

GROUND

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not undermine future investment in the economy, or damage agricultural production and food security. Furthermore, our interventions must not cause harm to other sectors of the economy.

“The ANC’s approach to land reform must be based on three elements: increased security of tenure, land restitution and land redistribution. Concrete interventions are required to improve the functioning of all three elements of land reform.”

The resolution also moots a land tax and is clear that land reform should not be undertaken chaotically. “The accelerated programme of land reform must be done in an orderly manner,” it says. “Strong action must be taken against those who occupy land unlawfully.”

While land grabs in SA are not new, there has been renewed interest in land occupation since parliament passed the EFF’s motion – and there is a perception that there has been a spike in land grabs since then.

This year there have been reports of land grabs in areas such as Olievenhoutbosch in Tshwane, Kanana Park in the south of Johannesburg, Blue Hills in Midrand, Orange Farm Extension 10 and, most recently, Zwelihle, in the Western Cape town of Hermanus.

But data released by the City of Tshwane, for example, shows that between January and October 2017 the city attended to 4,406 land invasions across the metro. So this is not a new phenomenon.

After the land grabs in Olievenhoutbosch last month, private landowners headed to the Pretoria high court in a bid to force the police to take action before structures could be

erected on their land.

The applicants argued that it is the police’s constitutional duty to protect them. Another issue they raised was that the land invasions should be stopped before they are classified as illegal land occupation. Different legislation – the Prevention of Eviction from & Unlawful Occupation of Land Act – applies if structures are erected and occupied, and this could lead to years of expensive legal battles.

Judgment is expected to be handed down on Friday.

Last month violent protests broke out in Zwelihle, where at least 25 people were arrested after marking out plots on vacant land. The Red Ants were sent in to dismantle illegal structures and evict people who were occupying the land illegally.

According to reports, about 200 people protested outside the municipal offices, vowing that they would not be evicted. Properties were also damaged, including a library and satellite police station, and schools were forced to close because of the unrest.

Rural development & land affairs minister Maite Nkoana-Mashabane further deepened the panic over land reform when she told the land forum that she would not wait for the constitutional review committee to conclude its work, but would proceed with a test case in land expropriation without compensation.

Last Wednesday, AfriBusiness, the business wing of AfriForum, said it would provide free legal aid to the first of its members to become “victims of expropriation without

compensation” due to an amendment to the constitution.

But ANC MP Mathole Motshekga, who is on the parliamentary review committee, told the land forum that amendment of section 25 of the constitution is not a foregone conclusion of the parliamentary process under way. He said Nkoana-Mashabane simply meant she would use the constitution in its current form to expropriate land without compensation.

Motshekga tells the *Financial Mail* that when the committee crisscrosses the country in the coming weeks, it wants to hear the views of ordinary South Africans on whether or not to amend the constitution. However, it will also welcome input from, for instance, legal and agricultural experts, as well as the former justices, who are of the opinion that just and equitable land reform can be achieved without amending the constitution.

The committee will then put together a report, which will be submitted to parliament by August. **x**