its components are:

- ◆ Education, awareness and prevention programmes for all employees and - where possible - for their families;
- ◆ Job access for all without pre-employment HIV tests;
- ◆ No compulsory workplace testing for HIV;
- ◆ Legal right to confidentiality for persons with HIV/AIDS;
- ◆ HIV status should not be a factor in job status, promotion or transfer;
- ◆ HIV infected persons have the right to work in their jobs as long as they are medically fit to do so. They should not be dismissed on the basis of their HIV status;
- ◆ Occupational benefits must be non-discriminatory and also apply to persons with HIV. Likewise, medical aid schemes should be non-discriminatory;
- ◆ Counselling and advisory services should be available for all employees;
- ◆ Precautionary measures should be implemented to minimise the risks of work-related infections;
- ◆ Protection of people with HIV/AIDS against stigmatisation and discrimination;
- ◆ Protection of confidentiality when dealing with HIV related grievances;
- ◆ Information and data on HIV/AIDS, sexually transmitted diseases and tuberculosis should be made publicly available by governments;

- ◆ Monitoring and review of the code should be a tripartite responsibility.

This code has had an impact on the national HIV/AIDS policies of the various SADC states. It was printed and sent to all countries and the national trade union centres took on the task to convince their governments to adopt national policies in line with the regional code.

Health, Safety and the Environment

The prevailing conditions in Southern Africa of poor economic conditions, job insecurity, outsourcing, a lack of basic labour standards and the lack of political commitment to occupational health and safety (OHS) resulted in poor and hazardous work environments. A report of a SATUCC workshop held in 1999 noted that:

‘The OHS system is not adequately dealing with this situation because of outdated and poorly enforced laws, an ineffective inspectorate and lack of tripartism. There is also inadequate data on OHS to reflect the real level of injury taking place. When workers are injured they receive inadequate compensation and face difficulties with the compensation system. Unions themselves have problems in confronting this situation as they too may lack commitment to, policies for and skills to deal with OHS. After many decades of activities unions still lack adequate OHS cadres, have lost many of those trained, and continue to lack adequate resources for OHS’ (SATUCC 1999).

SATUCC and its affiliates still try to promote improved health, safety and environmental standards, guided by the SATUCC policy which was adopted in February 1995. This policy complements the Social Charter and states the following:.....

SATUCC office has to supply the SATUCC Policy on Health, Safety and Environment

SATUCC’s Political Role

Besides influencing regional policies, SATUCC also played an active role in supporting democracy movements in the region. After rendering support for the liberation movements in the 1980s, SATUCC’s focus in the 1990s shifted towards supporting democracy movements that emerged in opposition to autocratic governments in the region. The first case was Zambia where the ZaCTU played a key role in the Movement for Multiparty Democracy (MMD) that won the 1991 elections and made former trade unionist and SATUCC president Frederick Chiluba the country’s president. However, Chiluba’s reign turned out to be a disappointment for the labour movement as his government implemented sweeping structural adjustment programmes that had a

detrimental effect on workers and the poor in Zambia. ZaCTU soon emerged again as a critic of government and continued to play its independent watchdog role that it used to play under the Kaunda government. In 1998, the Zambian government showed increasing sign of intolerance towards workers' plights and imposed a unilateral wage freeze on all civil servants despite high inflation rates. When the ZaCTU called for a national two day stay-away, the government threatened to de-register the ZCTU.

The continued oppression of labour and other democratic rights in Swaziland has been an area of SATUCC intervention for several years. In January 1997, following the government's failure to address the 27 demands tabled by the democratic movement, the Swaziland Federation of Trade Unions (SFTU) called for an indefinite stay-away. The police responded by arresting and detaining the SFTU leadership. SATUCC immediately held a meeting with the then president of South Africa and SADC, Nelson Mandela, asking him to intervene. In February 1997, SATUCC sent a delegation to Swaziland to meet the prime minister and to demand the release of the detained SFTU leaders. The prime minister refused to meet the SATUCC delegation and SATUCC declared 3 March 1997 as a day of action against the Swaziland regime. SATUCC called for action at all border gates to Swaziland and Swaziland High Commissions.

On 25 February 97, the detained trade union leaders were released. However, the Swaziland government resisted calls for democratisation and respect for human and trade union rights. The country is still ruled by an oppressive regime and SATUCC continues to support the struggle for democracy of which the SFTU is a central part (SATUCC 1998, Umsebenzi, March 1997).

Similarly, SATUCC supported the labour movement in Zimbabwe which challenged the increasingly autocratic government of Robert Mugabe. The ZiCTU eventually became the leading organisation in the Movement for Democratic Change (MDC) and SATUCC sent an observer mission to monitor the Zimbabwean election in the year 2000.

SATUCC closely monitors the violation of trade union rights in the region and tries to support the struggle of its affiliates through solidarity messages, regional campaigns and letters of protest.

SATUCC and the international labour movement

After the initial tensions and cold war rivalries that existed during the time of SATUCC's launch, the international labour movement has fully recognised SATUCC and co-operates with the regional body. All SATUCC affiliates are also OATUU affiliates and most are affiliated to the ICFTU as well. Even those federation that were skeptical about the ICFTU's political agenda for many years – like COSATU and the NUNW – eventually joined the world body. Fackson Shmaneda explained:

'Because of the cold war there used to be differences between OATUU and ICFTU, but that is something of the past now although there are remnants. The point is that the members of OATUU are also the members of ICFTU, so there should be no contradictions. Out of about 50 union federations in Africa, only 5 or so are not members of both international organisations. I believe that they are supposed to be complementary because ICFTU-AFRO is a regional structure of ICFTU-Global. OATUU is an African organisation established to relate with the African structure on the continent. It is accountable to its own structures and it has its own policies. ICFTU-Afro on the other hand always has to consider that they are part of the larger global ICFTU... As President of ICFTU I want to use my influence to make OATUU and ICFTU-AFRO work more closely with each other'

The OATUU secretary general Hassan Adebayo Sunmonu agreed that SATUCC is a useful sub-regional organisation but emphasised that OATUU should continue to play a leading role on the continent:

'OATUU is the only continental African trade union organisation that represents all trade union tendencies. Even those that are not affiliated to any other international organisation are affiliates of OATUU. One of our largest affiliates has 4 million members, they are only affiliated to OATUU and not to any other federation. So we are also a specialised agency of the world. Any matter concerning trade union movements in Africa will be forwarded by the OAU to OATUU because we are fully recognised by the OAU.'

