



RURAL DEVELOPMENT AND LAND REFORM

SOUTH AFRICA
YEARBOOK

2010/11

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The implementation of rural development is expected to result in vibrant, equitable and sustainable rural communities and food security for all. The essence of such a community would be measured through the following:

- food security
- rapid and sustained economic growth
- intellectual development
- environmental sustainability
- healthy rural communities
- political maturity
- social stability and growth
- self-reliant and confident communities
- fairness in line with the Bill of Rights
- social cohesion.

The Department of Rural Development and Land Reform's strategy to achieve sustainable rural development is "agrarian transformation". It will focus on establishing rural business initiatives, agro-industries, cooperatives, cultural initiatives, rural settings; empowering rural people and communities (especially women and youth); and revitalising old and upgrading economic, social, information and communications infrastructure, public amenities and facilities in villages and small rural towns.

Comprehensive Rural Development Programme (CRDP)

During 2009, the South African Government conceptualised the CRDP.

The key thrust of the CRDP framework is an integrated programme of rural development, land reform and agrarian change, whose strategic focus is social cohesion and development. Rural development focuses on improving economic, cultural and social infrastructure, public amenities and facilities, and information and communications technology (ICT) infrastructure.

The CRDP is premised on three phases: Phase One, which has meeting basic human needs as its driver; Phase Two, which has large-scale infrastructure development as its driver; and, Phase Three, with the emergence of rural industrial and credit financial sectors, which is driven by small, micro and medium enterprises and village markets.

The department has implemented the CRDP in 21 sites throughout South Africa and aims to roll this out to 160 sites by 2014. Lessons learnt from these CRDP sites indi-

cate that the challenges in rural areas include underutilisation and/or unsustainable use of natural resources; poor or lack of access to socio-economic and cultural infrastructure and services, public amenities and facilities and government services; lack of access to clean water or lack of water resources for both household and agricultural development; low literacy, skills levels and migratory labour practices; decay of the social fabric; and unexploited opportunities in agriculture, tourism, mining and manufacturing.

In each area where the CRDP is being implemented, a new vibrancy has been created around working together, involving communities, the three spheres of government and the private sector. This has enabled communities to mobilise resources from all sectors of government to enhance delivery.

An inclusive CRDP stakeholder participation model has been developed in the form of the Council of Stakeholders, which functions as a partner in planning, implementation and monitoring. Through this inclusive body, communities themselves have become central to their own development.

Through the work undertaken at the CRDP sites, and in conjunction with fellow departments at national, provincial and local government level, the Department of Rural Development and Land Reform erected infrastructure such as housing, water, sanitation, pack-sheds, community halls, multipurpose centres, fencing, early childhood development centres, satellite police stations and renovated schools and clinics.

The department initiated a new youth skills development and employment programme, the National Rural Youth Service Corps. The main goal is to develop a cadre of young community paraprofessionals and artisans who will take responsibility for the development of their own communities.

Four young people, of whom at least one must be a person with a disability, are to be enlisted into the programme from each of the 2 872 rural wards. At least 50% of them must be women.

The contractual period, including the training period, is 24 months. This process will lead to the employment and skilling of almost 12 000 youths, of whom almost 3 000 should be youth with disabilities.

Rural development, food security and land reform

The department finalised the *Comprehensive Rural Development Green Paper* in 2010.

The Social Protection and Community Development Cluster implemented the Household Food Production Programme to cushion the burden of rising food prices on poor households.

By February 2010, at least 30 024 households had been reached through this programme. As part of the programme, about 60 vegi-tunnels were established in three learning sites in the Eastern Cape, Limpopo and North West.

War on Poverty (WoP) Programme

From April 2010, the WoP Programme, which prioritised 1 128 wards over the Medium Term Strategic Framework period were relocated from The Presidency to the Department of Rural Development and Land Reform.

The relationship between rural development and the WoP is the reason why the campaign was shifted to the Department of Rural Development and Land Reform.

Both programmes are concerned with human development and the methods they use are similar, such as helping people to get identity documents for social grants or for work-related matters and creating job opportunities. Rural development is a short-term strategy while the WoP is long term.

One of the long-term solutions is to ensure that people become self-sufficient. The department is specifically concentrating on rural communities.

Poverty in rural areas is rife and more vicious than in urban areas. In rural areas there is lack of basic services such as clinics, police stations, schools and recreational facilities.

