

WE ARE MOVING SOUTH AFRICA FORWARD

1. INTRODUCTION

Freedom Charter

In its Preamble, the Freedom Charter says: "South Africa belongs to all who live in it, black and white". Clause 4 of the Charter says the following:

The Land Shall be Shared Among Those Who Work It!

- *Restrictions of land ownership on a racial basis shall be ended, and all the land re-divided amongst those who work it to banish famine and land hunger;*
- *The state shall help the peasants with implements, seed, tractors and dams to save the soil and assist the tillers;*
- *Freedom of movement shall be guaranteed to all who work on the land;*
- *All shall have the right to occupy land wherever they choose;*
- *People shall not be robbed of their cattle, and forced labour and farm prisons shall be abolished.*

It is the responsibility of the democratic, developmental state to translate this dictum into a socio-economic reality.

Ready to Govern

As part of its work towards the installation of our democratic dispensation, the ANC developed the **Ready To Govern** Document, which has four pillars, being the following:

- a) *to strive for the achievement of the right of all South Africans, as a whole, to political and economic self determination in a united South Africa;*
- b) *to overcome the legacy of inequality and injustice created by colonialism and apartheid, in a **swift progressive and principled way**;*
- c) *to develop a sustainable economy and state infrastructure that will progressively improve the quality of life of all South Africans; and*

- d) *to encourage the flourishing of the feeling that South Africa belongs to all who live in it, to promote common loyalty to, and pride in, the country; and, to create a universal sense of freedom and security within its borders.*

Constitution

The Constitution of the Republic gives concrete expression to the **Freedom Charter** and the **Ready To Govern** document.

In its Preamble it states that:

We, the people of South Africa,

Recognise the injustices of our past;

Honour those who suffered for justice and freedom in our land; and

Respect those who have worked to build and develop our country; and

Believe that South Africa belongs to all who live in it, united in our diversity.

We, therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to –

Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;

Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;

Improve the quality of life of all citizens and free the potential of each person; and

Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

Section 25(5) of the Constitution (Act number 108 of 1996) enjoins the State to "take reasonable legislative

and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis". These constitutional imperatives are at the core of the mandate of the Department of Rural Development and Land Reform (drdlr).

Within this context, the following sections present progress made by the drdlr in realising rural development and land reform.

2. AUDIT OF STATE OWNED LAND

52nd Conference Resolution

Improve the capacity of the state to monitor and collect information on the use of land, including through the conduct and publication of regular land audits.

53rd Conference Resolution

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

Department's Interventions to give effect to the Resolutions

A Land Audit was commissioned in 2010. The audit was conducted for State owned land and a desktop analysis was completed for privately owned land.

Challenges

- a) South Africa's land management system is fragmented;
- b) Just before the advent of democracy, disaggregation of ownership by race was deleted in the Deeds Register;
- c) Trusts are controlled in the Department of Justice, which means land owning Trusts are not easy to disaggregate in terms of race, gender and nationalities;
- d) Land owning companies are registered in the Department of Trade and Industry and are therefore also not easy to disaggregate in terms of race, gender and nationality.
- e) 7% of land ownership in former bantustans could not be determined during the land audit due to unsurveyed land at household level and some of the former Transkei, Mpumalanga and Limpopo (surveyed at administration level, but not registered); and, because of (a), (b) and (c) above, it is a struggle to get information on race, gender and

nationality (The Department of Home Affairs also no longer classifies nationals in terms of race) – the main subject of Phase 2 of the land audit.

Policy and Legislative Interventions

Not required.

Progress to date

Phase 1 of the land audit has been completed and the report has been made public. Phase 2 will be completed by September 2015, including race, nationality and gender information.

Alignment Analysis

National Development Plan

Bring land transfer targets in line with fiscal and economic realities to ensure that land is successfully transferred.

ANC Election Manifesto

The ANC remains committed to dealing with a century old injustice that rendered the majority of our people pariahs in the land of our birth. The heinous 1913 Land Act and resultant land dispossessions directly contribute to the ongoing problems of poverty, unemployment and inequality.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

3. JUST AND EQUITABLE COMPENSATION

52nd Conference Resolution

Where necessary, expropriate property in the public interest or for public purpose in accordance with the Constitution to achieve equity, redress, social justice and sustainable development. All legislation pertaining to expropriation must be aligned with the Constitution.

