

COSATU comments on revised Green Paper on National Planning Commission - 9 February 2010

Summary:

1. COSATU welcomes the shift in focus of the revised Green Paper, to focus exclusively on the National Planning Commission. However, a comprehensive discussion is still required on an overall approach to planning in government, including on how various institutions in government and society will feed into the national plan.
2. Questions about the role and function of the National Planning Commission can only be properly addressed in the context of a truly participatory planning process in government and society at large.
3. COSATU accepts, with reservations, that the National Planning Commission will now be an external body, but is concerned that to be balanced the NPC needs to be properly representative of the South African society, and not narrowly constituted by technocrats and 'experts'. Expertise can be contracted in by the Commission.
4. COSATU recognises that the revised Green Paper is much improved when compared to the initial Green Paper's intrusion into matters of policy. However, clear guidelines are required on this matter.
5. COSATU welcomes the fact that the Ministerial Committee on Planning (Mincomplan) will now focus on liaison with the NPC, and no longer substitute for Cabinet's role in relation to key strategy documents such as the MTSF and POA.
6. COSATU has serious concerns about the process of interviewing, shortlisting, and appointment of Commissioners to the NPC, which currently appears to exclude Parliament. We will be approaching the Minister, President and the Alliance to address this matter.
7. A separate statement will be issued by COSATU on our nomination of candidates for the National Planning Commission.

1. Scope of revised Green Paper

Government's initial *Green Paper on Strategic Planning* was released in September 2009, resulting in extensive comment, including from COSATU, which raised far-reaching concerns.^[1] A radically reduced and revised Green Paper was published on 15 January this year. While the initial Green Paper purported to be a relatively comprehensive proposal on planning in government (centring on the role of the Minister in the Presidency), the revised Green Paper confines itself to the role of the National Planning Commission (NPC), and omits reference to a whole host of issues contained in the original draft. This reduced scope is reflected in its title, *Revised Green Paper: National Planning*

^[1] See www.cosatu.org.za/show.php?include=docs/subs/2009/submission1016.html

Commission. This shift in focus directly responds to concerns raised by COSATU, and the Alliance as a whole, about the focus of the initial Green Paper; concerns that the Green Paper dealt with various issues relating to planning in an inappropriate way; and the proposal that the revised Green Paper should limit itself to focusing on the National Planning Commission. COSATU, while retaining a series of reservations outlined below, welcomes the shift in emphasis of the revised Green Paper, and its reduced scope.

Having said this, an overall strategic discussion on planning in government is still required. Whereas the initial Green Paper was far too ambitious, and located wide-ranging responsibility for both policy and planning in the hands of the Minister in the Presidency; the revised Green Paper, by focusing only on the National Planning Commission, really *defers* the question of how overall planning and co-ordination takes place in government. To recall, the initial Green Paper vested responsibility for short term, medium term and long range planning almost exclusively in the hands of the Minister in the Presidency. The role of the Minister now *appears* to be confined by the revised Green Paper to long range planning via the NPC, through the construction of *vision 2025*, and the long-range plans required to achieve this vision. References to the role of the Minister in formulating the annual programmes of action, and the 5 year Medium Term Strategic Framework have now been dropped. Responsibility for this now appears to be vested in Cabinet.

Nevertheless, whether in relation to long range, or shorter term planning, the question of a coherent approach to co-ordination and planning in government remains critical. Silence by the revised Green Paper on this matter, doesn't necessarily mean that the top-down and skewed conception contained in the initial Green Paper, has now disappeared. Questions, such as the role of Clusters in government in feeding into both the long range and short term plans of government; the role of Provinces; the role of cross-cutting Departments, such as Cogta, Rural Development, and Economic Development; and co-ordination of the inputs of various state entities etc. has not been addressed. The initial Green Paper vested all power in the Minister in the Presidency to co-ordinate the planning process in government, and was largely silent on a meaningful contribution by these other entities and institutions. Therefore if a truly iterative planning process is to happen, in which key institutions make inputs into plans, and proposals are fed back to them for comment etc., a far clearer and more participatory conception of planning is required.

2. Role of National Planning Commission

The initial role conceived of for the NPC by the Green Paper, namely that of formulating a long-range vision in the form of *Vision 2025*, and a long term strategic plan, is retained by the Revised Green Paper.