The WoP has been piloted in seven provinces except the Northern Cape and Western Cape.

The objective of the WoP is to have a positive impact on people's lives, addressing poverty and hunger and ensuring that people take control of their destiny.

Land reform

The introduction of the CRDP, of which land reform is an integral part, has necessitated that the approach be overhauled and new procedures be adopted. While achieving

equitable distribution of land remains a fundamental policy of government, there is an even more urgent need to ensure that land reform is measured not only through equity but also through productivity leading to enhanced food security for all, job creation and skills training among beneficiaries.

Categorisation of land needs

From April 2010, the department implemented stringent criteria to meet the different land needs of beneficiaries. Land needs of qualifying beneficiaries are divided into three categories.

The first category comprises a large majority of landless poor who need land for shelter and some land for household food production. This group includes about 2,8 million people who live on commercial farm land without any security of tenure; landless poor who live in and around rural small towns without meaningful incomes; and people from overcrowded former homelands.

These land needs will be met through the Land Redistribution Programme by providing small units of land to accommodate their specific needs. A support package to meet these specific needs was being developed and was expected to be implemented during 2010/11.

The second category comprises small-scale farmers with proven ability and commitment to farm but do not have the means to expand as they do not have enough land, access to finance and the required technical support. This category is largely found in

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Riemvasmaak was chosen as a pilot site for the Comprehensive Rural Development Programme (CRDP) in the Northern Cape during 2009 when the last portion of the community's

land claim was finalised. By April 2010, the following had been achieved:

- the provincial department had constructed a handling facility and livestock water point at Sending (Mission)
- fruit trees and seedlings were distributed at Vredesvallei
- construction of the healthcare facility had commenced
- the department had obtained an office in Kakamas
- the department had embarked on veterinary campaigns to ensure livestock health in the area
- the department was testing all bore holes on new farms as well as constructing handling facilities for the new farms
- the upgrading of border fences had taken place
- the department had also developed an infrastructure plan for the 46 000 ha that were handed over in 2009.

communal areas and commercial farms. It is in this area where the department aims to intensify production discipline, skills development, mentorship and job creation as conditions for government support.

The third category consists of relatively established black farmers who are already entrepreneurs. Most achieved their success despite limited or lack of government support.

The department will measure the successful implementation of land reform through the number of jobs created, increased incomes and a critical mass of successful farmers who will contribute to the gross domestic product and balance of payments.

Land redistribution

The Redistribution Programme is largely implemented through the Provision of Land and Assistance Act, 1993 (Act 126 of 1993). Prior to 2008, the Act had limited applicability, which focused on land acquisition, but certain key amendments in the latter part of 2008 will make it possible for development interventions aligned to the broader CRDP.

By 2010, 5.9 million ha of land had been acquired through redistribution and restitution.

The tenure issues of millions of South Africans living and working on farms, communal areas and small rural towns remain a challenge for government despite the efforts of government to regulate relationships between owners and occupiers and tenants.

Recapitalisation and development

The department prioritises the recapitalisation and development of all distressed land-reform projects implemented since 1994.

The department will establish strategic partnerships to provide technical support to all struggling land-reform projects by working together with the Department of Agriculture, Forestry and Fisheries, the Department of Water Affairs, the Land Bank and social partners in the private sector.

The department will conduct farm assessments, and due diligence exercises and develop credible development plans as conditions for support, through social contracts with all beneficiaries.

Among the conditions that will be attached to assistance, production discipline will be paramount. Twenty-five percent of the department's baseline allocation will be set aside for this purpose. This funding will

complement other funding provided by the Department of Agriculture, Forestry and Fisheries and provincial equitable share of relevant provincial government departments.

Recapitalisation and development will be further extended to black farmers in distress who are struggling to meet their loan obligations with the Land Bank and other financial institutions. This is a strategic intervention aimed at addressing real and lurking danger of rolling back the limited gains government has made in the Land-Redistribution Programme.

