



COMMISSION ON RESTITUTION OF LAND RIGHTS
IKHOMISHANA YOKUBUYISELWA KWAMALUNGelo
OMHLABA
KOMISHINI E MABAPI LE PUSETSO YA
DITSHWANELO TSA LEFATSHE
KOMMISSIE OP HERSTEL VAN GRONDREGTE

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1st Quarterly Media Briefing

Status of the Gauteng and North West provinces

Ladies and Gentlemen:

I am extremely impressed by the level of your response to this most august function of the commission, an institution that I am really privileged to lead and manage .

Some of you might have heard about me and yet some of you are seeing me for the first time, however, all of you today have something in common, which is, meeting me, in person. To me you are all important. Judging from this huge response, I must thank the Agricultural Writers Association and in this regard, Mr Nico Van Burick for partnering with us in this important event and I believe other bodies will do the same in their own sphere.

Just before I indicate to you why we are meeting here today, let me say this, ours is beyond 2008. 2008 is history and our focus is to ensure that our people selflessly protect the land by becoming economically sustainable.

Our meeting today, is confirmed by the outcome taken at our recent strategic review meeting of the commission. Progressively, we are from time to time assessing our performance and challenges while discharging our responsibility in the commission. Therefore, it is important that we share some of the progress that we are making with u as our major stakeholder.

Ladies and Gentlemen: my goal is to ensure that the settlements of all outstanding land claims are met by March 2008 in my region. These settlements must be designed and implemented in a manner that will contribute to the sustainable social and economic development of all beneficiaries. Invariably, the restitution of land rights must contribute to growth, equity and reconciliation and these objectives can never be a one sector or department show.

Now whilst one has to meet the target for legal settlement of land claims, there is a need for a balancing act between the quantity and quality of delivered projects and that cannot be ignored. We must begin to see restored land rights contributing towards job creation and poverty reduction. Within the past few months of my assumption of duty I have met and continue to discuss with different stakeholders issues of alignment aimed at the provision of a comprehensive and coordinated settlement support for successful restitution claimants. In this regard we are engaging with stakeholders from national to local levels

As an office we are well on course, we are doing fairly well as almost all the urban claims in the two provinces have been finalised, with only rural claims remaining . I must say that a lot of groundwork has been done and I owe it those Commissioners who came before me. For Gauteng province, we have received about 11975 and of those we have settled 11956, while we have only 19 outstanding claims. In the North West province, only about 80 claims are outstanding, out of 1899 claims that were lodged we have settled 1819. The commission considers this achievement to be as a significant step towards realising its historical goals of empowering the poor.

The last time the Commission had a meeting of this nature was at the time the infamous case of expropriation, which is Leeuwspruit in North West provinces. Today we can speak differently by marking the greatest achievement we have made on this claim. On this farm, a settlement has been reached and the sale agreement finalised. We are currently working on the development of a business plan. The DACE in the North West has shored this process up to ensure a sound and implementable plan. The claimants have opted not to settle on the farms but to use it for production purposes for cattle and crop farming as it was previously used.

While still on the expropriation case, let me touch on the Krokodilspruit in Gauteng. A notice of intention to expropriate was sent to the Krokodilspruit owner and he made representations to the CLCC within the required time of 21 days disputing the merits of the case. The CLCC drafted a memo to the

Minister recommending that the farmer concerned be given a hearing. I must say, we have already given an opportunity to the landowners in terms of the Public Administrative Justice Act to present to the Minister the reason why the farm should not be expropriated. The status has not changed and it is true that the commission will move ahead with expropriation. A memo in this regard is on route to the Minister for an expropriation order.

I must indicate that in all cases where negotiations are going to be stalled by intransigence and deliberate frustration of the restitution process by the current landowners, we are going to expropriate. I have said this before and nothing has convinced me otherwise.

For instance, the Commission is currently acquiring a number of portions of the farm Hartebeespoort B 410 JQ – in the North West province measuring 2751 hectares in total (constituting 20% of the total farm). There is no doubt that there is still resistance over the claims. The current landowners are challenging the claims of ground of validity and insist on referring claims to Court. They oppose the land claim on the basis that the dispossessions were not racially motivated and that claimant community received just and equitable compensation.

In the same area valuations have been completed on some of the portions measuring approximately 2000 hectares and we have commissioned valuations on the other portions involving mining land.

While there is such remarkable progress there are complexities which we are addressing.

Staff exodus within the department has become a national problem. At the moment I consider staff retention to be my biggest challenge considering the amount of time left 15 months to be precise, to finalise the settlement of all remaining claims.

The number of vacancies dropped from 90 in November to 35 in Gauteng and Northwest RLCC. Of the 35 , 20 have been advertised. Most of these posts are filled for the North West office where the need is greater.

Restitution is currently on high drive and this is inexorably placing high levels of stress on the limited staff. This clearly calls for creative measures to keep staff motivated and in fact willing to stay on. In this regard, the Commission together with the Ministry of Agriculture and Land Affairs are negotiating with Treasury and the Department of Public Service Administration for incentives for Commission staff. Other measures include

upgrading of posts, conversion of contracts to permanent post that will be absorbed into government departments at the end of the Commission's term, performance assessment aimed at rewarding good performance and providing support where necessary and, empowerment through delegation of powers where appropriate.

In response to the existing high capacity need, the Commission employed contract workers who are now being given priority in the filling of vacant posts.

In an attempt to reduce the load from staff some functions such as claimants verification, validation of claims, valuations, development of business plans etc are outsourced.

Complexities relating to claims include unintended consequences which require consideration when negotiating such settlements. These include consideration of land needs for farm dweller affected by the settlements, conflicts resulting from the formation of new legal entities and existing traditional authorities; informal settlements on restored land; Introducing claimants into new businesses for which they are either not prepared or are not interested in and; finally the monopoly of projects by opportunist members of claimant groups who lay a fertile ground for intra communal conflicts. Untraceable claimants also create a delay in the finalisation of some of the settled claims.

As we will be closing the shops in 2008, it should be noted that the history of land restitution is very important. We thus, are going to establish memorial sites as a form of remembrance and honour to those who died during the lodgement of their claims and those who achieved.

Ladies and Gentlemen:

We are announcing today the slogan for our office, which is linked, to our national programme and slogan is, "Land Rights, a Living Legacy." We want keep the legacy for the next generation to come through lasting solutions to poverty, deprivation and squalor as well as the development the memorial sites.

**Thank you
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