The Revised Green Paper summarises the *functions* of the NPC as follows:

- “Lead the development (and periodic review) of a draft Vision 2025 (“South Africa Vision 2025”) and long –term national strategic plan for approval by Cabinet (first plan 2010)

- Lead investigations into critical long term trends under the supervision of the Minister in the Presidency for the National Planning Commission...
- Advise on key issues such as food security, water security, energy choices, economic development, poverty and inequality, structure of the economy, human resource development, social cohesion, health, defence capabilities and scientific progress
- Assist with mobilizing society around a national vision and other tasks related to strategic planning
- Contribute to reviews of implementation or progress in achieving the objectives of the National Plan
- Contribute to the development of international partnerships and networks of expertise on planning”

COSATU does not *per se* have a problem with this proposed role, (although some aspects of the proposal need further clarification^[2]) and indeed has for a long time actively advocated the need for government to develop this type of planning capacity. The issue, as we allude to above, is more about how this long-term vision and plan is arrived at, ensuring a truly participatory process in government and in society more broadly. COSATU will therefore continue to actively input its ideas in this regard into the NPC, and government.

We further note that the Revised Green Paper indicates that the NPC will only recommend, and that Cabinet will take the final decisions on the proposed Vision and Strategic Plan. In one respect, this partly addresses our concern about the NPC being composed of external Commissioners, and therefore constituting a ‘contracting out’ by government of its responsibilities. However, we believe that there would be negative implications if the NPC proposes a particular strategic approach, and Cabinet decides on a completely different one. This therefore relates to the matters of process we have raised, as well as questions relating to the composition and representivity of the NPC itself- see below.

3. Composition of the National Planning Commission

It is well known that COSATU, together with many others, did not support the option which Cabinet finally adopted, in terms of the character and composition of the National Planning Commission, particularly in terms of it being composed of external representatives. Nevertheless, now that this model has been adopted, we will try to ensure that it works as effectively as possible.

In our view, a key consideration in this regard, will be the nature of the NPC’s composition, and whether it will be broadly representative of society, or largely

[2] For example, the nature of the proposed advice listed in bullet 3 needs to be clarified. Are these supposed to be about how a long term plan would most effectively advance government’s policy choices in the identified areas? Or do they stray into the realm of policy debate- see section on policy below.

technocratic in character. The Revised Green Paper gives totally mixed signals in this regard:

The *composition* of the NPC, as stated by the Revised Green Paper, is that it will “broadly be an expert panel, but that Commissioners need to be representative of the major social forces in society. The nature of the commission cannot be one where a plan is negotiated, but instead one where a plan is developed, that is based on the best evidence, in the long-term interests of the country as a whole. The... commission(ers) should be knowledgeable and representative of the diverse views in the country, and also willing and able to work collaboratively to develop a coherent and consistent national plan”.

The language used in this formulation is worrying, and creates questions as to what the Green Paper is attempting to achieve. On the one hand, we have an ‘expert panel’, working collaboratively, using ‘best evidence’ to develop a plan in the country’s ‘long term interests’; on the other it advances the notion of a commission which is ‘representative of the major social forces’ as long as it does not attempt to ‘negotiate’ the plan. The implication is, experts are neutral, while representatives of stakeholders, are unable to work collaboratively in the national interest, but will rather attempt to negotiate in favour of narrow sectional concerns. Therefore the balance will have to be weighted strongly in favour of technocrats and experts. These assumptions are, to put it mildly, fundamentally flawed.

This interpretation of the Green Paper is reinforced by an interview with a top official responsible for setting up the NPC: The Sunday Times (24 Jan ’10) reported inter alia that Kuben Naidoo, a Treasury official helping Minister Manuel set up his office “said the commission would have to reflect the country in terms of race, gender and geography, but would not be a representative body for ...civil society”. This tends to undermine the Green Paper statement that ‘Commissioners need to be representative of the major social forces in society’.

The danger of having a NPC loaded with technocrats and ‘experts’, can be clearly seen when one begins to analyse the areas of work which the NPC will need to integrate into the national plan. For example, if we consider the challenges of energy planning, and the energy policy debates, it is soon apparent that many experts in the field are linked to massive economic interests, who favour particular policy options; and that energy policies which are designed to ensure universal access by poor communities, affordability, and environmental sustainability, would be very different to those which are tailored to serving e.g. the interests of energy intensive mining.

Therefore it is important that in designing an integrated, long- term energy plan, the assumptions behind policy and planning advice are clearly articulated, and a rigorous discussion held, as to whose interests particular proposals serve, and how a fair and sustainable balance can be achieved between these interests, without hiding behind the illusion that technocratic advice on these matters are interest-free. The best way to ensure that these interests and assumptions are made explicit in the debates is to ensure that the major stakeholders in society, particularly those representing the marginalised

majority, are able to directly articulate their concerns, through proper representation.