Land administration

The department aims to provide value-added public land information and support services to clients and to ensure the efficient administration of state land. This is done by:

- obtaining, gathering and maintaining relevant information on public land (including state land)
- promoting and overseeing the administration of (state) land under the control of the Minister of Rural Development and Land Reform, including its acquisition, disposal and vesting
- supplying relevant information and cartographical services to clients.
- identifying public land and plotting it spatially (with the aid of Global Positioning System and Geographic Information System technology)
- supplying information on the juridical and geographical status of land
- supplying value-added information on public land parcels with regard to legal encumbrances, land-use and land potential
- assisting with conducting land-use investigations and land audits to identify superfluous land for land reform
- providing and maintaining computerised land-administration systems with various modules for managing state land under control of the department and accessing



The Department of Rural Development and Land Reform introduced the Land Tenure Security Bill in 2010, which will repeal the Extension of Security of Tenure Act, 1997 (Act 62 of 1997), as well as the Labour Tenants Act, 1996 (Act 3 of 1996), and will be informed by the following objectives:

- protecting relative rights for farm workers
- strengthening the rights of farm dwellers
- enhancing food security through sustained production discipline.

- the Public Land Inventory (maps and alpha numeric land data)
- producing thematic maps (soft and hard copies)
- confirming the vesting of ownership of state land
- managing title deeds on land belonging to the Department of Rural Development and Land Reform
- providing land-administration support and advice on disposal, servitudes, prospecting/mineral leases, lease agreements, and issuing certificates of registered titles
- providing policy/guidelines on state-land administration
- providing legal advice on state-land administration
- providing capacity-building and training on state-land administration
- rendering assistance and support on national forums dealing with state-land issues
- providing support and advice to the nine provincial state land disposal committees.

Land-rights management

The Land-Rights Management Branch aims to provide tenure security that creates socio-economic opportunities for people on farms and in communal areas to ensure vibrant and sustainable communities characterised by social cohesion and development.

Its objectives are to:

- develop tenure-reform legislation, policies and products
- develop the systems and procedures related to such legislation, policies and products
- train and disseminate information relating to these products, systems and procedures for implementers and other clients.

Land-Rights Management renders services such as:

- assisting local authorities and the CRDP to ensure tenure security through registration and ownership
- developing and presenting training manuals and other materials to facilitate the implementation of tenure legislation
- controlling the Evictions and Land Rights Toll-Free Hot Line – 0800 007 095
- providing legal and mediation assistance to vulnerable farm dwellers
- supporting provincial and other offices of the department with tenure legislation, policies and procedures.

Social, Technical, Rural Livelihoods and Institutional Facilitation (STRIF)

The CRDP adopted a participatory approach to rural development to ensure that the rural communities are able to take full charge of their collective destiny.

The department entered into a close working relationship with WoP and the Department of Social Development. The WoP questionnaire is used for household profiling together with the National Integrated Social Information System, for data capturing.

Food security, the building of sustainable livelihoods and skills training are key focus areas of the STRIF Branch.

Geospatial services, technology development and disaster management

The component of National Geospatial Information is responsible for the national control survey network, the national mapping and aerial imagery programmes and the provision of geospatial information services.

In an effort to provide access to geospatial information (maps) to visually impaired persons, the National Geospatial Information component will produce a Braille atlas for each province over the next three years. Limpopo will be prioritised.

This component will continue with its map literacy and map awareness training for adults and support to educators and school learners to promote the use of geospatial information. Priority will be given to rural communities.

Aerial imagery is a significant source of geospatial information and a record of the land at that time. It is necessary to “refresh” the aerial imagery on a regular basis to record the changes taking place.

National Geospatial Information acquires aerial imagery on an annual basis. The CRDP sites have been prioritised.

The branch will also assist in the creation of orderly and sustainable rural settlements by ensuring alignment and harmonisation of rural development plans to existing planning frameworks, including provincial growth and development strategies and integrated development plans.



In August 2010, the Department of Rural Development and Land Reform announced that foreigners would in future not be able to own land without the consent of local communities.

The department was in the process of developing a new land tenure system.

The department has considered the adverse impact that disasters have on rural areas and the lives of rural people and included in its strategy a disaster management component, which, together with other sector departments will coordinate responses to rural disasters.

Cadastral survey management

The Cadastral Survey Management Branch aims to provide efficient cadastral survey management services and cadastral information services in support of land delivery and development.

- The programme is responsible for:
- regulating the Surveyor-General's offices
 - examining and approving all surveys for the registration of land and real rights
 - maintaining cadastral survey records
 - archiving all cadastral surveys
 - compiling, maintaining and revising maps of property boundaries
 - providing cadastral advisory and spatial information services.

Surveyors-General have been decentralised to seven of the nine provinces. They are responsible for the examination and approval of all land surveyed in the country as depicted on diagrams, general plans and sectional plans prior to registration at the Deeds Registration Office.

