LATLEMO-SA MEMO TO PARLY

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LATLEMO-SA Memo to the Portfolio Committee on Rural Development and Land Reform. Submission on Mapungubwe Cultural Landscape and Other Latlemo-SA Land Claims.

*Our land is our heritage. We lodged land claims in order to regain all the rights lost in land. Latlemo has been mandated by all its members, to interact with our government to ensure these rights are restored as speedily as possible. As they say in the legal fraternity: “Justice delayed is justice denied.” We in Latlemo-SA say: “Whoever delays land restoration denies people’s heritage”. The issue of land restoration is very sensitive, and it must be expedited as quickly as possible.*

*LAND & TRADITIONAL LEADERSHIP MOVEMENT-SA*

*Endeavouring to Restore the Rights and Dignity of African People*

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SUBMISSION OF THE

LAND AND TRADITIONAL LEADERSHIP MOVEMENT OF SA (Latlemo-SA)   
 TO

THE PORTFOLIO COMMITTEE ON RURAL DEVELOPMENT AND LAND REFORM

1. PREAMBLE

We, the African people of Limpopo Province, united by our common goal of endeavouring to restore the rights and true dignity of the masses of our people, particularly traditional leaders and land owners, have decided to establish a mouthpiece through which we will interact with our democratic government at all spheres. This was mainly necessitated by the delays, incompetence, inconsistent and sometimes controversial decisions as well as the failures by the various government established commissions, particularly the Land Claims Commission and the Traditional Leadership Disputes and Claims Commission.

This mouthpiece was established on the 17th April 2017 at a meeting of the concerned people held at Tshakhuma in Vhembe. It is known as The Land and Traditional Leadership Movement of South Africa (Latlemo-SA). It derives its mandate from the Vhangoṋa people, the Tsonga-Shangaans as well as the Bapedi people of our province.

The meeting mandated the Movement to interact with our democratic government in order to expedite the following:

* 1. The restoration of the much needed and awaited rights lost inland.
  2. That all the land claimants and traditional leaders be issued with title deeds.

1. Our Problem

2.1 Land Claims

Now we the African people of Limpopo Province note with both pain and disappointment, the fact that until today, the majority of the people who have lodged land claims before1998 haven’t received their rights lost in land back. Some of them have had their genuine claims either declined or dismissed. Many others have been waiting since the closing date of submission in 1998 until now. And when they try to enquire from the relevant authorities or officials, they are told a lot of things which only help add more pain and frustration.

There are unacceptable delays in this regard. Some claimants whose claims are dismissed are shocked to see their land given to wrong people altogether and/or when they have to share their land equally with totally undeserving people. And we strongly believe that something must be done. Either the Commission suffers from some kind of incapacity, or there are some undercover activities or any other cause of which we are not aware. Or else we would propose that the piece of legislation that gave rise to establishment of the Commission, i.e. the Restitution of Land Rights Act, 1994 (Act N0 22 o 1994), be revised.

2.2 Our Submission

It is therefore our humble submission that this honourable House may help us in the following ways:

* 1. The Land Issue  
       
     As already stated above, Honourable Chair, we the African majority, particularly those whose land was taken away from them by both colonial and the apartheid regimes, are still without land rights and/or ownership, 23 years into the democratic dispensation. This is so, despite the fact that our democratic government has appointed the Land Claims Commission to do just that. From our experience of working with the Commission since its inception until now, we believe that the Commission is not honestly carrying out its constitutional mandate. We understand very well that the intention of our government when appointing this Commission was all good, but the work of the Commission itself leaves much to be desired. A lot of claimants, some of them being our members, haven’t got their land back. This is so despite the fact that the Regional Land Claims Commission approved some of those claims as ‘*prima-facie’* in terms of the Act. Many claimants have been waiting for years since the approval by the Commission. [See copies of some of the approvals by the Commission annexed LAT 1A – D, LAT 2A – D, LAT 3A - E as attached. Some of the claims were dismissed without any reasonable cause.  
       
      There are instances where land is given to undeserving or wrong beneficiaries like former tenants or any other person or people who might happen to produce some proof, e.g. if they can identify the graves of their relatives on some part of the land under claim. The snail’s pace at which this process is going, plus some of the suspicions people have towards Commission and/or some corrupt departmental officials, warrant, in our view, that the government itself does the job. The Land Claims Commission has reduced itself to an unreliable body and people are fast losing confidence in it. And because of all this, honourable Chair, we therefore submit that the land issue remains a burning issue that must be resolved with the urgency it deserves.

3.2 Title Deeds

All our traditional leaders and other land claimants also need title deeds for their land instead of the permissions to occupy that they have or are being given. We find it disturbing to note that our democratic government does not issue title deeds to land claimants who are the rightful heirs and owners, yet those who took away our land by using force still hold title deeds and are still called landowners. As far as Latlemo-SA is concerned, traditional leaders are the real land owners. We all know that it was due to the clandestine and unscrupulous activities of both the colonial and the apartheid regimes that those people took land away from our ancestors without caring and without any compensation. Yet today when they should handover the land back to the real owners, they are begged, hence “the willing buyer, willing seller” cliché.

Honourable Chair, it is our hope and trust that our government is aware of the fact that most of the so-called traditional leaders that are there across the Republic today were appointed by the apartheid regime after the rightful owners were deposed or forcefully removed. What is rather unfair is that when democracy came in 1994, our democratic government went on and endorsed the same status yet knowing full well that they are not the real land and traditional leadership position owners. This is one of the reasons why even the House of Traditional Leaders lacks impact, progress and credibility concerning traditional leadership issues, cultural and customary issues amongst our communities, hence our Movement.

1. Recommendations

We the members of Latlemo, strongly urge our government to either get rid of the different commissions and take over their responsibilities, or the relevant legislation be amended to make way for more effective ones which will take into account the people’s aspirations, histories, customs and traditions. The issue of the return of land to the African majority is non-negotiable. The sooner it is resolved the better.

Honourable Chair, we at Latlemo-SA urge this house to come up with workable and concrete solutions to this simmering problem. We would like to see a South Africa which takes care of the needs of its people. A South Africa we can all be really proud of, and which we shall unashamedly call our one and only hope and home.

I thank you