

PRESENTATION TO FIG COMMISSION 7



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INTRODUCTION

- Land Reform in South Africa
- Colonial and Apartheid Land Policies
- Land Dispossession
- Constitutional Mandate (Act 108 of 1996)
- Department of Land Affairs

HISTORICAL OVERVIEW

Pre 1948:

- Dutch settled in 1652
- British settlers came later
- Clashes between settlers and Africans
- 1913 Land Act

HISTORICAL OVERVIEW

Post 1948:

- National Party Government
- Apartheid Policy
- Forced Removals & Evictions
- Homelands

HISTORICAL OVERVIEW

Pre 1994 Tenure Systems:

- Full ownership for whites only
- Permission to Occupy
- Trust Lands
- Leaseholds

RACIAL INEQUALITY

- Racial Patterns of Land Ownership
- Skewed Natural Resource Ownership
- Cheap Black Labour
- Poverty Creation
- Racial Conflict

DEMOCRATIC GOV'T. POST 1994

- Constitutional Mandate
- Department of Land Affairs created
- Vision: An equitable and sustainable land dispensation that promotes social and economic development
- Mission: To provide access to land and to extend rights in land, with particular emphasis on the previously disadvantaged communities, within a well planned environment.

DEPARTMENTAL STRUCTURE

- Land and Tenure Reform
- Land Restitution
- Land Planning & Information
- Financial Management &
Corporate Services

LAND REFORM PROGRAMME

- Land Restitution
- Land Redistribution
- Tenure Reform

LAND RESTITUTION

- Restitution of Land Rights Act, 1994
- Dispossession after 19 June 1913
- Cut off date for claims - December 1998
- 67 314 claims lodged
- Total claims settled 35 137
- Total number of beneficiaries 424 643

LAND REDISTRIBUTION

- Land redistribution for historically disadvantaged
- Poverty eradication
- Willing-buyer willing-seller
- LRAD

LAND TENURE REFORM

- Prevention of evictions
- Provision of secure tenure
- Challenges in communal areas
 - Registration of rights
 - Land administration
 - Differing tenure systems
- Labour Tenants' Act, 1996
- Extension of Security of Tenure Act, 1997

LAND & TENURE REFORM

Programme	Number of cases	Number of hectares	Number of households
Redistribution	543	482 912	69 102
Commonages	111	473 956	2 288
Share Equity Schemes	52	29 749	12 943
LRAD	450	175 586	14 636
State Land Disposal	1 532	140 280	753
Conversion of Tenure Rights	130	145 032	45 218

CHALLENGES

- Financial constraints
- Willing-buyer willing-seller approach
- Interest groups
- Post settlement support

BRANCH SUPPORT TO LAND REFORM

- Historic research
- Cadastral surveys
- Spatial information
- Spatial Planning

CONCLUSION

- Difficult to erase years of political engineering and dispossession
- Making good progress within the Rule of Law
- Restitution is the real success story

I THANK YOU