

2

A BRIEFING TO THE PORTFOLIO COMMITTEE ON AGRICULTURE AND LAND AFFAIRS

PROGRESS REPORT ON
THE IMPLEMENTATION
OF THE LAND SUMMIT
RECOMMENDATIONS.

1

BACKGROUND

- At the Land Summit of July 2005 time did not allow for discussions on the implementation plan.
- Government was tasked to develop a strategy.
- Government's responsibility to develop a framework for the implementation of summit recommendations was also sanctioned by stakeholders at a post summit workshop held on 19 January 2006.
- Post-summit implementation strategy was one of the expected outputs of land Summit

2

RECOMMENDATIONS

- Commitment to redistribution target of 30% agricultural land by the year 2014.
- land reform to contribute towards economic transformation, and towards the achievement of accelerated and shared growth.
- The State needs to assume a proactive and leading role in ensuring accelerated and sustainable land and agrarian reform.
- Fundamental changes to the patterns of land ownership are required. There should be support for small-scale agriculture and promotion of sub-division of agricultural land

3

RECOMMENDATIONS CONT...

- Review of the principle of willing seller-willing buyer as the basis for land reform. The State needs to review its market driven approach.
- Enhance the State capacity and resources in all three spheres of Government.
- Sustainability and beneficiary capacity building
- Establishment of strategic partnership. Stronger collaborative relationships need to be built between the State, social movements and other stakeholders at a local level.

4

RECOMMENDATIONS CONT...

- The new approach to land reform must also ensure that farm dwellers derive benefit from land reform and the scale of evictions and the ongoing violation of human rights on farms must receive urgent attention
- The decentralization of the land reform process, participatory and people-centered methods which are area-based, and the integration of land and agrarian transformation into wider development priorities through IDPs of local and district municipalities.

5

RECOMMENDATIONS CONT...

- The State needs to conduct a land audit on private and State land and make this information publicly available
- The State must regulate the ownership of land by foreigners to contribute to increased access to productive land for land reform purposes.
- Accelerate implementation of CLaRA
- Prioritization of Restitution

6

Progress

- National Steering Committee (NSC) established
 - A workshop of stakeholders who participated in the Land Summit was convened in January 2006 for the verification of the report and to develop a plan on how to give effect to the Land Summit recommendations.
 - Given the complexity of issues contained in the Summit recommendations, a representative National Steering Committee led by Government was established to develop a plan of action and to ensure its implementation.
 - Terms of reference for the steering Committee have been developed
 - NSC meets regularly on a monthly basis to take forward the resolutions of the summit

7

Progress cont...

- Steering committee is comprised of :
 - DLA & DoA
 - NGO in land sector
 - Commercial agriculture
 - Civil Society
 - Traditional leaders
 - Labour
 - Faith based organization
 - HSRC, World Bank and Institutions of higher learning

8

Progress

- Technical task teams dealing with different issues of the Land Summit resolutions and recommendations have been established.
- Convenors of the task teams reported progress and challenges in the establishment as well as the tasks of the teams for the first time to the NSC in August 2006.

9

Issues addressed by the task teams

- **Policy issues**
 - Review of the willing buyer willing seller principle with the view to developing a menu of instruments for land acquisition
 - Land tax, expropriation and compensation on expropriation
 - (Post) settlement support framework
 - Management of evictions and tenure security
 - Sustainable human settlements
 - Moratorium on evictions and on the sale of state land for purposes of land reform
 - Communication strategy for the Communal Land Rights Act
 - Strategy for the completion of all outstanding restitution claims

10

Task team issues cont...

- Legislation
 - Review of the Sub-division of agricultural land Act
 - Amendment of the Expropriation Act
 - Security of tenure for farm dwellers
 - Moratorium on evictions
 - Management of evictions
 - Review of the restitution Act

11

Task team issues cont...

- Implementation issues
 - Proactive acquisition of land strategy
 - Land audit
 - Settlement of labour tenants claims
 - Implementation of ClaA
 - Consultation strategy for ClaRA
 - Monitoring system for illegal evictions

12

Task team issues cont...

- **Other issues**

- Framework for partnerships at all levels
- Development of a comprehensive support package for new owners

13

Internal departmental initiatives in the implementation of the summit resolutions and recommendations.

- Review of the "willing seller willing buyer" principle
 - A task team of experts in the different areas of land and agrarian reform and development was established in March 2006 to provide technical assistance to the department in the review of the principle of the "willing buyer willing seller".
 - The department in consultation with the task team has developed a framework outlining review steps and milestones. The framework also encapsulating a preliminary review conducted internally by the Policy unit of the Department. Stakeholder consultation in September should result in the development of a policy statement
 - Arising from the preliminary review of the willing buyer willing seller principle is a number of possible land acquisition instruments for consideration. These include compulsory sale (expropriation), land tax and land ceiling.

14

Internal departmental initiatives in the implementation of the summit resolutions and recommendations

- **Land tax**

- The Department with technical assistance from the World Bank has established a team of experts to investigate the development of a land tax policy.
- A discussion paper in this regard has been developed and consultation with land reform stakeholders is planned for the quarter ending in September 2006.

15

Internal departmental initiatives in the implementation of the summit resolutions and recommendations

- **Human settlement strategy**

- A joint DLA/DOA/DOH Working group has been established to develop a case document for the establishment of a Special Purpose Vehicle (SPV) for land acquisition for housing purposes.
- The process is advanced, the SPV document has been developed and will be presented to the economic and social clusters for consideration in due course.

- **Post settlement support framework.**

- The development of a national framework to address settlement support issues for all land reform projects is underway. The department with technical assistance from Phuhlisane solutions is consulting with stakeholders on the draft framework with a view to its finalization in December 2006.

16

Internal departmental initiatives in the implementation of the summit resolutions and recommendations

- Policy on Foreign Land Ownership
 - Panel of Experts is working on the refinement of its recommendation.
 - Conducting studies on ownership of land and landed properties by foreign companies and trusts,
 - Determination of land size and use limitations, as well as Ministerial approval
 - Developing proposals on the establishment of the interdepartmental oversight committee
 - Engaging with the DLA on Disclosure legislation
 - Investigating mechanism for the implementation of a moratorium on transactions with foreigners.

17

END, THANK YOU

18