

People's Assembly

Land, Race and Nation Conference

22 June 2013

Declaration

Preamble

1. Nearly twenty years after the end of apartheid, the 1913 Natives' Land Act continues to haunt the South African countryside. The land question, which was so central to the struggle against apartheid, remains unresolved. Millions of South Africans continue to be dispossessed of their lands, and the rural geography of apartheid (bantustans and white South Africa) continues to exist. Urban areas also reflect the spatial geography of apartheid. The massive social and economic inequalities under apartheid have deepened since 1994, and remain racialised.
2. The new democratic government has failed to address the land question in any meaningful way, in both rural and urban areas. The government's land reform programme has failed to bring about any meaningful change to the lives and livelihoods of people. This has brought about tremendous pain and suffering.
3. The government is not serious about historical redress with regard to land. The property clause in the constitution reflects this, as does the government's reliance on a market-led land redistribution programme. The government has adopted a neo-liberal macro-economic programme that further integrates the South African economy into a global system dominated by large multi-national corporations. Small-scale farmers, landless people, farm workers and dwellers, and poor urban black people do not benefit from this.
4. Only limited mobilisation and organisation around land has taken place since the end of apartheid. Struggles have been isolated and sporadic. But only mass mobilisation and sustained organisation will lead to meaningful land and agrarian transformation. We can no longer wait for the government. Action needs to be taken now. We will take action.
5. These struggles must be based on a new imagination that is based on a total re-configuration of South Africa, re-connecting the urban and rural areas and breaking down the racialised apartheid countryside. This re-configuration must ensure the humanity and dignity of all South Africans.

Vision

Our vision is for a comprehensive land and agrarian transformation. Our vision is that all people, rural and urban, who want and need land can access it. Those who want land for their own livelihoods should take priority over those who want land for accumulation and profit. Our demand for land and agrarian transformation is a demand of today. It is a demand to overcome the legacies of colonial and apartheid rule.

Comprehensive land and agrarian reform is based on ensuring full rights over land for indigenous peoples, rights to their territories, fishing communities' rights to marine resources and pastoralists' rights to grazing and migratory routes. We want land reform, support for settlement and production. We should get all the resources that can make the land productive: water, capital, and other support. We want the democratisation of seeds, the commons and water: we oppose the distribution of technological packages with GMO seeds and pesticides. We want a world without violence and discrimination against women. We want a redesigned city that takes into account the needs of the poor. We want an end to the squalor of the RDP houses and the informal settlements. Urban agriculture must be part of making healthy cities and overcoming spatial apartheid in our cities; greening the cities must help to overcome this, not entrench it.

The Department of Rural Development and Land Reform (DRDLR) does not engage in a respectful and constructive manner with us, the small-scale farmers, the commonage users, the people of the communal areas, the farm workers, Act 9 area farmers, forestry communities, people living on church land, fisherfolk, urban farmers, and people struggling for housing. Its priority engagement is towards the commercial farmers, not with us. This Department has no imagination in dealing with land reform. We reject its way of working; we want to see a fundamental change in how it works. Just speeding up land reform and doing more of what it is doing now is not going to help us.

We also want to engage local and district municipalities, Department of Agriculture, Forestry and Fisheries, Department of Water and Environment, Department of Cooperative Governance and Traditional Affairs, Department of Labour. All these parts of government must engage with us in a coordinated way. But we cannot be expected to run around trying to coordinate government. Government must coordinate itself, at national, provincial and local levels, to work effectively and respectfully with us.

Demands

Our demand is for comprehensive land and agrarian reform, which involves these elements.

1. **Land occupation:** Land occupation is a legitimate form of land reform. We demand that we not be criminalised when we occupy land to build homes and to grow food for ourselves. Anyone who occupies land to meet these basic needs which are our constitutional rights should have explicit legal protection from eviction. Disband the Anti Land Invasion Unit in the

Western Cape, and all similar structures across the rest of the country. These are the foot-soldiers of the architects of apartheid.