Likewise, the general secretary of the ICFTU-AFRO believes that his organisation plays a critical role on the continent and in terms of supporting sub-regional organisations:

'As ICFTU-AFRO we are always been invited to SATUCC meetings and we support their activities. We are also supporting the activities of the East African Trade Union Co-ordinating Council, and we support other sub-regional activities...We have always invited donors, to support sub-regional activities. Whenever there are a violation of trade union rights we are always there for example in Swaziland, when a trade union leader was arrested, ICFTU-AFRO send a mission to protest to the Swazi Government and we even visited the prisoners. Morgan Tsvangirai as Secretary General of SATUCC came with us to show that we work together with SATUCC. There are also other activities that we have organised together with them. We had a conference on structural adjustment programmes in Zimbabwe and other places and we invited SATUCC to participate. As a sub-regional organisation they deal with problems related to SADC, the economic aspects of it.

If there are activities that SATUCC wants us to participate, well we will contribute any time. They don't need ICFTU as they used to in the past, they can organise donor meetings themselves. OATUU says SATUCC is part of the OATUU. They claim that all the sub-regional organisations belong to them. Well they have the right to say so, because members of the sub-regional organisations

are also members of OATUU and at the same time members of ICFTU, but we are much more closely involved. ‘

Despite such indications of remaining tensions between OATUU and ICFTU-Afro, the relationship between those continental bodies and SATUCC seems solid and characterised by co-operation with each other. Likewise, the tension between the International Trade Secretariats (ITSS) in the region and SATUCC have been resolved. ITSS organise among industrial unions in specific sectors while SATUCC deals with regional policy issues. Both parties agreed on the need to compliment each others’ activities. The regional labour symposium of 1998 suggested that bargaining with TNCs should be left to the ITSS because they are in a better position to deal with specific companies in their sectors. SATUCC’s activities should complement the work of the ITSS as both have a role to play in strengthening the regional labour movement. According to Lesotho’s Simon Jonathan:

‘The relationship with ITSS is quite good now and we meet them regularly. There are some problems here and there but we iron them out through discussions. There are also bilateral relationships between the industrial unions affiliated to our national federations and the ITSS to whom they are affiliated in their specific sectors. The federations are affiliated to SATUCC and the industrial unions are affiliated to the ITSS. There is no rivalry because SATUCC does not interfere in bilateral relationships. However, we passed a resolution at SATUCC that any organisation that wants to work in the region and involve more than 2 SATUCC affiliates, has to work through SATUCC.’

Abisha Nyanguwo added:

‘We feel that there is a need for ITSS operating in the region to have a common position on regional issues. This is most important within the SADC framework with its various sectors where the ITSS could be interested in influencing policy. This would also serve to avoid duplication and to share information. Since 1995 we have been meeting on an annual basis with support from the FES and we have now come to a conclusion. We have drafted a resolution in Lusaka in April 2000. This will now have to be tabled. I think there now a general consensus that SATUCC should drive the process of co-ordinating activities of a regional nature. The ITSS will continue to work with the relevant affiliates on companies in their respective sectors.’

Institutional Capacity

SATUCC’s institutional capacity and ability to assist trade unions in the region and to strategically intervene in policy decisions has been hampered by several factors. These included the lack of a permanent secretariat and above all a high level of donor dependency. All SATUCC affiliates are aware that SATUCC’s donor dependency is the biggest weakness of the organisation. According to Robinson Sikazwe:

‘Unfortunately in the sixteen years of SATUCC’s existence, the internal funding (from affiliates) has not been good enough. This dependency on external

resources is a major weakness. They really need to look into the question of funding. It is extremely important. At least if they can finance their administration and look for outside assistance for activities such as educational programmes it would make the organisation even stronger.'

Others add:

'It is true that SATUCC is a donor driven organisation. However, we were trying to iron out some problems so that SATUCC's affiliates should try and pay affiliation fees to SATUCC to make sure that SATUCC survives without depending on donor funding. SATUCC's plan is to encourage its affiliates to pay the membership fees so as to be less dependent on donor funding' (Ken Mhango).

'The main problems that SATUCC has is the financial base of the national centres affiliated to SATUCC. Without a strong financial base of the affiliates it is difficult for the affiliates to make a contribution to SATUCC' (Fackson Shamenda).

'SATUCC has financial problems because its affiliates are poor. Although we contribute, our contributions are very minimal and SATUCC is dependent on donor funding. Sometimes the donors tell us what to do and what not to do. That is a weakness that SATUCC has' (Simon Jonathan).

'Since COSATU joined SATUCC, we were rejuvenated. COSATU is respected world-wide and also in a strong financial position. Most other SATUCC affiliates are very poor and cannot afford the SATUCC affiliation fees in foreign currency. As a result, SATUCC is donor-driven. That is a fact' (Richard Nxumalo).

Initially, SATUCC had a flat rate of US\$ 3000,- as the annual membership fee for all its affiliates. However, some affiliates could not afford this rate and SATUCC's last Delegate Congress of 1998 decided to introduce a proportional subscription rate based on membership. Union federation with less than 100 000 members pay US\$ 3000,- per year; federations with 100 000 – 500 000 members pay US\$ 4000,- per year and federations with more than 500 000 members pay US\$ 6000,- per year (Interview with Nyanguwo).

While strong labour movements like COSATU can pay such amounts quite easily, others are still facing a problem. Monyake Monyake from BFTU explains:

'We are also affiliated to OATUU, ICFTU – AFRO, ICFTU in Brussels, and to SATUCC. The subscription to these bodies amounts to US\$ 12 000,- per year and those demands of subscription in US dollars are paralysing us. If I had a choice to use that money for education programmes it would go a long way. You have a situation where you want to really belong to these international bodies but because of the limited funds you have problems paying the affiliation fees. You then suffer because people do not take you seriously if you do not pay the affiliation fees.'