When seen through this lens, the type of expertise needed by the NPC becomes very different from that implied by the Green Paper. It is quite possible that in the area of energy, or other fields, the person who could make the greatest contribution to the NPC, may be someone with enormous practical experience, but without any formal qualifications, and *vice versa*. The most important quality a commissioner could have is an understanding of the challenges and priorities, of the majority of South Africans, and ensuring that these are reflected in the Vision and Plan.

The Revised Green Paper in fact acknowledges that expertise can be contracted in by the Commission as required, stating: “The Commission can get the best experts on any issue to make recommendations that are in the best interests of the country’s long term success.” The Green Paper envisages a substantial Secretariat of experts and researchers which will service the Commission, and who will draw on other key institutions and think tanks within government. Therefore the Commissioners, with requisite experience, and understanding of the challenges facing the majority of South Africans, will be able to draw on the appropriate technical expertise available to the Commission. The reverse however, is far less likely- that narrow technocrats who are out of touch with these realities, or are connected to powerful interests, will consult with the constituencies who will have to live with the results of their planning or policy choices.

In conclusion therefore, the composition of the Commission needs to reflect an appropriate combination of representivity and expertise. For their part, representatives of constituencies need to have a proven track record of experience, competence and excellence in their field, and the ability for long range thinking; and experts, apart from excellence in their field of competence, should have a proven track record of engagement in their field from the perspective of the concerns and challenges of the majority.

4. Planning and Policy

A major area of controversy arising out of the initial Green Paper, was the extent that it strayed from the area of planning, into the domain of policy, and began to locate responsibility for policy in the hands of the Minister in the Presidency responsible for the National Planning Commission. COSATU and other organisations sharply raised the concern that the Green Paper usurped Cabinet’s collective policy making function, as well as the policy development function of Departments, and argued that planning shouldn’t be conflated with policy making.

COSATU’s comments on the Green Paper raised this concern as follows:

“Fundamentally we believe it is necessary to maintain the integrity of Cabinet’s oversight role over policy formulation, planning and coordination, including in relation to its associated structures such as Cabinet Clusters. Additionally any national strategic planning process needs to properly define the (policy) role of Cabinet clusters, cross-cutting Departments (such as Economic Development or

Rural Development), line function departments, provinces, local government, and the various State institutions including parastatals.”

Among the areas raised in our critique of the Green Paper, where COSATU believed the Green Paper inappropriately intruded into the domain of policy, were policy functions proposed for the Minister, and the planning commission, including:

- The proposed thematic papers by the NPC intended to impact on government policies;
- Areas of policy research with ‘major macro-social implications’;
- Making choices where policies are contested, and in the context of fiscal limitations, and guiding budget allocations by identifying strategic priorities;
- The assertion that proper planning requires that the Minister and NPC ensure ‘sufficient attention to policy development’.

COSATU’s review of the GP’s intrusion into the policy domain, concluded with the view that “the Green Paper has sought to position the NPC as a centre where policy-making, particularly economic policy-making, economic planning, implementation planning and even monitoring and evaluation takes place.”

It has been important to rehearse our original objections, because it may well be that some of the elements giving rise to our original concerns, still remain implicit in the revised Green Paper, even if they have been somewhat buried. This could lead to problems down the line, if not clarified.

On the face of it, however, the Revised Green Paper is a major improvement on the initial version. It makes an unambiguous statement on the role of the Executive and Departments in policy formulation: “The planning process described in this Green Paper is mainly about providing a coherent vision and long term plan ...**It is the function of the Executive to ensure that appropriate policies and strategies are developed, enhanced and applied to attain intended objectives. It is the task of line departments to develop and implement the specific policies required to achieve government’s long term objectives.**” (our emphasis)

However, it then goes on to say:

“It is quite conceivable that the national strategic plan will identify areas in which the quality of policies or operational plans of departments may need to be improved in order for the long-term goals to be achieved. This implies that the relationship between planning and policymaking will have to be dynamic.” Although ambivalent, this is a far less problematic formulation than those contained in the original Green Paper. However, clearer guidelines will need to be given on how the NPC, and the Minister, relate to the policy mandate of government, and the relationship of the planning process to this mandate.