53rd Conference Resolution

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

Department's Interventions to give effect to the Resolutions

Office of the Valuer General has been established to provide for the regulation of valuation of property that has been identified for land reform purposes. Expropriation Bill, aligned to the Constitution, still to be passed in to law (DPW).

Challenges

The Expropriation Act of 1975 is still in effect and is not aligned to the "just and equitable" principle enshrined in section 25 of the Constitution. Government is therefore being charged market related prices in instances of expropriation, rather than "just and equitable" compensation as per section 25(3) of the Constitution. This impacts negatively on land reform.

Policy and Legislative Interventions

"Policy Framework for Land Acquisition and Land Valuation in a land reform context and for the establishment of the OVG" completed. Property Valuations Act. New Expropriation Bill (DPW).

Progress to date

"Policy Framework for Land Acquisition and Land Valuation in a land reform context and for the establishment of the OVG" completed in October 2012. Property Valuations Act promulgated and to come into effect on 1 August 2015. The Valuer-General has been appointed and will assume office on 15 August 2015. New Expropriation Bill (DPW).

Alignment Analysis

National Development Plan

Bring land transfer targets in line with fiscal and economic realities to ensure that land is successfully transferred.

ANC Election Manifesto

The ANC remains committed to dealing with a century old injustice that rendered the majority of our people pariahs in the land of our birth. The heinous 1913 Land Act and resultant land dispossessions directly contribute to the ongoing problems of poverty, unemployment and inequality.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

4. LAND TENURE SYSTEM

52nd Conference Resolution

Ensure that the state regulates the land market effectively with a view to promoting the goals of rural development and agrarian change, limiting the unsustainable use of land for elite purposes (such as the conversion of prime agricultural land to golf estates) and ensuring that land remains predominantly in the hands of South African residents. To this end the management and control of state land must be consolidated under one roof.

53rd Conference Resolution

Land Tenure system

A four -tier system is recommended: State and Public land: leasehold; Privately owned: freehold with limited extent.

Land owned by foreign nationals

Land owned by foreign nationals: No ownership of land by foreign nationals as a principle; convert current ownership into long term lease after land audit has been finalised.

Department's Interventions to give effect to the Resolutions

Land Tenure system

State and public land: leasehold – this is being implemented through the Proactive Land Acquisition Strategy (PLAS). Privately owned land will be managed through the Land Commission.

Land owned by foreign nationals

See Policy and Legislative Interventions.

Challenges

Land Tenure system

The constitutionality of some aspects of policies being developed is being reviewed.

Land owned by foreign nationals

The constitutionality of some aspects of policies being developed is being reviewed.

Policy and Legislative Interventions

Land Tenure system

- State land lease and disposal policy;
- Regulation of Land Holdings Policy: processed.

Regulation of Land Holdings Bill almost completed

Land owned by foreign nationals

Regulation of Land Holdings Policy Regulation of Land Holdings Bill – both being processed.

Progress to date

Land Tenure system

Regulation of Land Holdings Policy: processed; Regulation of Land Holdings Bill: processed. Land Commission being introduced through policy and bill. Communal Land Tenure Policy and Bill: consultation stage. Overall progress regarding the redistribution white owned agricultural land in South Africa (82million ha) from 1994 to 31 March 2015 is such that 4555995 million ha under Land Redistribution through 5184 projects, benefiting 235609 beneficiaries of which 50882 are women, 33108 are youth and 678 are people with disability, has been redistributed.

Land owned by foreign nationals

Regulation of Land Holdings Policy: processed. Regulation of Land Holdings Bill: processed. Prohibition of ownership of agricultural land by foreign nationals introduced. Long term leases to be held by foreign nationals (30+ years).

Alignment Analysis

National Development Plan

Land Tenure system

Enable a more rapid transfer of agricultural land to black beneficiaries without distorting land markets or business confidence in the agribusiness sector.

ANC Election Manifesto

The ANC remains committed to dealing with a century old injustice that rendered the majority of our people pariahs in the land of our birth. The heinous 1913 Land Act and resultant land dispossessions directly contribute to the ongoing problems of poverty, unemployment and inequality.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

5. COMMUNAL LAND

52nd Conference Resolution

Embark on an integrated programme of rural development, land reform and agrarian change based

on the following pillars: (d) Defending and advancing the rights and economic position of farm workers and farm-dwellers, including through improved organisation and better enforcement of existing laws.