The need for SATUCC to become financially self-reliant was also recognised by the organisations that rendered financial support to SATUCC over the years. Karin Beate Theodorsen from the LO Norway explains:

'We very much supported the core funding because our main aim was that they should be able to establish themselves as an organisation. That has been part of the aid we have been giving to many organisations. When we monitored development in SATUCC after a while, we were not too satisfied because the administration grew too big and SATUCC became too big too fast. The number of people they employed was too big to be sustainable. Too much money was spent on administration and too little on projects and also too little on supporting the structures in other countries and supporting their projects. The money was also spent on activities that were not sustainable. We never thought that SATUCC would become a big institute or unit. We thought that they should have a small administration with greater activities on the project side and the program side.

We saw the need for setting up membership registers, for having a sound financial framework, for collecting membership dues, and for building the organisation. In the old days when everybody was eager to fight apartheid whether it was in South Africa or Namibia, we would go in with quite a substantial amount of money. Things became more difficult after independence when there was no common enemy anymore. It became more and more important to have a regional organisation to which the member organisations contributed themselves. However, they did not contribute and it was a bit hard to find out whether they were interested in contributing.'

There is no doubt that SATUCC will always rely on outside assistance for the implementation of some of its programmes. However, the organisation needs to ensure its viability and sustainability by paying at least its core costs from its own affiliation fees. SATUCC will also have to guard against being driven by specific donor interests or approaches, i.e. the funding of workshops without follow-up programmes. According to SATUCC's co-ordinator:

'It usually all ends at the end of workshop. A report is written and copies are being produced and no one is responsible for the follow-up. SATUCC desperately needs those funds to move forward because resolutions have to be taken forward for them to be realized. Otherwise we will continue to have workshops one after one another and a pile of reports. We are saying we had enough of workshops, we want to move forward because we are action-orientated. We want to make sure that whatever the workers are saying they begin to see the process ahead rather than to be called again at the same workshop two years down the line, talking about the same thing.'

Since SATUCC's inception, the Nordic trade union played a significant role in supporting the organisation. The LO Norway but also SASK Finland contributed alongside the African American Labour Centre (AALC), the ILO, the Commonwealth Trade Union Council (CTUC), the Friedrich Ebert Stiftung (FES) and others.

Future Priorities

During the 1998 Labour Symposium which preceded SATUCC's 6th Delegate Congress in Johannesburg, South Africa, Liv Torres from the Norwegian research institute FAFO presented employment data for Southern Africa which indicated that less than a fourth of the region's labour force is in formal employment. Compared to the total population, only 1 out of 10 people in Southern Africa is employed in the formal sector. The rest is either unemployed or engaged in informal sector activities, subsistence farming or in unpaid family labour. As a result, the social responsibilities of the few in formal sector jobs are immense as they have to support extended families on wages that are often below the poverty line.

The labour movements have also been affected by mass retrenchments following mine closures, privatisation and structural adjustment programmes. Nevertheless, the unionisation rate in Southern Africa ranges from about 14% of formal sector workers in Lesotho to about 60% in Zambia. The average union density in the formal sector of Southern Africa stands at about 42% - higher than the unionisation rates in the UK, Italy, Germany, France, Japan and the USA. Considering that several unions are still quite young (e.g. Malawi) while others are just emerging from civil wars (e.g. Mozambique), these figures indicate a substantial organisational power of unions in the region. In some countries, public sector workers are the dominant force while mineworkers and agricultural workers dominate in others (Torres 1998).

Torres' presentation at the labour symposium showed that the power and influence of trade unions in Southern Africa cannot be measured by membership figures alone. Union power is based on the labour movement's political power, trade union unity, union density and the internal organisational strength. In many countries of the region trade unions are the most articulate and best organised organs of civil society. They are often the only force that can seriously challenge SADC governments. This was demonstrated impressively during national stay-aways in Zimbabwe in November 1998. The ZCTU received such strong popular support that the whole country virtually came to a standstill.

Overall, trade unions in Southern Africa today are more powerful than what they were 10 years ago. In the words of Liv Torres : 'They have found a larger degree of independence, the gap between leadership and members internally has shrunk and they are more oriented towards workplace issues and the shopfloor'. Even some of the unions that are still close to their governments have achieved significant wage gains and have embarked on militant action to back their demands. However, social dialogue in Southern Africa will be meaningless unless it is built on the bargaining power of unions. Some of the political challenges for the unions in the region include:

- ◆ Developing pro-active national policies;
- ◆ Building media profiles and strategies;
- ◆ Building regional labour strategies; and
- ◆ Building a strong regional leadership through strong and co-ordinated affiliates.

(Torres 1998)

Regional union leaders at the symposium identified the lack of concrete regional actions as one of the weaknesses of the regional labour movement. During national congresses, most unions merely express trade union solidarity in the form of resolutions without follow-up action. Sometimes regional issues do not feature at all and there is a lack of regular communication between the unions of Southern Africa. In the words of the BFTU's Monyake Monyake:

'SATUCC works more or less like SADC. You come together and discuss the pending issues and you agree on certain principles, you go back to your country as an individual. You are then trying to do your own things at your own pace. The excuse around SATUCC is that we don't have funds to meet as often as possible. In the interim when you can't meet certain developments take place. You got to sit down and talk. However, we sometimes just talk and talk without implementing and the next follow-up takes down 10 months later. That is where we have a problem'.

Several unions still concentrate almost exclusively on national issues and are busy consolidation democracy at national level. However, there was some action and networking between unions around union repression like in the case of Swaziland. Also, some gender policies were debated through the SATUCC women committee.

Other weaknesses identified were the lack of women representation in the SATUCC executive council, the lack of full-time SATUCC personnel to carry out programmes, financial constraints, the lack of a regional gender strategy and the absence of a binding HIV/AIDS code of conduct for the region.

Of special concern were the political tensions in SADC and their effects on regional union unity. Both the Namibian and Zimbabwean governments have sent troops into the DRC to assist the Kabila regime. The ZiCTU opposed this involvement while the NUNW of Namibia supported its government. The 2 federations thus took totally opposed positions. One of the Namibian unionists pointed out that this situation could have been avoided if the unions had developed a joint regional position through SATUCC.

This indicates that the conflicts like the one in the DRC has caught the regional labour movement unprepared. Unions responded to the events on the basis of their national positions without a clear political strategy. The symposium agreed that the labour movement in the region must avoid being divided along the lines of rivalries between SADC governments. While strategic alliances with political parties or governments on specific issues can help to advance workers interests, unions must defend their independence.

