

Alliance of Land and Agrarian Reform Movements (ALARM)

CALL TO BUILD SOLIDARITY TO MAKE ANOTHER COUNTRYSIDE POSSIBLE!

STATEMENT OF THE CONSULTATIVE WORKSHOP OF THE ALLIANCE OF LAND AND AGRARIAN REFORM MOVEMENTS

As hundred and ten (110) delegates, representing landless and land-hungry communities, we met at a National Consultative Workshop in Johannesburg on 24 and 25 April 2006 (Elijah Barayi Memorial Centre, Yeoville) to discuss how to take the struggle for pro-poor land and agrarian reform forward. Also present were delegates from 25 land rights organisations, the Landless People's Movement, the National African Farmers' Union and COSATU.

This workshop resolved to:

1. Launch a campaign for a moratorium on all evictions and demand a new law to outlaw all evictions
2. Build a grassroots nation-wide programme of rolling mass action to demand that the South African government must implement the resolutions of the National Land Summit held in July 2005;
3. Support constitutional litigation against the Communal Land Rights Act (CLARA) by launching a campaign against CLARA on National Women's Day (9 August 2006); and
4. Build a grassroots and people-driven alliance of struggle, solidarity and action for pro-poor land and agrarian reform.

We therefore issue this statement as a call to all concerned to join us in these campaigns and the struggle for land and agrarian reform. We will meet in every province of our country during May and June 2006 where we will discuss these campaigns and struggles. We call our comrades, sisters, brothers and colleagues in landless communities, land-hungry communities, rural areas, in farms, informal settlements, fishing communities, communities under the undemocratic rule of traditional leaders and in communities facing environmental pollution and degradation to join us in this struggle starting with the May and June provincial meetings. We also extend our call to other land organisations, rural organisations, rural youth, rural women, trade unions, co-operatives, small farmers, homeless people's organisations, environmental groups, churches, other religious organisations and institutions, research and academic institutions, and other progressive formations. It is only through solidarity and joint action that we can all struggle and win our demands for a better life.

1. Moratorium on Evictions

- 1.1 This programme of rolling mass action started on Freedom Day (27 April 2006) when the landless people of the Jonkershoek Valley in Stellenbosch started a mass door-to-door campaign to repossession their land from white farmers who are threatening to evict them from this land. Ironically, Jonkershoek farm owners, are using the Extension of Security of Tenure Act, intended to protect vulnerable farm workers, to systematically effect these evictions.
- 1.2 These evictions are the "new black-spot policy" and amount to a post-apartheid forced removal to create a filthy-rich and lily-white valley, with black labour removed from the land, but commuting daily to work on the farms thus continuing to build the wealth of the white wine-lands. The Jonkershoek evictions crisis, like all other evictions in this country, requires a political solution whereby government puts a moratorium on evictions and drafts a new law to outlaw all evictions.
- 1.3 As the research report released in September last year by the Nkuzi Development Association (www.nkuzi.org.za) showed, the current laws have not stopped the legal eviction of more than a million farm dwellers and workers. Evictions demonstrate that to protect property rights as the constitution does amounts to the entrenchment of colonial- and apartheid-era white privilege and the continued destruction of the livelihoods of dispossessed black people.
- 1.4 Through a campaign for a moratorium on evictions, we therefore demand:
 - 1.4.1 Long-term tenure security for farm dwellers in homes of their own with access to land for their own production as part of integrated local development plans;

- 1.4.2 The acquisition of appropriate land, through expropriation where necessary, for the creation of sustainable settlements for farm dwellers within commercial farming areas;
- 1.4.3 The creation of a dedicated budget line within the DLA budget for the defence of existing tenure rights of farm dwellers and the implementation of the programme to provide long term tenure security;
- 1.4.4 The giving of preference to the interests and tenure rights of farm workers and dwellers when a farm is up for sale;
- 1.4.5 Single tenure legislation which does not facilitate and regulate evictions as current laws do, but outlaws evictions and legally secures tenure rights of farm dwellers including the creation of a class of long term non-evictable occupiers;
- 1.4.6 Separate protection of labour rights of farm workers from the tenure rights of farm dwellers in order to ensure that the tenure rights of farm workers are not undermined when their farm employment is over; and
- 1.4.7 A moratorium on all evictions from farms, rural and urban areas until there is a single legislation on tenure and the effective enforcement of tenure and labour laws by all government departments involved including the police.