Ensure that the allocation of customary land be democratised in a manner which empowers rural women and supports the building of democratic community structures at village level, capable of driving and coordinating local development processes. The ANC will further engage with traditional leaders, including Contralesa, to ensure that disposal of land without proper consultation with communities and local governments is discontinued.

53rd Conference Resolution

Communal land: communal tenure with institutionalised use rights: Taxation of under-utilised land, in both communal and commercial areas; Expedite the Tenure Security Policy and bill against farm evictions.

Department's Interventions to give effect to the Resolutions

In respect of Communal Land Tenure: see Policy and Legislative Interventions. Taxation of under-utilised land to be formalised once the Communal Land Rights Bill is in place.

Tenure security for farm workers: (a) Re-establishment of ESTA Committees; (b) Appointment of Land Reform Management Facility to provide legal support to farmworkers facing evictions.

Challenges

Too complex: Extensive consultation required.

Policy and Legislative Interventions

Communal Land Tenure Policy and Bill; ESTA Amendment Bill, CPA Policy and Amendment Bill; Land Tenure Security Policy for Commercial Farming Areas; Strengthening of Relative Rights of people working the Land Policy.

Progress to date

Communal Land Tenure Policy and Bill in consultation process; Taxation – no progress made (will commence with policy development after the Communal Land Tenure Policy and Bill have been finalised); Extension of Tenure Security Amendment Bill against farm evictions – the Bill has been finalised and will be processed in the current financial year (tabling of Bill in parliament

by September 2015) CPA Policy and Amendment Bill (tabling of Bill in parliament by April 2016).

Alignment Analysis

National Development Plan

Enable a more rapid transfer of agricultural land to black beneficiaries without distorting land markets or business confidence in the agribusiness sector. Create tenure security for communal farmers especially women, investigate different forms of financing and vesting of private property rights to land reform beneficiaries that does not hamper beneficiaries with a high debt burden.

ANC Election Manifesto

Continue to improve the tenure security and administration of people living in communal areas with emphasis on women's tenure security.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

6. INSTITUTIONS IN SUPPORT OF LAND REFORM

52nd Conference Resolution

Build dedicated state and private institutions that are accountable to their users for the effective and directed support to land reform beneficiaries in general and small holder agriculture and family farms in particular, including through financial support, research and extension, the provision of tools and equipment and the facilitation of market access and cooperation.

53rd Conference Resolution

Land is a fundamental feature of ownership and control and whilst racial, gender and class concentration of ownership of land persists, the setting up of institutions to regulate land use, standardize land valuations and normalise land use and distribution is important. 18. We recommend the following institutions in support of land reform: Office of the Valuer-General; Land Commission; Land Rights Management Board; We resolve that land be recognised in the Constitution as a socio-economic right and that indigent households be allocated minimum landholdings.

Department's Interventions to give effect to the Resolutions

Office of the Valuer-General established to provide for the regulation of valuation of property that has been

identified for land reform purposes. Land Commission, Land Rights Management Boards: See Policy and Legislative Interventions.

Challenges

Adequate resourcing of newly established institutions.

Policy and Legislative Interventions

"Policy Framework for Land Acquisition and Land Valuation in a land reform context and for the establishment of the OVG"; Property Valuations Act; Land Tenure Security Policy for Commercial Farming Areas; Regulation of Land Holdings Policy and Bill; Extension of Tenure Security Amendment Bill.

Progress to date

"Policy Framework for Land Acquisition and Land Valuation in a land reform context and for the establishment of the OVG" completed in October 2012. Property Valuations Act promulgated and to come into effect on 1 August 2015; Land Tenure Security Policy for Commercial Farming Areas; Regulation of Land Holdings Policy and Bill; Extension of Tenure Security Amendment Bill. Valuer-General to start on 15 August 2015. Office to start on 1 August 2015 with basic resources in place.

Alignment Analysis

National Development Plan

Establish monitoring institutions to protect land markets from opportunism, corruption and speculation.