2. **Class agenda of land reform:** Land reform must be for small-scale farmers most of whom are women, and also farm workers, the urban and rural poor, and all other ordinary people. All programmes of government must prioritise the poor; the National Development Plan must not be an elite programme. Land reform should not only be about the President, Premier, MECs, mayors, civil servants, tenderpreneurs and other elites. We see the commercial farmer model as excluding us. Give small-scale farmers land outside the reserves. As long as government takes decisions behind closed doors about who to give land to we will not trust it. We want these decisions to be taken publicly, in forums that include us.
3. **Land acquisition:** We demand that land reform be fast-tracked to enable black people to get access to land and also to change the land ownership patterns. Scrap the willing buyer, willing seller approach, to allow people to access land. There must be expropriation of suitable land for land reform purposes using Section 25. Land must be designated for acquisition, based on using a bottom-up approach of area-based planning, located within municipalities. More of the national budget must be put towards land reform and agricultural development, and must be better distributed. We reject the elite capture of budgets, for both land reform and agricultural development. Money and the ability to pay for land should not be the criteria for a successful land application, but rather the basic and extended human needs like having a home, growing food for our food security, health and education, playgrounds and recreation, and burial and cremation.
4. **Land redistribution:** There must be a transparent way of government informing everyone about public participation, including in identifying land and identifying who should get it. We need information about land in our areas; we are sick of being sent from pillar to post, between municipality, DRDLR, and other institutions. We want to be part of policy formulation and decision-making about acquisition, expropriation without compensation, and the creation of land reform projects in our areas. Proactive Land Acquisition Strategy (PLAS) needs to be analysed, because what we see is that it gives the authority of custodianship and trusteeship of the land to the state; we do not trust the state to hold our land. Applying for land is impossible because of red-tape; this red-tape must be taken away. Even if we find the farm we want, government puts it out to tender; this is an action against the poor. The ordinary people must benefit from PLAS; not the elites. Our organisations want to participate in planning land reform in our communities, at district level. We want no redistribution of land in our areas without our participation.
5. **Subdivision:** There must be subdivision of farms so that small farmers can get access to small parcels of land. Land reform cannot be about big farms and black commercial farmers: this is a land reform that excludes us.
6. **Land tenure:** We want to have secure and long-term rights to land. We do not want short-term leases. If commercial farmers have ownership or long-term rights, small-scale farmers also need ownership or long-term rights. Do not give us inferior rights.

7. **Governance of land:** We demand that all of us have democratic governance of our land. We reject all forms of undemocratic governance, and moves to impose top-down traditional authorities on us. We will decide our own customs at local level. Government must not allow traditional leaders to have impunity. When we get land, we don't want PTOs. We want secure rights and democratic governance. Customary land rights must be at the centre, and the rights must vest in the landholders themselves.
8. **Finance, research and development:** Financial institutions must give support to small-scale farmers and the rural poor. The Land Bank must be aligned to the rural poor and the small-scale farmers. It must be put under the control of the people. The Agricultural Research Council must make public what work it is doing, and who it is doing this for. We do not see any research that helps us.
9. **Municipal commonage:** We want access to municipal commonage land on a sustainable basis; we do not want short leases like 3 years. We want long-term secure entitlement to use commonage land that will enable us to borrow money to farm. Access to the land without water is pointless; we demand water rights together with land rights. Municipal commonage must be expanded in order to meet our demands. Municipalities should not have total control over commonage; we do not trust our municipalities to manage it fairly. We want the national government to regulate and monitor these processes and curb corruption. There must be a standardised approach to municipal commonage, rather than every municipality making up its own approach. We demand that existing leases to commercial farmers be cancelled; the commonage is a public resource that must be used for the benefit of the poor, not for private accumulation by the rich.
10. **Food sovereignty:** We assert the right to defend our methods of production, distribution and consumption of food at both the national and international levels. We demand the right to practice agroecology as our option for today and the future, and demand our government's support in policy and practice.
11. **Farm support:** We demand subsidies. White commercial agriculture was created by subsidies. We cannot farm on loans alone. The absence of subsidies for black small-scale farmers is what perpetuates the legacy of the 1913 Land Act. Livestock farmers demand access to markets, and non-discrimination at auctions and at abattoirs. We want opportunities not only to farm, but to process our products and add value to them. We want agricultural officials to be retrained to support our agroecological farming methods, small-scale farming, and production to feed our families and for local informal markets. We do not want agricultural officials to come with genetically modified seed and pesticide. Policies might suggest that we have a choice, but in practice, if we ask for support, there is only one option of the Green Revolution model given to us. Our government always prioritises big farmers who produce for formal markets; we are always excluded from this. Use the funds from the Truth and Reconciliation Commission to provide direct support to small farmers.
12. **Genetically modified seed:** We don't want to produce or consume GMOs. Food containing GMOs must be labelled. We want the protection of indigenous seed and indigenous agriculture. We do not trust our government to pursue our interests as long as it is working

