**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 2618**

**INTERNAL QUESTION PAPER [No 27 - 2022 SIXTH PARLIAMENT]
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**2618. Ms T M Mbabama (DA) to ask the Minister of Agriculture, Land Reform and Rural Development:**

With reference to the Kramer Family Land Claim ref: 6/2/3/D/49/768/971/2 that was submitted on 25 November 1996 to the Land Claims Commission, what is the reason that (a) it took 23 years to process the claim that was approved on 21 January 2019, (b) only Portions 6, 7 and 8 of Erf 172, Kleinfontein, were approved despite the family in their initial submission of 1996 claiming the whole of Erf 172, Erf 158, Kleinrivier, and Erf 3 Block12 Plan 2, portions of Hankey and (c) Portions 6 and 7, now 36 and 37 of Erf 172, Kleinfontein, were sold to Njati Holdings for R9,2 million on 1 November 2019 after approval date of the claim by the Kramer Family? **NW3134E**

**THE MINISTER OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT:**

1. An ongoing family dispute within the Kramer family over family representation in the processing of their land claim was delaying the settlement of the claim. The person who lodged the claim on behalf of the family does not want other beneficiaries to participate in the processing of the claim.

In the process of settling the claim, the Commission met all the beneficiaries of Kramer family and advised them to elect a representative committee that would represent all the beneficiaries. The resolution to have a committee was taken because the family comprises of 13 households with more than 500 beneficiaries.

The committee was elected in the presence of the Project Officer. The Commission continued with the processing of the claim in consultation with the committee. At the same time, the person who lodged claim continued writing to the Commission stating that the office should be working with her alone. This continued to be a dispute between the person who lodged the claim and other beneficiaries.

In an attempt to resolve the dispute, the Commission held a meeting with the beneficiaries on the 30th October 2021. The resolution of the meeting was that the family should re-look at the composition of the committee and ensure that it represents all the households and beneficiaries to the claim. The Commission requested the names of the committee members to be sent within 14 days. The family complied with the request and the names were sent comprising the same people who were elected before.

Subsequent to that, the person who lodged a claim on behalf of the Kramer family submitted a written objection, complaining about some issues discussed in the meeting of the 30th October 2021, and questioned the credibility of the meeting itself. She complained that the process which was followed was unfair and maintained that the committee elected was illegitimate. This halted the processing of the claim.

The family was requested to assist the process of finalizing the claim by resolving the dispute as this will allow the Commission to proceed to the next phase of restitution.

Only a Rule 3 investigation was conducted and approved by the Regional Land Claims Commissioner. A Rule 5 research report is still to be conducted and still to be approved by the Regional Land Claims Commissioner. As a result, the claim has not yet been approved.

(b) The Rule 3 investigation looked at all the claimed properties, that is Farm 158 and Farm 172. The two farms are currently subdivided into various small portions.

The family however disputed the extent in the investigation. To this end the office then did an inspection in loco on the 25th August 2022 together with the members of the Kramer family and with the assistance of the National Geo-Spatial and Information (NGI) The purpose of the in loco inspection was to identify the land parcels and boundaries of the claimed land.

A further meeting was held with the Kramer family on the 26th August to discuss the roadmap and the timelines towards the settlement of the claim.

One of the resolutions of the meeting was that the Commission will appoint a Historian/ an independent researcher to conduct further investigation on the circumstances of dispossession and the extent of the land that is the subject of the claim. The investigation will cover all the claimed properties, that is Farm 158, Farm 172 and Erf 3 in Hanley.

The family accepted the roadmap and the timelines that were proposed by the Commission.

(c) The selling of the properties and the exchange of ownership will be determined by the investigation to be conducted. The claim is not yet approved and it is still to be gazetted

END