Solving the problems

The Symposium made several proposals how the current weaknesses of the regional labour movement, especially SATUCC, could be addressed. National federations were urged to establish international/regional desks within the next 2-3 years to place greater emphasis on regional perspectives and action. Affiliates of SATUCC were also called upon to explore new sources of funding and to present a realistic assessment of their ability to contribute financially to SATUCC.

The symposium wanted to see SATUCC develop into a strong co-ordinating body with sufficient full-time staff and various forums feeding into the secretariat. This should include regional forums for union organisers and educators. Such forums should develop, for example, regional education programmes on issues of common concern. Other priority areas are gender equality and research/information. SATUCC has already established a women's committee but did not yet fill the post of a gender co-ordinator. SATUCC affiliates also proposed to have a regional health and safety co-ordinator.

SATUCC is expected to co-ordinate regional campaigns and to contribute towards the deepening of democracy in the region. The symposium identified 3 main aspects, namely solidarity action with union leaders fighting for democracy, support for national campaigns of SATUCC affiliates and democracy campaigns in the region in co-operation with other organisations of 'civil society'.

SATUCC needs to find a way of effectively implementing the programmes that were prioritised by its members. In the words of the BFTU's Monyake Monyake:

'The idea of establishing SATUCC at the time was a very good one. We need to support the weaker trade union centres in the region but this was not always implemented. We are still not at the point where we can say SATUCC is co-ordinating activities for all. But that was the intention. SATUCC should first know the needs of the centres and then come up with projects that would then address the needs of the centres. It may not be the same in all countries. One centre might want health and safety the other might want capacity building but it was for SATUCC to see that the programmes are benefiting all. Part of the problem is that we don't have funds of our own so that is normally the excuse for not implementing programmes'.

Conclusion

Southern African unions have long realised the need for a regional approach and pro-active policy intervention to improve the lives of workers and the poor in Southern Africa. The discussions, seminars and workshops that SATUCC organised over the years were a step in this direction but many of the proposals remained on paper and still have to be implemented. As Alice Gondwe Siame remarked:

'It is of course disappointing to see that a joint decision was taken and it remains a decision without being implemented. That is what is happening. I think SATUCC should really be looking at follow-ups when decisions are taken.'

Somebody should be following it up and to me an organiser's forum is critical because organisers are the key to the survival of the union'.

Establishing more regular and more practical contacts between union activists at all levels is a pre-condition for the establishment of a truly regional labour movement. SATUCC will also have to address its ongoing donor dependency which holds the danger of shifting the organisation's programmes in line with donor priorities instead of the priorities set by its own affiliates. It seems imperative for SATUCC to establish a small but very effective secretariat that should be financed largely through the contributions of SATUCC affiliates. Donor funding should be sought for specific programmes that will address the specific needs identified by the SATUCC affiliates. The regional union body's strength will depend on the strength of its affiliates who are the building blocks for a strong labour movement in Southern Africa.

Undoubtedly, SATUCC has played a key role in bringing the labour movement in the region closer together. According to Robinso Sikazwe:

'The main achievement of SATUCC after sixteen years is that national trade union organisations have been able to work together on different issues of common interest. There have also been other achievements that should not be overlooked like the democratisation and fall of apartheid in South Africa. In the political arena this was a major thrust of SATUCC in the 1980s.'

Fackson Shamenda added:

'SATUCC was the first and only organisation on the continent which pushed Governments to recognise tripartite arrangements. This happened first in SALC, the Southern African Labour Commission, which was part of SADCC. SATUCC was recognised and pushed for employers, workers and Governments to be able to sit together to discuss the problems of the regions. Even after the dissolution of SALC, SATUCC managed to establish a formal relationship with the Employment and Labour Sector of SADC.'

A key challenge for the regional labour movement is how best to confront the process of globalisation and neo-liberal economic policies that are sweeping the region. In the words of Abisha Nyanguwo:

'We are worried about the whole question of globalisation. That is why we are even calling for a common approach of the SADC countries when it comes to the re-negotiation of the Lome Agreement. We are also talking of a common SADC approach towards the WTO but this is still a problem. Due to different levels of development, some SADC countries feel that they can go it alone and some feel they can go as a collective. This is a weakness on the part of SADC, so we as trade unions we need to really have a common position because this kind of division can also be reflected in the labour movement and then it tends to undermine the SATUCC approach towards globalisation.'

Sometimes the question of nationalism comes in, depending who is in control. This can be difficult for SATUCC. Some trade unions might find it more

important to support their government's policy and when we meet in regional forums, there is already a diversity of views. We allow that because it is up to SATUCC to look at those areas where there are major differences, to debate them and to come up with a common approach.'

As the process of liberalisation advances fast in the region, trade unions and other community-based organisations will have to make their voices heard if they want to influence the development path of Southern Africa. As Dot Keet from the University of the Western Cape pointed out, trade unions face a critical choice of either following the logic of the market and competitiveness or following trade union strategies of co-operation and solidarity. With SADC being divided along political lines, trade unions have achieved a higher degree of unity than their governments. It will be essential for the labour movement to now influence the process of regional integration. This requires a move away from merely reacting to developments. Instead, unions will have to set the agenda pro-actively. Otherwise, the integration process will be shaped by the interests of business, assisted by the competing national governments of Southern Africa (Keet 1997, Jauch 1999).

Appendix: The SATUCC Affiliates

1. Angolan Organisation of Workers (UNTA)

UNTA was founded on the 16th April 1960 at the start of the struggle against colonialism in Angola. The federation played an active part in the liberation struggle and started to build union structures after independence. At provincial level 105 unions were established and grouped into 11 national unions that affiliated to the UNTA.

During the 1990s UNTA had to restructure its operations as the opening of the economy affected unions negatively. Various enterprises were privatised and it was no longer compulsory for members to pay their union fees. At its second congress in September 1994, UNTA elected a new leadership to rebuild the union movement and the name of the federation was changed to UNTA-CS (Confederatio Syndicatio).

Today, there are 11 industrial unions operating at a national level and there are 2 trade union federations. UNTA-CS has a total of 110 468 members of whom 21 650 are women. The sectors with the highest level of unionisation are the public service, education and the metal industry (Interview with Alcino Antonio).

2. Botswana Federation of Trade Unions (BFTU)

The BFTU was formed in 1971 comprising of three unions at that time. It has grown since then to 23 affiliated unions with a total membership of about 25 000. Talks are currently underway with the Botswana National Amalgamated Central Government and Parastatal Manual Workers Union which might join the BFTU and thus almost double its membership.