with multinational or domestic agribusinesses that have their own profit-based interests. Kick Monsanto out of agricultural policies!

13. **Climate change:** We want support from government for small-scale farmers and fisherfolk to adapt to climate change. Government should take climate change seriously. We want sustainable technology in agriculture. Government must stop mega-projects that serve the interests of capital. We demand sustainable energy. We know what climate change is, what causes it and its consequences. It is because of industrial expansion that was enabled by our dispossession; now we bear the brunt of it. Yet our government continues to pursue a dirty energy policy. We demand that this be reversed, and that we be enabled to benefit and participate in alternative energy production.
14. **Youth participation:** We want training and skills-transfer to the youth, so that we can farm and improve our lives. Agricultural colleges must be revived, and we want agriculture to be integrated into curricula in all rural and urban schools. These curricula must not impose the large-scale commercial model of capital-intensive farming; they must be practical and provide alternatives including promoting agroecological farming and also management skills.
15. **Structure of landholdings:** We demand a ceiling on the size and number of farms that any individual or company can own. Nobody should be allowed to own more than one farm. We do not want rich foreign and absentee farm owners. We want access to information from the land audit about multiple farm ownership and foreign farm ownership, and also to get information about specific pieces of land, who owns them, and how they came to own them. We want to target those who own multiple farms so that we can get access to that land. As we said at the National Land Summit in 2005: 'One farmer, one farm'.
16. **Communal tenure:** Act 9 communities, railway and forest station communities demand secure rights and development.
17. **Forestry communities:** We want to own the land, the houses and the forests so that we can sustain our own livelihoods and create jobs. We want title deeds as communities. Transfer these to us. We want community forestry initiatives, improvement in housing, water, sanitation, better infrastructure, and transport. Contracts for felling trees must be given to the people in forestry communities, so that we benefit from our own forests.
18. **Church land:** People living on church land also want their land. We want not just our houses but also our grazing land. This must be put into our ownership.
19. **Restitution:** Outstanding restitution claims must be settled, and proper support given to claimants to use their land to improve their lives. We want all claims to be settled by 31 March 2014. Settling claims does not stop at signing papers; we want settled claims to be implemented and for government to report regularly on the current status of each claim, in a public register and to the claimants concerned.
20. **Elite land uses:** Game farms are elite developments. Stop the conversion of agricultural land into game farms. Game farms should be expropriated and redistributed to the poor. Golf

courses are a waste of natural resources. Don't make playgrounds for the rich while we are poor. No more golf courses!