ANC Election Manifesto

Strengthen support for co-operatives in marketing and supply activities to enable small-scale producers to enter formal value chains and take advantage of economies of scale. This will include targeting public institutions as primary buyers of agricultural goods and support for small-scale producers' access to municipal markets.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

7. RURAL DEVELOPMENT

52nd Conference Resolution

Embark on an integrated programme of rural development, land reform and agrarian change based

on the following pillars: (a) The provision of social and economic infrastructure and the extension of quality government services, particularly health and education, to rural areas; (b) Fundamental changes in the patterns of land ownership through the redistribution of 30% of agricultural land before 2014. This must include comprehensive support programmes with proper monitoring mechanisms to ensure sustainable improvements in livelihoods for the rural poor, farm workers, farm-dwellers and small farmers, especially women; (c) Agrarian change with a view to supporting subsistence food production, expanding the role and productivity of modern small-holder farming and maintaining a vibrant and competitive agricultural sector; Support the growth of rural market institutions including through the provision of infrastructure and by helping rural communities and small farmers to build organisations which help them to access markets, build links with formal sector value chains and coordinate their activities to realise economies of scale. Such organisations may include producer co-operatives, small-holder associations, input supply co-ops, marketing co-ops and/or state regulated institutions designed to support and promote market access and collective action amongst small rural producers. Special attention will be given to the empowerment of women in co-operatives. Accelerate the roll-out of rural infrastructure, particularly roads but also other services including potable water, electricity and irrigation and ensuring in particular that the former bantustan areas are properly provisioned with an infrastructural base for economic and social development, and that farm dwellers, like all South Africans benefit from universal access to free basic services. In this regard, the ANC reaffirms our objective of realising universal access to free basic water, electricity and sanitation before the centenary of the ANC and recognises that the bulk of this challenge is in rural South Africa.

53rd Conference Resolution

Rural Development: We make the following recommendations with regards to rural development: A rural development sustained by rural co-operatives bank; sustained rural settlements, which could grow into rural towns/cities; Prioritise roll out of bulk infrastructure in rural areas eg. construction of new dams and irrigation, rail, roads, communications, ICT, energy and green economy. Finalise without further delay the SPLUMA.

Department's Interventions to give effect to the Resolutions

The Branches Rural Infrastructure Development (RID) and Rural Enterprise and Industrial Development

(REID) are implementing the Comprehensive Rural Development Plan (CRDP), adopted by Cabinet in 2009 and based on the Ready to Govern document throughout the country. The pillars of the CRDP are 1. meeting basic human needs; 2. rural enterprises; and, 3. rural industries, sustained by markets and credit facilities. The Animal and Veld Management Programme and the River Valley Catalytic Programme is also being implemented. The Rural Economy Transformation Model (RETM) has been developed and is currently being implemented. The Agri-Park initiative has been conceptualised and is being rolled out in 44 districts. The NARYSEC Programme is being implemented. SPLUMA was signed into law on 2 August 2013, and published on 5 August 2013. The Act will become effective as from 1 July 2015. The Branch Spatial Planning and Land Use Management is implementing the Act throughout the country.

Challenges

Institutionalisation of the CRDP management system; Limited capacity at municipal level to implement SPLUMA. Traditional leaders seeking further engagement on Chapter 6 of SPLUMA.

Policy and Legislative Interventions

The Rural Development Policy Framework has been completed, and recommendations in terms of establishing a rural financing facility are contained therein. CRDP and RETM adopted. Draft Agri-Park policy has been completed. SPLUMA and Regulations.

Progress to date

Rural Development Programme performance

2014/2015: Socio-economic Infrastructure projects implemented = 123; Households supported with basic infrastructure 8 102; 31 River Valley Catalytic Projects; 442 Rural Enterprises supported; Skills development opportunities 9509; Jobs created in rural development initiatives 6563. The NARYSEC programme is Rural Ward Focussed, being implemented in 2920 wards across SA, including in the 23 poorest districts. The stipends being paid to participants impact positively on between 35000 and 50000 people. More than 15000 participants have been enrolled to date. Of these, as at April 2014, 2444 had graduated and more than 6000 participants participated in various skills development programmes.