The branch is also the sole custodian of cadastral information.

Cadastral information preserved and maintained at the offices of the surveyors-general assists the department in its analysis and planning of rural development initiatives. These officers also facilitate state land surveys and identify unsurveyed and unalienated state land.

Cadastral Surveys together with Deeds Registration, deals with the land administration system by improving access of Surveyor-General offices to the majority of the population in all the provinces, as well as improving the multimedia lodgement facility that was implemented in 2008.

In 2010, the department was in the process of developing a retention policy linked to scarce skills, including the survey profession.

Through its training unit, professional land surveyors, survey technicians and pupil survey officers will continue to receive training and development.

Deeds registration

The core functions of the Chief Directorate: Deeds Registration and the 10 deeds registries are to:

- register real rights in land
- maintain a public land register
- provide registration information
- maintain an archive of registration records.

The deeds registries are located in Pretoria, Cape Town, Johannesburg, Pietermaritzburg, Bloemfontein, Kimberley, King William's Town, Vryburg, Mthatha and Nelspruit. These offices register deeds and documents relating to real rights in more than eight million registered land parcels consisting of township erven, farms, agricultural holdings, sectional title units and sectional title exclusive-use areas in terms of the Deeds Registries Act, 1937 (Act 47 of 1937), and the Sectional Titles Act, 1986 (Act 95 of 1986).

To take deeds-registry services to the people, the department aims to establish a deeds registry in every province. This project entails establishing a deeds registry in Polokwane, Limpopo.

The Deeds Registry is open to any member of the public to access information with regard to the following:

- the registered owner of a property
- the conditions affecting such property
- interdicts and contracts in respect of the property
- the purchase price of the property
- rules of a sectional title scheme
- a copy of an antenuptial contract, deeds of servitude and mortgage bonds
- a copy of a sectional title plan
- township-establishment conditions
- information relating to a property or deed.

Commission on the Restitution of Land Rights (CRLR)

The purpose of the restitution programme is to provide equitable redress to victims of racially motivated land dispossession, in line with the provisions of the Restitution of Land Rights Act, 1994 (Act 22 of 1994).

The aim of this commission is to resolve restitution claims within the target period through negotiated settlements that restore land rights or award alternative forms of equitable redress to claimants.



By April 2010, the Department of Rural Development and Land Reform completed the development of the *Green Paper on Agrarian Transformation, Rural Development and Land Reform*, which is intended to culminate in a new land policy framework and legislation, which should consolidate all land-related laws.

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In August 2010, the Makhado Municipality in Limpopo switched on electricity to 50 poor households in Ha-Matsila Village outside Makhado in Limpopo. The switch-on also served as the launch event for a R54-million Comprehensive Rural Development Programme, funded by the National Lotteries Board, in partnership with the Department of Rural Development and Land Reform, a local non-governmental organisation, Resource Africa, and the Matsila Community Development Trust.

The Rural Development Plan, which aims to establish a food-processing factory, an organic farm and a composting facility for the production of organic fertilisers also envisages the construction of offices, a guest house and an arts and culture centre in the area.

The Department of Rural Development and Land Reform helped with site planning, development of access roads to the lodge and farming sites as well as the provision of infrastructure for the supply of clean water.

The intentions of the CRLR are to:

- facilitate access to land by victims of racially motivated land dispossessions that took place under the previous government
- poverty alleviation through sustainable development on restored land as well as improved livelihoods
- foster the rights of vulnerable groups in terms of ownership and participation in economic activities
- foster national reconciliation and stability.

People disposed of a land right after 19 June 1913, in terms of racially discriminatory laws and practices, are entitled to restitution of that right or equitable redress.

All claims are against the State, and no one may be deprived of property except in terms of law of general application.

The restitution process is implemented in line with the provisions of Section 25 of the Constitution, which places emphasis on equitable redress.

The commission is committed to facilitating negotiations among all interested parties to settle the claims administratively.

The CRLR is led by the Chief Land Claims Commissioner and has nine regional offices headed by regional land claims commissioners.

The overall approach in settling the 3 909 outstanding claims will be in line with the principles of the CRDP, focusing among other things, on the profiling of households and the employment-creation model as well as building capacity for conflict resolution.

The department aims to complete the investigation into all outstanding land claims by December 2011.

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