21. **Farm worker rights:** Farm worker rights must be recognised as human rights. Farm workers must be paid minimum wages, starting with a minimum wage of R150 a day. Farmers' financial books must be open for public scrutiny. We totally reject the system of farmers applying for exemptions; this is being abused. Farmers are applying to pay R85/day. We demand an 8 hours working day, sick leave, annual leave, end to piece work, and provident funds. We demand that women and men get equal pay for equal work. We demand a total ban on labour brokers.
22. **Farm worker access to land:** Farm workers want land for themselves, as well as jobs. Our families need to do lots of things to survive. Farm workers and dwellers want to benefit from land reform, food production and labour rights. We need land to grow food and to earn extra income.
23. **Farm housing and tenure:** We want proper housing, with decent services including water-borne sanitation, access to public transport and all services. Contracts for housing must be in the name of women and men, not men only. We do not want government to subsidise houses on farms where the farmers can put people in and kick them out. We reject the Department of Human Settlements policy on this. It is contrary to Section 4 of the Extension of Security of Tenure Act. We demand housing, rent-free, decent living conditions and an end to evictions. We want a moratorium on evictions.
24. **Farm worker organisation:** We demand that the attacks on us be stopped. We reject the intimidation and harassment by police and private security forces that attack us when we organise. All charges against farm workers related to the Western Cape strike must be dropped. Farm worker committees must be recognised, and farm worker unions must be allowed access to farm workers on farms.
25. **Urban spatial planning:** We want to be integrated into the cities. Do not make new housing developments further and further out of the city. Densify the city to enable us to be close to opportunities while also preserving land for urban agriculture.
26. **Urban land access:** We demand access to municipal land audits to find out what urban land is potentially available for what purposes. We want municipal by-laws that promote small-scale urban agriculture for a growing proportion of the people of our cities. Much of our urban population is unemployed and food insecure. This is why urban agriculture is central to our lives. Urban farmers must be central to municipal IDPs. We want free water to allow us to grow food and provision of infrastructure such as boreholes, as well as technical and training support, to farm.
27. **Markets and the food chains:** We demand to be involved in the food chain. The actors in the food chain must procure from small-scale farmers. Government regulation and incentives must force them to do so. We also want support to create new markets for small-scale farmers where people who produce, distribute and consume are in the same area: we want

sustainable local food economies and food systems and help to generate local economic activity, where the money that poor people spend on food can support poor people's production, instead of all our money going out of our communities as profits for big corporations.

28. Foreigners and xenophobia: We the poor people of the rural and urban areas are not all South Africans. Those who have come to our country to try to find a better life must be protected and also provided with land for their basic needs. We commit to oppose all discrimination and harassment of foreign people.

29. Role of intellectuals: We all have knowledge, experience and ideas. We also want academics and lawyers and any other people who have skills that we need to work and stand on the side of the people. Universities must not work for corporations; they must work with communities. We want to work in partnership.

For years we have been making these demands. We made these demands in our Land Charter in 1994, our next Land Charter in 1997, our Rural Development Initiative Charter in 1999, our Landless People's Movement demands at the World Summit on Sustainable Development in 2002, our Alliance for Land and Agrarian Reform at the National Land Summit in 2005 and our Rural Women's Assembly demands at COP-17 in 2011. There are also hundreds of local charters, petitions and demands at local level.

Have you lost these documents? We will send them to you again to remind you, so that you do not forget again.

Now we are organising. Our movements are growing. We are organising across urban and rural divides. We are organising in solidarity with the international peasant movement La Via Campesina. We are not going to go away.

Now we have the same demands and some more demands, and yet another declaration.

We want a response from government on each of our demands, with the exception of the last one. We will engage with intellectuals ourselves. We want the different government departments to discuss each of the demands and respond to us on all of them.

We direct this declaration to the Presidency because our needs and demands cannot be met by any single department of government. We want a meeting with the Presidency, bringing on board the relevant ministries, by at the latest Friday 30 August 2013.

We are the delegates of the Land, Race and Nation conference and include these movements:

Tshintsha Amakhaya

Food Sovereignty Campaign

Makukhanye

Mawubuye Land Rights Forum

Coastal Links

Siyazakha

Ilizwi Lamafama

Urban Food and Farming

iThemba Farmers

Mopani Farmers' Union

Rural People's Movement

Our representative who can be contacted with your response, and to arrange a meeting with our other representatives, is Henry Michaels of Mawubuye Land Rights Forum. He can be contacted on 021 685 3033 or mercia@tcoe.org.za .