5. Ministerial Committee on Planning (Mincomplan)

Much of the controversy elicited by the initial Green Paper arose from the extent to which it proposed to concentrate power in the hands of the Minister in the Presidency, and the structures which he chaired. The long term plan was to be formulated by the NPC, chaired by the Minister, and the key policy and strategy documents of government, namely the 5 year Medium Term Strategic Framework, and the annual Programmes of Action, was to be drafted by the *Ministerial Committee on Planning* (Mincomplan), also to be chaired by the Minister.

The role of the Mincomplan is radically curtailed in the revised draft of the Green Paper, which appears to limit it to a liaison structure between the NPC and Cabinet: “The Ministerial Committee on Planning will be tasked with facilitating a constructive interaction between the National Planning Commission and Cabinet on our vision and long term strategic plan. Given its role, this Committee may, from time to time, meet with the full National Planning Commission.”

The Revised Green Paper is at pains to emphasise that Mincomplan will not impinge on the sovereign powers of Cabinet: “This Committee will not have decision making powers in its own right, but will advise Cabinet on, *amongst other things*, the outcomes of the National Planning Commission.” (our emphasis). This qualification, however (i.e. *amongst other things*) suggests that the Mincomplan’s role may go beyond that of advising on the work of the NPC. Clarity should be sought as to exactly what these other areas may be, to ensure that it does not revert to the Super Cabinet Committee status accorded to the Mincomplan in the initial Green Paper.

Another controversial area raised by organisations, was why the Minister in the Presidency was chairing the structure, as opposed to the President or Deputy President. In fact the revised Green Paper records that in the Parliamentary process the NCOP proposed that the President or Deputy President chair the Mincomplan. The Revised Green Paper chooses to ignore this recommendation, without explaining why.

6. Process of Appointment of NPC & role of Parliament

The Revised Green Paper states that 20 part-time Commissioners will be appointed to the NPC by the President, and invites nominations, but says virtually nothing on how the Commissioners will be selected, interviewed or shortlisted. The section in the GP titled ‘How will the Commission be appointed?’ only states: “Given that an expert commission is broadly the preferred approach and the need for the speedy formation of the Commission, it is proposed that the Presidency call for public nominations to the Commission and that the President appoints 20 Commissioners on the basis of their experience, knowledge and expertise in various fields.” Beyond this, the GP is silent on the appointment process, except for its summary of Parliament’s recommendations-see below.

The transcript of the Minister's press conference on 15 January 2010, gives little further clarity on this matter.^[3] He is asked by journalists about how transparent the nominations process will be, and who will whittle the nominations down (to a shortlist to be presented to the President). While the Minister doesn't directly answer these questions, public reports have indicated that the Minister himself will compile the shortlist. An interview in the Sunday Times of 24 January 2010, if accurate, gives the clearest idea of what is intended^[4]. Kuben Naidoo, a senior Treasury official assisting Manuel set up the NPC was reported as saying "nominations were being grouped into categories such as future planners, demographers, sociologists, economists and business leaders. The short list would include one or two names from each category. I think the minister has some names in mind that he would like to see come forward and the President probably has some names in mind, too,'... There would be no formal interviews, but it was likely that Manuel would call some of those he wanted to include on the short list to discuss their intentions." If this report is correct, the envisaged informal process couldn't be further from the transparent and participatory parliamentary processes we have come to expect.

This doesn't, however correspond to what *the revised Green Paper itself says about Parliament's recommendations*, and it may be that the Presidency is still in the process of deciding how to manage the interviewing and shortlisting process. In reflecting on Parliament's recommendations on the GP, the revised Green Paper states the final recommendation as: 'Consideration should be made on a proposed role for Parliament to recommend nominations for the appointment of Commissioners to the National Planning Commission'.

The revised Green Paper concludes that "The process by which the NPC is appointed and its composition is therefore critical for the success of the entire national strategic planning initiative. ...If its composition is contested this would undermine the entire process of developing a participatory consensus building national strategic vision."

These contradictory statements create considerable confusion as to what is intended. Despite this, COSATU is nominating a list of candidates who we believe are eminently suited to serve as Commissioners on the NPC, and we are encouraging other civil society organisations to do likewise. We are doing this because we believe that the NPC is a crucial national body, and we intend to engage government to ensure that it meets the Green Paper's commitment to appoint a National Planning Commission which 'enjoys broad support and legitimacy'.

We will be seeking a meeting with the Minister responsible for the National Planning Commission, as well as the President, to clarify in particular this question of the appointment process, as well as a number of other issues raised in this submission.

[3] (see <http://www.info.gov.za/speeches/2010/10011515551001.htm>)

[4] <http://www.timeslive.co.za/business/article274095.ece>