The BFTU's strongest unions are the mineworkers, followed by the bankworkers. Although Botswana has only one national trade union federation, there are several associations which have not joined the BFTU. The BFTU proposed the formation of a confederation as a first step towards trade union unity (Interview with Monyake S. Monyake).

3. Congress of South African Trade Unions (COSATU)

4. Lesotho Trade Union Congress (LTUC)

In 1971 the Lesotho Council of Workers was formed and merged with another federation into the Lesotho Federation of Free Trade Unions in 1983. Out of this federation, the

Lesotho Congress of Trade unions was formed in 1994. However, it broke up in July 1994 resulting in the establishment of the Lesotho Trade Union Congress (LTUC).

The LTUC has 5 affiliated unions with a combined membership of about 3000. The affiliated unions organise workers in the printing, retail, brick-making and steel sectors. The LTUC's rival federations have 2 000 and 6 000 members respectively.

In 1999, the LTUC made an attempt to bring the 3 federations together under one confederation. However, this initiative failed after the country's biggest federation COLETU withdrew (Interview with Simon Jonathan).

5. Malawi Congress of Trade Unions (MCTU)

The MCTU was established in 1994 and emerged out of the Trade Union Congress of Malawi. Its 17 affiliated industrial unions have a combined membership of almost 130 000 workers. The biggest affiliate is the Teachers Union of Malawi with over 20 000 members followed by the Transport and General Workers Union which had about 19 000 members. However, structural adjustment programmes led to retrenchments in this sector.

MCTU faces a rival federation in the form of COMATU which was formed in 2000 as a breakaway faction from MCTU. The MCTU sees COMATU as being close to and even sponsored by the Malawian government (Interview with Ken Mhango).

6. Mauritius Labour Congress

Information needed

7. National Council of Trade Unions (NACTU), South Africa

Until recently, NACTU has been the second strongest trade union federation in South Africa. Politically close to the PAC and the Black Consciousness Movement, NACTU was recognised by SATUCC as being part of the liberation movement of South Africa. NACTU today has...affiliates with a combined membership of about 450 000. NACTU, alongside COSATU and FEDUSA, forms part of the South African 'labour constituency' which represent workers at national tripartite level (Naidoo 1999).

More information needed

8. National Union of Namibian Workers (NUNW)

The history of the NUNW is closely linked to that of the liberation movement and now ruling party SWAPO. Its origins can be traced to SWAPO's consultative conference in Tanzania in 1969/70 where the party established a department of labour. Shortly thereafter a decision was taken to establish the NUNW. For many years trade union activities were not possible inside Namibia due to the brutal oppression by the colonial regime. This only changed in the mid-1980s when several industrial unions were established under the umbrella of the NUNW. They became vocal and militant organisations that linked the struggles at the workplace to the struggle for independence.

Today, the NUNW has 9 affiliated unions that organise in virtually all sectors of the economy, including domestic and farm workers. The NUNW affiliates have a combined membership of about 70 000 out of 220 000 formal sector workers in the country. A rival federation, the Namibia Federation of Trade Unions (NAFTU) was formed in 1998 and represents about 45 000 workers, while the country's third federation, the Namibia People's Social Movement represents about 12 000 workers. The main dividing line between the three federations is the question of political affiliation as the NUNW is affiliated to SWAPO (LaRRI 1999).

9. OTM

Information needed

10. Swaziland Federation of Trade Unions (SFTU)

The SFTU was formed in 1975, composed mainly of bankers, agriculture and plantation workers unions and some other smaller unions. The strongest unions today are the agricultural workers union, the transport workers union and the electricity workers union. In addition SFTU affiliates represent workers in the commercial and manufacturing sectors as well as teachers, university lecturers, media workers, town councillors and workers at parastatals.

The SFTU membership was 43 000 but has dropped to about 35 000 (???) due to retrenchments in the agriculture sector. The SFTU also faces the problem of a rival federation which is supported by government while the SFTU has played a central role in challenging government as part of the country's democracy movement (Interview with Richard Nxumalo).

11. Tanzanian Federation of Trade Unions (TFTU)

The history of the TFTU is closely linked to that of Tanzania's ruling party's after independence. The Tanganyika Federation of Labour (TFL) was established in 1955 and joined forces with TANU in the fight for independence. Following the army mutiny in

1976, TFL was abolished and the government set up NUTA as an affiliate of the ruling party. In 1977 NUTA was replaced by a new federation called JUWATA which was again a wing of the ruling party. In 1991 the government enacted a law that established the Organisation of Tanzania Trade Unions (OTTU) which had 11 industrial trade unions as affiliates.

In 1995 these industrial unions decided to establish a federation known as the Tanzania Federation of Trade Unions (TFTU). The formation of the TFTU was not backed by an act of parliament and in 1998 the government passed a law that forced the industrial unions to re-register within three months. The Act has also technically dissolved the national centre and the industrial unions now try to establish a 'free and independent trade union federation whose leadership will be elected by workers and hence become more accountable to them' (Press Release of the General Secretaries' Committee, 21 July 2000)

12. Zambia Congress of Trade Unions (ZCTU)

The ZCTU was established immediately after independence in 1964 and became the sole federation representing all workers in the country. Initially the ZCTU had 18 affiliates with almost 400 000 members. After having played a prominent role in the independence struggle of the country, the ZCTU continued to address political issues after independence, providing checks and balances to government. The ZCTU played a key role in setting up the Movement for Multiparty Democracy which won the election in 1991, bringing former ZCTU president Frederick Chiluba to power.

The ZCTU continued to play an independent role and wants to continue fighting for the rights of the majority. The ZCTU now has 26 affiliated unions but its membership dropped to about 250 000 due to retrenchments, company closures and restructuring, including privatisation of government departments. The ZCTU is also faced with a rival federation and some splinter unions. However, their total membership stand at only about 50 000.

13. Zimbabwe Congress of Trade Unions (ZCTU)

At the time of independence in 1980, the Zimbabwean labour movement was fragmented into six federations. The minister of labour then appointed an interim committee of union leaders from all federations to pave the way for the creation of one national centre. The following year, 52 trade unions came together and formed the ZCTU. Initially, the ZCTU had strong links with the government and the ruling party but the relationship changed over the years. Issues of conflict were the government's attempt to introduce a one party state (which the ZCTU opposed) and the introduction of structural adjustment programmes in 1991. These programmes were vehemently resisted by the unions and the rift between government and ZCTU has widened since then. The federation has facilitated the formation of the Movement for Democratic Change (MDC) which has

many former trade union leaders in its leadership positions, including Morgan Tsvangirai who is the MDC president.

