

Promise to resolve land issues could grind to halt

Concourt puts on the brakes but analyst says there's hope

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PRESIDENT Jacob Zuma's bid to speed up the land reform programme, through the Expropriation Bill, could be in trouble as the Constitutional Court puts brakes on the land reform process for 18 months.

The court said Parliament had to fix the Land Restitution Bill first before it could start allowing new land claims.

But Zuma told thousands of ANC supporters at Orlando Stadium at the weekend that this year they would speed up the implementation of the Expropriation Bill.

The bill was passed by Parliament last year, after many years in limbo in the national legislature.

However, yesterday analyst Professor Sipho Seepe said the court decision did not stop Zuma from implementing the Expropriation Bill.

He said there were three pillars of land reform in the country, and they were land restitution, redistribution and land tenure.

If one pillar of land reform was affected by the court decision, it did not mean the whole land reform programme would have to stop.

"In terms of policy there are three processes of land reform: it is land restitution, redistribution and land tenure," he said.

"If there is a court case on land restitution it speaks to one pillar of land reform."

Seepe said Zuma was right to drive the land reform programme.

He said restitution was one

part of land reform, and it should not impact on other land reform processes, including redistribution and land tenure.

Parliament had indicated last year that it would begin with the fixing of the Land Restitution Bill this year following the Constitutional Court judgment.

Parliament was taken to court by land rights groups on the processes followed in the approval of the bill.

The government had indicated it would require between R129 billion and R179bn in the new land claims.

It was expected that close to 400 000 new claims would be lodged by the end of the new window period in 2019.

At the time that the Constitutional Court halted the new land claims process, more than 100 000 new claims had already been received by the government.

Seepe emphasised that land reform was key to unlocking the transformation agenda of the state.

He said the fact that there was a judgment on restitution did not mean the whole land reform programme would have to stop.

Seepe said it was important for Zuma to drive the agenda for land reform in the country.

Zuma signed the Land Restitution Bill into law in July 2014 and this allowed for people who missed the earlier deadline of 1998 to lodge land claims.

However, the decision of the Constitutional Court last year halted this process until Parliament had addressed the defects in the law.