Alignment Analysis

National Development Plan

By 2030, rural areas should be spatially, socially and

economically well integrated – across municipal, district and provincial and regional boundaries – where residents have economic growth, food security and jobs as a result of agrarian transformation and infrastructure development programmes, and have improved access to basic services, health care and quality education. By 2030 agriculture will create close to 1million new jobs, contributing significantly to reducing overall unemployment. Achieving this vision will require leadership on land reform, communal tenure security, financial and technical support to farmers, and the provision of social and physical infrastructure for successful implementation. It will also require capacity building to enable state institutions and private industries to implement these interventions. Improved coordination and integration in the planning and implementation of area-based and differentiated rural development plans will be needed over the medium-term to achieve the vision of an inclusive rural economy.

ANC Election Manifesto

Implement rural development focusing on meeting basic needs, land reform and rural enterprise development, supported by localised markets, credit facilities and economic infrastructure.

MTSF 2014–2019

- Sub-outcome 1: Improved land administration and spatial planning for integrated development in rural areas.
- Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation. Sub-outcome 3: Improved food security. Sub-outcome 5: Increased access to quality infrastructure and functional services, particularly in education, healthcare and public transport in rural areas

8. FOOD SECURITY

52nd Conference Resolution

Implement the Freedom Charter’s call to help those working the land with implements, seed, tractors, infrastructure for irrigation and other forms of material support. Implement large scale programmes to establish new smallholders and improve the productivity of existing small-scale and subsistence farmers, and to integrate small holders into formal value chains and link them with markets.

53rd Conference Resolution

Food Security: We further implementation of the FC’s

call to help those who work the land with implements, seeds, livestock, tractors, irrigation infrastructure and other material support: Scale up the recapitalisation and development programme and the comprehensive agricultural support programme, including in communal areas; Rationalise various existing food security initiatives; land as socio-economic factor.

Department’s Interventions to give effect to the Resolutions

The Recapitalisation and Development Programme (RADP).

Challenges

Ongoing policy enhancements and/or forensic investigations being required to improve systems, processes, as well as ensure legal compliance.

Policy and Legislative Interventions

RADP Policy; State Land Lease and Disposal Policy.

Progress to date

The Recapitalisation and Development Programme (RADP) continues to be rolled out throughout the country. An amended policy was approved in June 2013. The institutional arrangements underpinning the RADP have been strengthened; contractual frameworks have been reviewed and forensic scoping (and where appropriate investigations) commissioned in instances of potential maladministration, fraud and/or corruption. Overall RADP expenditure 2009–2015 amounts to R3 482 453 847 in respect of 1 459 projects benefiting 28 126 beneficiaries (1 380 781 hectares).

Alignment Analysis

National Development Plan

Ensure sustainable production on transferred land by making sure that human capabilities precede land transfer through incubators, learnerships, mentoring, apprenticeships and accelerated training in agricultural sciences. Offer white commercial farmers and organised industry bodies the opportunity to significantly contribute to the success of black farmers through mentorships, chain integration, preferential procurement and meaningful skills transfer.

ANC Election Manifesto

The ANC remains committed to dealing with a century old injustice that rendered the majority of our people pariahs in the land of our birth. The heinous 1913 Land Act and resultant land dispossessions directly

contribute to the ongoing problems of poverty, unemployment and inequality. Increase investment in agricultural infrastructure in support of small holder farmer development, prioritising former homeland communal areas. Continue to invest more in rural development through the further implementation of the CRDP, which focuses primarily on the provision of social and economic rural infrastructure. We have a comprehensive programme of land reform, underpinned by de-racialisation of the rural economy, democratic allocation and use of land, and production for guaranteed food security. Increase investment in agricultural infrastructure - including irrigation, storage facilities and fencing - in support of smallholder farmer development, with former homeland communal areas being a priority. Further intensify the development aspect of land reform, ensuring that all land reform farms are productive and contribute to food security. Enhancing the success of our recapitalisation programme by continuing to work with commercial farmers to support emerging farmers in exchange for speedy implementation of the land reform programme. Grow sustainable rural enterprises and industries through strong rural - urban linkages; increased investment in rural industries and agro-processing, trade development; and access to local markets and financial services.

MTSF 2014–2019

- Sub-outcome 1: Improved land administration and spatial planning for integrated development in rural areas.
- Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation
- Sub-outcome 3: Improved food security
- Sub-outcome 5: Increased access to quality infrastructure and functional services, particularly in education, healthcare and public transport in rural areas.

