



Rural Development
& Land Reform

Department:
Rural Development and Land Reform
REPUBLIC OF SOUTH AFRICA

BRIEFING TO THE PORTFOLIO COMMITTEE ON RURAL DEVELOPMENT & LAND REFORM

REPLIES TO KEY COMMITTEE RECOMMENDATIONS ON THE LAND CLAIMS PETITION: WESTERN CAPE

Committee Room M514, 5th Floor, Marks Building, 10:00

Background

The Western Cape Province Land Restitution Claimants lodged a petition with the Speaker of the National Assembly through the Honorable Ms Steyn, (MP) regarding the processing of land claims in the Western-Cape.

The petition highlighted three broad areas, namely:

- limitations of the legislative framework for Restitution;
- grievances on the processing of claims and conduct of officials; and
- settlement of specific land claims.



Background (cont.)

- The Portfolio Committee on Rural Development and Land Reform considered the Petition and requested the Regional Land Claims Commissioner to respond to the matters raised.
- Having considered the responses presented by the Commission, the Portfolio Committee tabled its report and recommendations in the National Assembly.



Response to Recommendations

Recommendation 6.1.1

Engaging in the process of consultations with IRASA and CONFALSA on particular land needs to ascertain whether the constituency represented by these groups have particular land needs;

Response:

- The matters relating to CONFALSA were addressed and no further communication was received.
- There have been ongoing engagements with IRASA since the date of the petition. There is agreement to address their needs as they arise.



Recommendations

Recommendation 6.1.2

Where there are land needs, DRDLR should consider purchasing land for interested individuals and groups through its land redistribution programs;

Response:

- Based on the outcome of the engagements with IRASA and similar groups, agreements will be entered into with the Directorate: Land Reform to address their needs in line with section (6)(2)(b) of the *Restitution of Land Rights Act, 1994*.



Recommendations

Recommendation 6.1.3

To report to the National Assembly about the process of facilitation and draft a programme of action to resolve the complaints within the stipulated timeframes.

Response:

- The Commission and IRASA have reached an understanding that the Commission will facilitate in the process of accessing land through referral to the Directorate: Land Reform, monitor progress and report to the NA in the reporting mechanism.



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Recommendations

Recommendation 6.2

DRDLR together with the Commission should :

Recommendation 6.2.1.

Submit to the National Assembly a programme for providing a progress report on all land claims in the petition by 31 July 2011. A report on implementation of the programme should be submitted within three months after the adoption of this report.



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Recommendations

Response to Recommendation 6.2.1:

Programme for providing progress reports:

- 326 family claims are contained in the petition;
- the Commission will provide both an area-specific report and a detailed report on individual claims;
- the Commission will submit a Claims Progress Report to the Portfolio Committee quarterly;
- the processing of claims is envisaged to be spread over **two** financial years, i.e. 2011/12 and 2012/13, being finalised by **31 December 2013** and may be extended, depending on processes and budget allocations.



Recommendations

Recommendation 6.2.2

Convene a collective meeting of the DRDLR and all land holding departments in the Western Cape to develop a strategy for speedy release of state land for land reform; and to report to the NA about commitments and program of action within three months of adoption of report.

Response:

A Provincial State Land Disposal Committee has been set up to address these matters. Reporting on progress will be included in the quarterly progress report.



Recommendations

Recommendation 6.2.3.

Constantly update 'LANDBASE' in order to ensure that when claimants lose information, the database will serve as a back- up on this and land restored to communities.

Response:

- Data contained in LANDBASE is fixed, based on the legal requirements of the submission of claims.
- Updating consists of recording of milestones in relation to each claim.
- The LANDBASE system is currently being migrated to UMHLABAWETHU, which contains a Dashboard monitoring system.



Recommendations

Recommendation 6.3.

To encourage petitioners to submit further details about allegations raised in the petition to the DRDLR, the South African Police Services, the Anti-corruption toll-free number or any other relevant avenues so that the alleged abuse of administrative responsibility and corruption could be rooted out.

Response:

- Regional meetings with claimant representatives have been held at localities convenient to claimants and their representatives to raise issues of concern on a regular basis and to hear reports from the Commission on how their issues and concerns are addressed.



Thank you

