

## **PRESS RELEASE of the ALLIANCE FOR RURAL DEMOCRACY**

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### **Existing claimants waiting to see if government will put money where its mouth is, as Zuma signs Restitution Bill**

On June 30, 2014, President Jacob Zuma signed the Restitution of Land Rights Amendment Bill into law. From July 1, 2014 until 30 June, 2019, the platform is open for people to lodge new restitution claims. But as hundreds of existing restitution claimants warned government officials during public hearings for the Restitution Bill, they are waiting to see if the government will put its money where its mouth is.

There are around 30,000 claims which have not yet been settled or finalised, leaving thousands of people who put in claims during the previous lodgement period (1994-1998) in the lurch. At public hearings earlier this year, many of these claimants expressed their vocal opposition to the new Restitution Act, arguing it would further delay their claims. This is in the context of government estimates that 379,000 new claims will be lodged over the next five years. There are still no assurances that enough money has been budgeted for this mushrooming of claims expected to occur from July 1. The budget for land restitution over the next year - R2.681 billion - is lower now than it has been since 2009/10 (in nominal terms) and since 2004/5 (adjusted for inflation). If land claims continue to be settled at the current rate, it would take 121 years to settle the claims.

In light of the mismatch between the Department of Rural Development and Land Reform's record and its ambition, scores of community and civic organisations called for a legislative provision to ringfence unresolved existing claims ahead of the anticipated flood of new ones. Instead the amended version of the Restitution Act provides in Section 6(1)g for the Commission to use its discretion to prioritise certain claims, but does not require it to do so. For the thousands of claimants who have been waiting – in some instances for over a decade - for their claims to be settled and finalised, this is cold comfort.

Existing claimants have told the ARD they will be scrutinising the government's actions from July 1, to see if their claims will indeed be attended to first. In particular they will be on the lookout for claims that are prioritised on the basis of political patronage enjoyed by certain elites, such as traditional leaders. "The chief tried to claim before but failed as his claim was after 1998. This time maybe he will put in another claim on the land we are waiting for," says Mr. Ntimbane of the Mawubuye Umhlaba Wethu Communal Property Association (CPA) in Mpumalanga, whose group has been waiting since 1996 for their claim to be resolved. Mr. Ntimbane noted, "The reopening will cause a delay and we are struggling in the mean time without our properties. People tell me they don't want to wait anymore. They're in a hurry." Will the government be in a hurry to settle existing claims? That remains to be seen.

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