9. RE-OPENING OF RESTITUTION**53rd Conference Resolution**

The commission recommends the following: reopening of the lodgement date; provide for exceptions to the cut off date of 1913 so as to accommodate the Khoi and San descendants, heritage sites and historical landmarks; That this forms part of the 1913 Natives Land Act centenary observation.

Department's Interventions to give effect to the Resolutions

Restitution Programme.

Challenges

Inadequate resourcing of the Programme; Research complexities in respect of historical and conflicting/overlapping claims; Community disputes; Unscrupulous investors undermining inclusive community development initiatives and appropriate equity sharing arrangements in community development projects on restituted land; Infrastructure backlogs in rural villages.

Policy and Legislative Interventions

The Restitution of Land Rights Amendment Act (Act 15 of 2014). Draft Policy in terms of exceptions to the cut off date of 1913.

Progress to date

The Restitution of Land Rights Amendment Act (Act 15), 2014, was signed into law in July 2014 extending the lodgement of land claims for a further 5 years for those who did not lodge prior the cut of date of 1998. As on the 15th of April 2015, a total of 55973 claims have been lodged with the Commission. This represents 70% of the 79 696 claims lodged over a period of 4 years in the previous window, confirming that reopening the Restitution process was indeed the right thing to do. Various interactions have been undertaken: a National Reference Group representing the Khoi and San; interaction with other stakeholders like the Department of Arts and Culture, Department of Traditional Affairs, South African Heritage Agency and South African Heritage Council, A National Consultative Workshop was held in Kimberley during May 2013 and a further one in April 2014, to discuss policy around the issue of exceptions Heritage sites and historic land marks. The Reversing the Legacy of the 1913 Land Act Exhibition was set up to commemorate the 1913 Native Land Act.

Alignment Analysis**National Development Plan**

By 2030, rural areas should be spatially, socially and economically well integrated – across municipal, district and provincial and regional boundaries – where residents have economic growth, food security and jobs as a result of agrarian transformation and infrastructure development programmes, and have improved access to basic services, health care and quality education.

ANC Election Manifesto

Accelerate the settlement of remaining land claims submitted before the cut-off date of 1998; Re-open

the period for the lodgement of claims for restitution of land for a period of five years commencing in 2014. Codify the exceptions to the 1913 cut-off date for the descendants of the Khoi and San, and identify affected heritage sites and historical landmarks.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

10. CAPACITY OF THE STATE

52nd Conference Resolution

Strengthen the voice of rural South Africans, empower poor communities and build the momentum behind agrarian change and land reform by supporting the self-organisation of rural people; working together with progressive movements and organisations and building forums and structures through which rural people can articulate their demands and interests. ANC Branches together with alliance partners will assist in the organisation, unionisation and empowerment of farm workers. Build stronger state capacity and devote greater resources to the challenges of rural development, land reform and agrarian change. In particular to:

- Create an over-arching authority with the resources and authority to drive and coordinate an integrated programme of rural development, land reform and agrarian change.
- Review the mandate, capacity and operations of institutions such as the Land Bank in order to ensure that the State is able to provide directed credit and capital for investment in support of a transformed agricultural sector and rural economy.
- Review and change all institutional, legislative, regulatory and tax-related policies that create a bias in favour of large-scale, capital intensive, environmentally damaging agriculture and under-utilisation of land and which constrain the emergence of a vibrant, pro-poor rural economy, including:
 - (a) repeal any legislation which prevents the sub-division of land and other policies which promote the concentration of ownership in land and the under-utilisation of land.
 - (b) Introduce a special land tax and other progressive tax measures with the aim of creating incentives for the disposal of under-utilised land and the deconcentration of land ownership, and act urgently to remove

biases that currently exist in the tax system that provide incentives for the ownership of large tracts of land, capital intensity and the underutilisation of agricultural land.

- Revisit national agricultural policies, particularly in respect of subsidies, tariffs and marketing institutions, and the relationship between these and our objectives in respect of rural development, land reform and agrarian change as well as food security and inflation.
- Combat monopolistic practices in the markets for agricultural land, inputs, finance and outputs.

Challenges

Rates and taxation is still being resisted by traditional authorities.

