

LAND REFORM

in South Africa



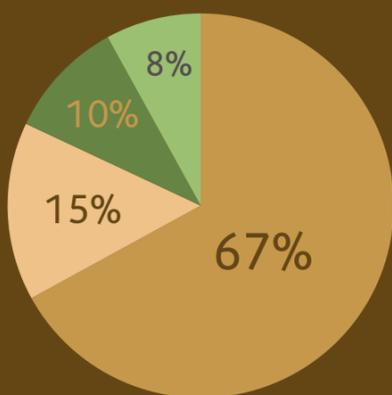
"Our land reform programme helps redress the injustices of apartheid. It fosters national reconciliation and stability... It also underpins economic growth and improves household welfare and food security." - Nelson Mandela, 1998

LAND & PEOPLE - AN OVERVIEW



Land

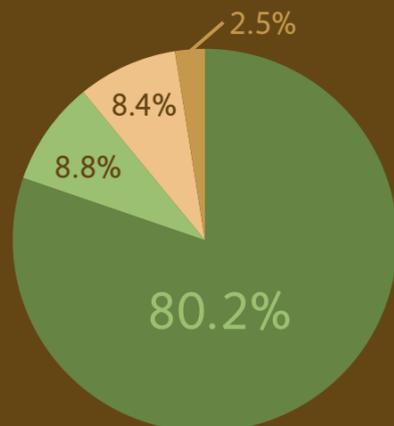
122 million hectares



- Commercial 'white' farmland
- Former black 'homelands'
- State-owned land (incl. conservation, defence, schools, hospitals, etc.)
- Urban & peri-urban

People

54.8 million



- Black African
- Coloured (mixed race)
- White
- Asian



Urbanisation

66% of South Africans are urbanised

South Africa's 8 metropolitan cities * cover 2% of land area, but 38% of the country's population lives there

* a region consisting of a densely populated urban core and its less-populated surrounding territories

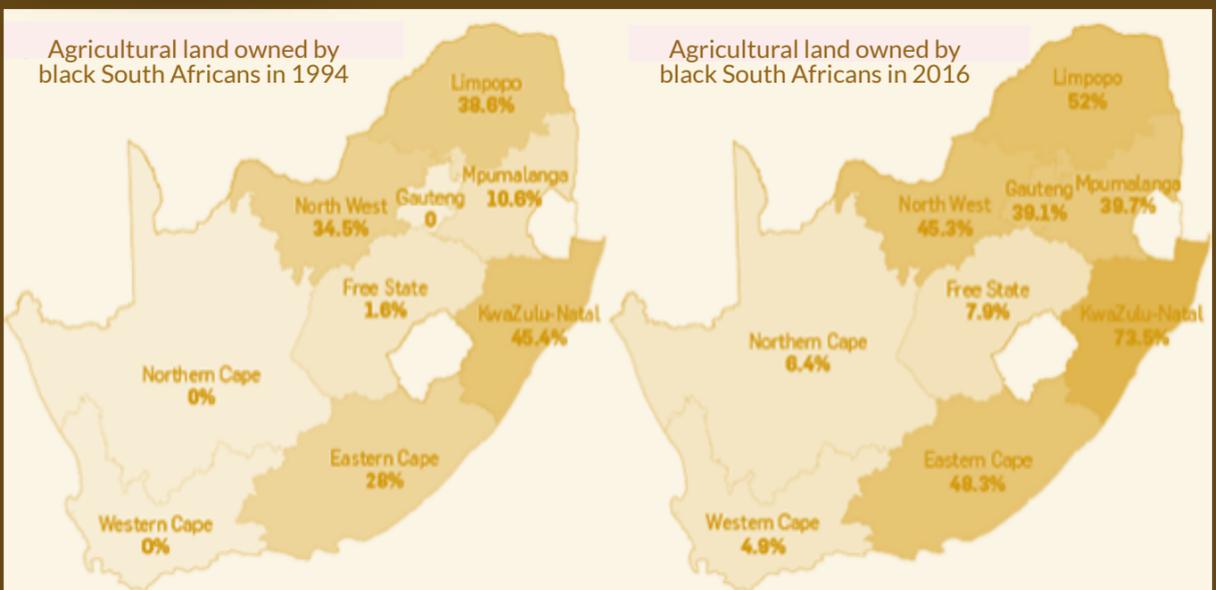


PROGRESS TO DATE



Redistribution

Cost to government for transfer of agricultural land between 1994 and 2016 = R 55 billion



Source: Landbouweekblad/AgriSA in <https://www.news24.com/SouthAfrica/News/who-owns-sas-land-20171028>

<1% of white South Africans own land outside of urban areas - about 34,000

Restitution

(Restoring land to its rightful owner/s)



63,000 land claims were lodged by the 1998 deadline

± 50,000 settled to date, of which only ± 5,000 chose the actual land

The remainder chose a cash pay-out, which totalled R 6,5 billion



POSSIBLE WAY FORWARD



The ANC has proposed a dual process, but details are not finalised or formalised yet - these are merely possibilities at this stage

'Trial run' - test the Constitution

- Farms that have been identified (reported list of 139) will be expropriated, without compensation, via the Land Claims Court
- Landowners can challenge it in the Constitutional Court

Amendment of the Constitution/Legislation

- Draft land records bill - to document all landowners (formal & informal), to ensure security of tenure
- Draft redistribution bill - to provide framework for prioritisation
- Amend Interim Protection of Informal Land Rights Act - recognise 'residents' on land for 3+ years as de facto owners
- Amendment to the Constitution

Sources:

<https://www.prudential.co.za/insights/articlesreleases/video-land-expropriation-without-compensation-the-complications-and-consequences/>
<https://www.news24.com/SouthAfrica/News/who-owns-sas-land-20171028>
<https://www.businesslive.co.za/bd/national/2018-08-06-government-identifies-139-farms-to-be-expropriation-guinea-pigs/>