The ZCTU currently has 38 affiliated unions, the strongest being the commercial workers union, the engineering workers union and the hotel workers union. Due to the absence of a harmonised labour relations act, civil servants are currently not members of the ZCTU. However, the Public Service Association is an associate member and other civil servants' associations are in the process of applying for ZCTU membership (personal communication, Blessing Chiripanhura).

Appendix 2: The Social Charter

‘We, the representatives of the Labour Movement in Southern Africa consisting of the trade union centres of Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, Swaziland, Tanzania, Zambia and Zimbabwe, as well as the Azania Trade Union Co-ordination Council, together with the National Trade Union Centres in South Africa, the Congress of South African Trade Union (COSATU) and the National Council of Trade Unions (NACTU), under the auspices of Southern African Trade Union Co-ordination Council (SACTU), having discussed and examined social and economic ills in the region ranging from rapidly falling commodity prices, mounting international debt, political destabilisation manipulation, declining productivity in all sectors of the economy, increased retrenchment and unemployment aggravated by unbearable high school dropouts resulting from deficiencies in education curricula, are convinced that time with the ILO principles.

We feel that the process of attaining the socio-economic goals and the eradication of poverty in Southern Africa needs a moral and political will and therefore requires a carefully designed socio-economic strategy. The Social Charter for Southern Africa provides the solace for accommodating the aspirations and imaginations of the people in the region. As our populations are increasing, economic growth today is much less than a decade ago and unemployment levels are soaring, so is poverty. Sometimes trained personnel cannot even find employment in the private sector because employment opportunities are not expanding but diminishing due to the effects of debt burdens or troubled balance of payment positions.

In addition, mass exodus to the cities is on the rise-putting further strains on already serious problems of urban housing and health services subjecting the majority of people and workers in the region to sub-standard living conditions. These issues are of magnitude nature that require careful and systematic planning, and therefore become of critical concern to the labour movement in Southern Africa.

We in the Labour Movement Demand:

1. Basic Human and Trade Union Rights:

- The recognition by governments in the region of the universality and indivisibility of basic human rights, in accordance with the United Nations Universal Declaration of Human Rights and the African Charter of Human and People’s Rights, and observance of basic trade union rights as follows:
- Rights to organise, associate and form trade unions independent from the political parties, governments and employers, with this right entrenched in the Constitution.
- Right of trade unions to conduct their business without political parties, governments’ and employers’ interference.

- Automatic organisational rights for representative unions (including the rights to check-off system, education and training, freedom of access by trade union officials to all parts of the work place, holding of meetings, bargaining).
- The full right to strike and to engage in other forms of effective industrial action, including solidarity action, without dismissal must be recognised and legalised in the region and where possible enshrined in the Constitution. The right to strike must follow easy and expeditious procedures.
- Proper definition of essential services to prevent abuse by the state or by employers. This should be defined by the government, employers, and trade union.

2. Conventions of the International Labour Organisation (ILO)

- The ratification and implementation of relevant ILO Conventions and Recommendations by all governments in the region;
- The establishment of a priority list of important ILO Conventions and Recommendations, and procedures for complaints concerning non-respect of ratified conventions, to be openly discussed at regional level on a tripartite basis, in compliance with the principles of ILO Convention NO. 144 on Tripartism, preferably in the framework of the Southern African Labour Commission (SALC);

3. Prevention of Discrimination and Exploitation:

- The prohibition of any form of discrimination based on race, colour, sex, creed, religion, physical disability, marital status, or nationality at the workplace.
- The prohibition of discrimination on the basis of sexual preference as well as against workers who are HIV positive or who have AIDS.
- Employers, governments and trade unions should provide adequate counselling and training to prevent the further spread of the AIDS disease.
- The prohibition of child labour and all form of forced and semi-forced labour;

4. Right to Job Security:

- Workers must be guaranteed the right to be protected against unfair dismissals and the right to re-instatement.
- Workers must be given the right to a fair and representative hearing in disciplinary matters.

5. Working and Living Conditions:

- The upward harmonisation of minimum requirements laid down in labour legislation and in particular the introduction of a uniform maximum period of 40 hours per week, the specifications of minimum rest period, annual paid leave, compassionate leave, paid paternal and maternity leave, adequate occupational

- health and safety protection, and the stipulation of acceptable rules and compensation for overtime and shift-work;
- The right for workers to live and work in a health environment, the provision of adequate and suitable accommodation must primarily be government's and employers' responsibility requiring government and employer action to implement sustainable environmental policies

6. Environment:

- Legislation to control and minimise both pollutants and hazardous chemicals should be enacted.
- The governments, employers and trade unions should campaign to educate their respective constituencies regarding dangers of hazardous chemicals and pollutants.
- Governments and employers should ensure compulsory provision and use of adequate protective clothing and equipment, and trade unions jointly with employers must educate their constituencies.
- Strengthening government inspectorate division to monitor violation of health and safety regulations with a view to enforcing laws compensation and sanction compliance

7. Company Regulation:

- The enactment and enforcement of effective anti-trust legislation and introduction of a harmonised system for the disclosure of audited financial records and accounts and all other relevant information, for all public and private companies. Moreover, all companies operating in more than one country within the region should make available their consolidated annual results in all the countries in which they operate.

8. Labour and Industrial Relations Courts:

- The establishment of autonomous Labour and Industrial Relations Courts, on the basis of mutual agreement by trade unions, government and employers on the appointment of judges with right of resources to an Industrial Relations Appeals Court on the basis of expeditious procedures.

9. Migrant Workers:

- Freedom of movement, residence and employment throughout the region;
- The right for migrant workers to join trade unions without any hindrance;
- The right for migrant workers from within the region to transfer without restrictions their wages and other benefits to their home country. The maintenance of other benefits such as insurances and contributions to provident funds should be guaranteed upon termination of their contract even if they return to their home

- countries. The practice of short-term and temporary employment contracts which force workers to return home in order to be re-engaged a new must be phased out.
- The right for migrant workers to live with their families in the country of employment.