Policy and Legislative Interventions

Regulation of Land Holdings Policy and Regulation of Land Holdings Bill; Communal Land Tenure Policy and Bill.

Progress to date

Regulation of Land Holdings Policy and Regulation of Land Holdings Bill: Processed. Communal Land Tenure Policy and Bill: in consultation; Taxation – no progress made (will commence with policy development after the Communal Land Tenure Policy and Bill have been finalised); Overall progress regarding the redistribution of white owned agricultural land in South Africa (82 million ha) from 1994 to 31 March 2015 is such that 4 555 995 million ha under Land Redistribution through 5 184 projects, benefiting 235 609 beneficiaries of which 50 882 are women, 33 108 are youth and 678 are people with disability. The president has approved a proclamation in 2011 for the Special Investigating Unit (SIU) to investigate land reform related matters.

Alignment Analysis

National Development Plan

Enable a more rapid transfer of agricultural land to black beneficiaries without distorting land markets or business confidence in the agribusiness sector. Establish monitoring mechanisms to protect land markets from opportunism, corruption and speculation.

ANC Election Manifesto

The ANC remains committed to dealing with a century old injustice that rendered the majority of our people pariahs in the land of our birth. The heinous 1913

Land Act and resultant land dispossessions directly contribute to the ongoing problems of poverty, unemployment and inequality.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

11. PARTNERSHIPS

52nd Conference Resolution

Where appropriate, work together with commercial agricultural and the private farming sector to promote black economic empowerment, create partnerships between emerging and established farmers, create linkages between large and small farmers including through procurement and 'contracting-out' and build institutions to contribute towards more equitable structures of production and ownership in rural South Africa, including through collective ownership, employment equity, skills development and support for new enterprises in the agricultural sector.

Department's Interventions to give effect to the Resolutions

RADP

Challenges

- a) Unclear beneficiary selection criteria (in the past);
- b) uniform application of policy in the provinces;
- c) timely disbursement of funds to beneficiaries for the season;
- d) unauthorised spending of funds by beneficiaries;
- e) failure to complete the project funding cycle and exit the support programme

Policy and Legislative Interventions

RADP policy.

Progress to date

The Recapitalisation and Development Programme (RADP) continues to be rolled out throughout the country. An amended policy was approved in June 2013. The institutional arrangements underpinning the RADP have been strengthened; contractual frameworks have been reviewed and forensic scopings (and where appropriate investigations) commissioned in instances of potential maladministration, fraud and/or corruption. The president has approved a

proclamation in 2011 for the Special Investigating Unit (SIU) to investigate land reform matters. Overall RADP expenditure 2009–2015 amounts to R3,482 453,847 in respect of 1459 projects benefiting 28126 beneficiaries (1 380 781 hectares).

Alignment Analysis

National Development Plan

Enable a more rapid transfer of agricultural land to black beneficiaries without distorting land markets or business confidence in the agribusiness sector.

ANC Election Manifesto

The ANC remains committed to dealing with a century old injustice that rendered the majority of our people pariahs in the land of our birth. The heinous 1913 Land Act and resultant land dispossessions directly contribute to the ongoing problems of poverty, unemployment and inequality.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation

12. YOUTH DEVELOPMENT

52nd Conference Resolution

Ensure adequate resources are available for the creation of agricultural colleges and extension services specialising in the tasks of rural development, land reform and agrarian change. Community Development Workers in rural areas must be inducted properly on land and rural development issues in order to support an accelerated land reform programme and to ensure compliance with laws affecting farm workers.

Department's Interventions to give effect to the Resolutions

The National Rural Youth Service Corps (NARYSEC) is one of the department's strategic interventions, focusing on skills development and targeting the youth in rural communities. Youth enrolled in the Programme are exposed to a wide range of skills disciplines, followed by practical workplace placements. Establishment of the NARYSEC headquarters at Thaba Nchu.

Challenges

- a) Placement into job or business of graduates after completion of studies;
- b) drop-out rate; and

c) Spending overrun.

Review of NARYSEC policy to correct shortcomings.

Policy and Legislative Interventions

NARYSEC Policy and policy reviews.