10. Retirement and Unemployment Benefits:

- Workers should not be forced to retire without being assured of the social welfare benefits.
- Retirement and unemployment benefits should be paid out to workers affected without any hindrance.
- Decision on compensation resulting from injury at work pace should involve all three social partners and that payment of all social benefits should be expeditious.

11. Rights to Negotiation:

- The provision of mandatory negotiation and protection of workers in the case of collective redundancies or dismissals as a direct consequence of a merger, transfer, introduction of new technology, insolvency or restructuring, as well as the maintenance of existing workers' rights and standards following any change in ownership;
- Workers should have the right to bargain at a variety of levels – plant, company and industry. Employers must agree on national level bargaining;

12. Economic Rights:

- The right for trade unions to participate in the social, economic and political decision-making process at all levels (e.g. living wage, health and safety, social wage, taxation, education). There must be processes that strengthen negotiation and collective bargaining;
- Trade union and workers' rights must be guaranteed throughout the region to prevent both unscrupulous employers and governments from exploiting lower labour standards in the practice of "social dumping", whereby companies move their operations to the countries where trade union rights are less respected and so labour costs are cheaper.
- Participation in decisions on investments, retrenchments, restructuring, retooling and the introduction of new technology must involve the direct participation of the trade unions.

13. Structural Adjustment:

- Structural adjustment should form part of the tripartite discussions and that it is not an independent issue but part of the fiscal and monetary policy and therefore, should be included in the Investment Code as a component of national economic policy.

14. Economic Forum:

- Economic Forum should have a tripartite character where decision making rests in the hands of the government, employers and trade union representatives to decide when, where and what to be invested and distributed.
- Investment in Southern Africa should be directed towards wealth and job creation, involving and imparting of entrepreneur skills to the citizens.

15. Democratisation Process in Society:

- Trade unions should take their rightful position in the democratisation process in society. This process should embrace the various spheres of life, including the political, economic and social developments.

16. Gender Rights:

- The end of discrimination based on sex; the strengthening of parental rights, and provision for proper health care and day care centres. These rights will allow women to take rightful position in all leadership structures of society. There should be an affirmative programme of action to upgrade skills and qualifications of women to take up strategic positions in all areas of social life including equal opportunities.

17. Education and Training Rights:

- The obligation of governments and employers, as well as trade unions, to contribute towards workers' education and training, and skills development and upgrading, which is particularly important in the light of technical development. All workers should have the right to paid study leave.

18. Supervisory Procedures:

- The establishment of a supervisory procedure at national level, implemented by a tripartite body, whereby complaints concerning violation of basic human and trade union rights can be reviewed, examined and the ensuing recommendations made public and enforced;
- Effective workers organisations' access to all print and electronic media, with a guarantee of lack of bias in news coverage through accountability to a tripartite complaints procedure.

19. Solidarity:

- Solidarity must be fostered, encouraged and promoted as an instrument of trade union co-operation starting from the national level to regional international dimensions.

20. Conclusion:

- The onus for the implementation of these demands and objectives must lie with national governments, employers, trade union organisations and existing regional and national structures, as they carry responsibility for adopting social legislation, preventing “social dumping” and promoting equitable growth.

We declare that the above objectives are in the best interests of all the working people in Southern Africa, we pledge to struggle together for their full implementation.’

Appendix 3:

SADC Code on HIV/Aids and Employment

‘General Statement

Human Immune-Deficiency Virus (HIV) infection and the Acquired Immune Deficiency Syndrome (AIDS) in the countries of the Southern African Development Community (SADC) (and globally) is a major health problem with employment, economic and human rights implications. As one response to this problem the SADC Employment and Labour Sector has established this code on the industrial relations standards on HIV/AIDS, the “Code on AIDS and Employment”. (Termed after this “the code”).

Policy Principles

The same ethical principles that govern all health/ medical conditions in the employment context apply equally to HIV/AIDS. However, the gravity and impact of the HIV/AIDS epidemic and the potential for discrimination create the need for a specific code HIV/AIDS and employment. At the same time, given the increased risk of spread of the disease under conditions of economic insecurity, non-discriminatory approaches enable economic and public health management. The code will aim to ensue non discrimination between individuals with HIV infection and those without and between HIV/AIDS and other comparable health/medical conditions.

The regional nature and implications of the epidemic and the desire to harmonize national standards in dealing with HIV/AIDS motivate this regional code. This code aims to ensure that SADC member states develop tripartite national code on AIDS and Employment that shall be reflected in law. It presents guiding principles for and components of these national codes.

The code on AIDS and employment is based on the fundamental principles of human rights and patient rights, WHO/ILO and regional standards and guidelines, medical and occupational health ethical principles, sound epidemiological data, prudent business practice and a humane and compassionate attitude to individuals. The approach aims to achieve a balance in protecting the rights of all parties, including those with and without HIV, employers, employees, state and others. This will include obtaining a balance between rights and responsibilities, and between individual protection and co-operation between parties. Employees with HIV should be treated the same as any other employee. Employees with HIV related illness including AIDS should be treated the same as any other employee with a life threatening illness.

In its scope, the code should:

- a) Cover all employees and prospective employees

- b) Cover all workplaces and contracts of employment
- c) Cover the specific policy components detailed below, viz: job access, workplace testing, confidentiality, job status, job security, occupational benefits, training, risk reduction, first aid, workers compensation, education and awareness, prevention programmes, managing illness, protection against victimisation, grievance handling, information, monitoring and review.

SADC member states should ensure that interactions between them are consistent with the principles and policy components of this code and that they share and disseminate information to enable an effective and planned response to the epidemic.

Policy development and implementation is a dynamic process so that the code on AIDS and employment should be:

- a) Communicated to all concerned
- b) Routinely reviewed in the light of epidemiological and scientific information
- c) Monitored for its successful implementation and evaluated for its effectiveness

Policy components

1. Education, Awareness and Prevention Programmes

- 1.1. Information, education and prevention programmes should be developed jointly by employers and employees and should be accessible to all at the workplace. Education on HIV/AIDS should where possible incorporate employee families.
- 1.2. Essential components of prevention programmes are information provision, education, prevention and management of STDs, condom promotion and distribution and counseling on high risk behaviour. Workplace AIDS programmes should co-operate with and have access to resources of National AIDS Programmes.