Progress to date

The NARYSEC programme is Rural Ward Focussed, being implemented in 2920 wards across SA, including in the 23 poorest districts. The stipends being paid to participants impact positively on between 35000 and 50000 people. More than 15000 participants have been enrolled to date. Of these, as at April 2014, 2444 had graduated and more than 6000 participants participated in various skills development programmes.

Alignment Analysis

National Development Plan

Ensure sustainable production on transferred land by making sure that human capabilities precede land transfer through incubators, learnerships, mentoring, apprenticeships and accelerated training in agricultural sciences; Proposed model – the Districts Land Committee.

ANC Election Manifesto

Strengthen agricultural college education through skills development fund.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

13. PROTECTING FARM WORKERS' RIGHTS

52nd Conference Resolution

ANC branches will work together with the progressive trade union movement, particularly the Food and Agricultural Workers Union, government agencies and civil society to build national organisations for farm workers and farm dwellers dedicated to the realisation of their rights, combating human rights abuses and super-exploitation, and the provision of support and advice to communities living on farms. Furthermore, to ensure the vigorous implementation of laws that protect farm workers and farm-dwellers by strengthening the capacity, resources and resolve of government to protect and advance their interest. This will include the review and strengthening of relevant

legislation.

Department's Interventions to give effect to the Resolutions

Branch Land Tenure and Administration (LTA) implementing ESTA and Labour Tenants Act programmes, as well as the Strengthening of Relative Rights of people Working the Land Programme.

Challenges

Absence of active and vocal local structures that champion and defend farmworkers' rights. Opposition of some structures to the Strengthening of Relative Rights of People Working the Land Programme.

Policy and Legislative Interventions

Amendment of the Extension of the Security of Tenure Act (ESTA).

Progress to date

- Re-establishment of ESTA Committees;
- Appointment of Land Reform Management Facility to provide legal support to farmworkers facing evictions.
- The ESTA Amendment Bill against farm evictions has been finalised and will be processed through parliament in the current financial year. It is anticipated that the Bill will be tabled in parliament by September 2015.
- At least 10 initiatives being implemented in line with the Strengthening of Relative Rights of People Working the land initiative.

Alignment Analysis

ANC Election Manifesto

The ANC remains committed to dealing with a century old injustice that rendered the majority of our people pariahs in the land of our birth. The heinous 1913 Land Act and resultant land dispossessions directly contribute to the ongoing problems of poverty, unemployment and inequality.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

14. INTEGRATION OF LAND RIGHTS AND WATER RIGHTS

52nd Conference Resolution

Integrate land rights and water rights into a common programme.

Progress to date

Memorandum of Understanding between the DRDLR and DWA being put in place. Representation of senior officials of DWA and the Deputy Minister of DWA at the NLARCC where land acquisition and RADP projects are approved, to ensure the requisite integration.

Alignment Analysis

National Development Plan

A comprehensive water resources management strategy, including an investment programme for water resource development, bulk water supply and wastewater management for major centres by 2012, with reviews every 5 years.

MTSF 2014–2019

Sub-outcome 2: Sustainable Land Reform contributing to agrarian transformation.

15. CONCLUSION

This is the *Year of the Freedom Charter and Unity in Action to Advance Economic Freedom*. In this

regard, this is what the **Ready To Govern** Document anticipated about the Transformative agenda of South Africa's democratic, developmental state:

- Legislation on economic matters shall be guided by the principle of encouraging collaboration between the public, private, co-operative, communal and small-scale family sectors with a view to reducing inequality, promoting growth and providing goods and services for the whole population.
- The Bill of Rights shall establish the principles and procedures whereby land rights will be restored to those deprived of them by apartheid statutes. A land claims tribunal, functioning in an equitable manner according to principles of justice laid out in legislation, will, wherever it is feasible to do so, restore such rights. In doing so, it will take into account the role of compensation to be paid by the state to those whose existing titles are affected. Provisions relating to property rights and compensation will have to be applied in such a way that they are not manipulated so as to frustrate a national land reform programme.

The above, as well as the Resolutions of the 52nd and 53rd National Conferences of the African National Congress, remain our guiding lights in implementing a better life for all!

We are moving South Africa forward!

Siyaqhuba!



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Issued by the African National Congress.

P.O. Box 61884, Marshalltown 2107. Tel: 011 376 1000.

Website: www.anc.org.za