2. Job Access

There should be no direct pre-employment test for HIV. Employees should be given the normal medical tests of current fitness for work and these tests should not include testing for HIV. Indirect screening methods such as questions in verbal or written form inquiring about previous HIV tests and/or questions related to the assessment of risk behaviour should not be permitted.

3. Workplace testing and confidentiality

- 3.1. There should be no compulsory workplace testing for HIV. Voluntary testing for HIV on the request of the employee should be done by a suitably qualified person in a health facility with informed consent of the employee in accordance with normal medical ethical rules and with pre-and post-test counselling.

- 3.2. Persons with HIV or AIDS should have legal right to confidentiality about their HIV status in any aspect of their employment. An employee is under no obligation to inform an employer of her/his HIV/AIDS status. Information of an employee or prospective employee should be disclosed without the employee's written consent.
- 3.3. Confidentiality regarding all medical information of an employee or prospective employee should be maintained, unless disclosure is legally required. This applies also to health professionals under contract to the employer, pension fund trustees and any other personnel who obtain such information in ways permitted by the law, ethics, the code or from the employee concerned.

4. Job status

HIV status should not be a factor in job status, promotion or transfer. Any changes in job status should be based on existing criteria of equality of opportunity, merit and capacity to perform the work to a satisfactory standard.

5. HIV Testing and training

In general, there should be no compulsory HIV testing for training. HIV testing for training should be governed by the principle of non discrimination between individuals with HIV infection and those without and between HIV/AIDS and other comparable health/ medical conditions.

6. Managing illness and job security

- 6.1. No employee should be dismissed merely on the basis of HIV status, nor should HIV status influence retrenchment procedures.
- 6.2. Employees with HIV related illness should have access to medical treatment and should be entitled, without discrimination, to agreed existing sick leave provisions.
- 6.3. HIV infected employees should continue to work under normal conditions in their current employment for as long as they are medically fit to do so. When on medical grounds they cannot continue with normal employment, efforts should be made to offer them alternative employment without prejudice to their benefits. When the employee becomes too ill to perform their agreed functions the standard benefits and conditions and standard procedure for termination of service for comparable life-threatening conditions should apply without discrimination.

7. Occupational Benefits

- 7.1. Government, employers and employee representatives should ensure that occupational benefits are non discriminatory and sustainable and provide support

to all employees including those with HIV infection. Such occupational benefits schemes should make efforts to protect the rights and benefits of the dependents of deceased and retired employees.

- 7.2. Information from benefits schemes on the medical status of an employee should be kept aspect of the employment contract or relationship
- 7.3. Medical aid schemes and health benefits linked to employment should be non discriminatory. Private and public health financing mechanisms should provide standard benefits to all employees regardless of their HIV status.
- 7.4. Counseling and advisory services should be made available to inform all employees on their rights and benefits from medical aids, life insurance, pension and social security funds. This should include information on intended changes to the structures, benefits and premiums to these funds.

8. Risk management, first aid and compensation

- 8.1. Where there may be an occupational risk of acquiring or transmitting HIV infection, appropriate precautionary measures should be taken to reduce such risk, including clear and accurate information and training on the hazards and procedures for safe work.
- 8.2. Employees who contract HIV infection during the course of their employment should follow standard compensation procedures and receive standard compensation benefits.
- 8.3. Under conditions where people move for work, government and organizations should lift restrictions to enable them to move with their families and dependents.
- 8.4. People who are in an occupation that requires routine travel in the course of their duties should be provided with the means to minimize the risk of infection including information, condoms and adequate accommodation.

9. Protection against victimisation

- 9.1. Persons affected by or believed to be affected by HIV or AIDS should be protected from stigmatization and discrimination by co-workers, employers or clients. Information and education are essential to maintain the climate of mutual understanding necessary to ensure this protection.
- 9.2. Where employers and employees agree that there has been adequate information and education and provisions for safe work, then disciplinary procedures should apply to persons who refuse to work with an employee with HIV/AIDS.

10. Grievance Handling

Standard grievance handling procedures in organizations, in labour and civil law that apply to all workers should apply to HIV related grievances. Personnel dealing with HIV related grievances should protect the confidentiality of the employee's medical information.

11. Information

Government should collect, compile and analyze data on HIV/AIDS, sexually transmitted diseases and tuberculosis and make it available in the public domain. SADC member states should co-operate in making available national data for monitoring and planning an effective response to the regional health, human resource, economic and social impact of the AIDS epidemic.

12. Monitoring and Review

Responsibility for monitoring and review of the code and its implementation should lie with the parties to the tripartite at national and regional level and with the SADC Employment and Labour Sector.'

References

- Botswana Federation of Trade Unions 1986. **Memorandum submitted to Dr Q.K.J. Masire, President of the Republic of Botswana, on 25th February 1986.**
- Jauch, H. 1999. Building a regional labour movement. **South African Labour Bulletin**, 23 (1), February 1999.
- Keet, D. 1997. Trade union strategies in an integrated Southern Africa. **Social Change** 41.
- Labour Resource and Research Institute 1999. **Understanding the past and present – mapping the future. The National Union of Namibian Workers (NUNW) facing the 21st century.** Windhoek: LaRRI.
- Naidoo, R. (ed) 1999.
- SATUCC 1992. **Social Charter of Fundamental Rights of Workers in Southern Africa.**
- SATUCC 1995. **Report of a Southern African policy and planning workshop.**
- SATUCC 1996: **SATUCC aims and objectives.**
- SATUCC 1998. **Secretariat Report to the 6th Delegate Congress.**
- SATUCC 1999. **Report of a regional trade union meeting on occupational health and safety.**
- SATUCC (undated). **Background paper on the SATUCC Women's Committee.**
- SATUCC (undated). **The Constitution and SATUCC trade union member organisations.**
- South African Communist Party 1997. **Cosatu solidarity with Swaziland workers. Umsebenzi**, March 1997.
- Torres, L. 1998. **The state of union influence.** Paper presented at the regional labour symposium in Johannesburg, 23 November 1998.
- Vetlesen, V. 1998. **Lo og kampen mot apartheid.** Oslo: Tiden Norsk Forlag.
- Vetlesen, V. 2000. Trade union support to the struggle against apartheid: The role of the Norwegian Confederation of trade unions. In Eriksen, T.L. **Norway and national liberation in Southern Africa.** Uppsala, Sweden: The Nordic Africa Institute.