2. Implement Land Summit resolutions now

- 2.1 At the Land Summit we demanded that government must scrap market-based land reform; replace the willing-buyer–willing-seller-principle (WBWS) with an active and decisive state-led programme of land acquisition based on mass-driven land audits and expropriation; government must re-open the date for land restitution claims; there must be an immediate moratorium on all evictions; there must be a new law outlawing evictions; the property rights clause in the constitution must be removed and replaced with a social obligations clause to protect the right of the landless to repossess and use un- and under-utilised land; and that the Communal Land Rights Act, which gives extra-ordinary powers to traditional leaders and undermines women’s rights to land, must be reviewed. With the exception of AgriSA, all these important pro-poor demands were endorsed by all Summit participants and were adopted as Summit resolutions.
- 2.2 Up to this date, there has been no official report of the Summit given to us as landless and land-hungry people. We have also not seen any coherent plan and resources from government for the effective delivery and implementation of these resolutions. We note that earlier this year both the President (Thabo Mbeki) and the Minister of Agriculture and Land Affairs (Thoko Didiza) have made some statements about the review of the WBWS principle and the use of expropriation. We did not demand a mere academic review of the WBWS, we said that the WBWS must be removed and that the state must be more active and decisive in using expropriation to acquire land for redistribution. No, we have had enough of open-ended statements with no positive effect on our lives.
- 2.3 The President’s and Minister’s statements are a far cry from swift and decisive action. Instead they show a an indecisive government without political will to prioritise faster pro-poor land and agrarian reform. The Land Summit was an important moment in the history of our new democracy and was inspired by our energies, demands, aspirations, interests and struggles as the landless. The failure of government to report on, and implement the resolutions of the Land Summit undermines our aspirations and interests for a better life.
- 2.4 The next few months will see local community meetings and mobilisation to discuss what we, as landless communities must do, to ensure the implementation of the Land Summit resolutions and to intensify the struggle for pro-poor land and agrarian reform. We will circulate the resolutions of the Land Summit to landless communities country-wide. We will hold our own people’s izimbizos to discuss these resolutions and assess how far they are being or not implemented in local areas where we stay. We will start with local mass actions to ensure the implementation of these resolutions where we stay. We will build and join our local actions into provincial campaigns until we have a National Day of Action of the Landless to ensure the implementation of the Summit resolutions. We also noted that the Land Summit resolutions are not adequate. We will therefore also use our people’s izimbizos to identify other issues and local campaigns affecting the landless poor.

3. Communal Land Rights Act

- 3.1 We also resolved to support the constitutional litigation against the Communal Land Rights Act (CLARA) which will take the rights of 22 million people in the former homelands and hand them over to land administration committees dominated by traditional leaders.
- 3.2 There are problems with CLARA in at least four areas:
- 3.2.1 CLARA reinforces the boundaries of tribal authorities which were redrawn by the apartheid regime to give more and undemocratic power to traditional leaders. By doing this, it creates a fourth tier of government, which is not allowed in the Constitution, because it gives statutory powers to traditional councils. It gives traditional authorities more power than they have ever had before, over land administration. CLARA undermines the existing property rights of communities who own communal land historically, or through trusts and Communal Property Associations. Many communities have had their land restored to them through restitution, and many do not support or recognise traditional leaders that were imposed on them in the apartheid era. Democratic and accountable institutions for land administration, are simply not provided for.
- 3.2.2 In contrast to section 25 of the constitution, which says people have a right to secure tenure, the CLARA does not secure tenure rights. In fact it makes certain people less secure, like single women and widows. Given the impact of the HIV/AIDS pandemic on women in particular, CLARA does not adequately consider the rights of vulnerable households and minors to secure tenure. The wide discretionary powers given to the Minister to make determinations on people's land rights are unconstitutional. No clear criteria and factors to guide the Minister's decisions are provided, and few opportunities to either participate in making these crucial decisions or to challenge them are provided. CLARA also discriminates between black and white owners of land since the title deeds of black owners in communal lands can be endorsed by the Minister and placed under the authority of another structure. It also individualises title in favour of married men and women. This gives them the right to evict people, including family members, from their land. It will lead to more insecurity on communal land.
- 3.2.3 CLARA does not provide for residents on communal areas to have a say and power in the ownership, control and exploitation of mineral resources in communal lands. Often, the reality is exploitation of workers, soil degradation, pollution and destruction of houses mining companies who have struck deals with unrepresentative, un-elected and undemocratic traditional authorities and other structures.
- 3.2.4 The law also did not go through the proper process in parliament.
- 3.3 For all these problems with CLARA, ALARM supports the constitutional litigation against CLARA. We support the communities of Makuleke (near Kruger National Park in Limpopo), Dixie (near Kruger National Park in Mpumalanga), Kalkfontein (north of Hammanskraal in Mpumalanga) and Makgobistad (North West, near the border with Botswana) for their inspiration to lead all of us in legally challenging CLARA. We call on all landless communities and their allies to support this litigation by launching a campaign against CLARA on National Women's Day (9 August 2006).
- 3.4 ALARM also argues that CLARA is not sufficient without additional land redistribution of privately and state-owned land in areas adjacent to communal lands.

4. Building an alliance of land and agrarian reform movements

- 4.1 The ALARM workshop also resolved to build grassroots and people-driven alliance of struggle, solidarity and action for pro-poor land and agrarian reform. We will use the campaigns on evictions, the Land Summit and CLARA to build our unity, capacity, voices, understanding and confidence to march together and fight back against landlessness, evictions, poverty and unemployment. We want the momentum, unity, energy and action built by our National Consultative Workshop to continue being kept alive as we march together forward. We will meet again at a National Conference before 31 December 2006 to review these campaigns and decide on the way forward.
- 4.2 Our alliance of struggle, solidarity and action will be driven by us as landless communities. We will also build alliances with social movements, trade unions, co-operatives, small farmers, homeless people, urban dwellers in informal

settlements, unemployed people, land rights organisations and other progressive organisations in our country. We call on all of them to join our alliance of struggle, solidarity and action. We specifically call on the trade union movement to use this year's May Day celebrations to deepen their commitment to the struggles of farm workers and other landless people.

- 4.3 Our alliance of struggle, solidarity and action is politically independent of political parties. It is also independent from other narrow and sectional agendas and interests. Our alliance will work to build the broadest base and platform of allies of the landless poor. This may include working with political parties and other forces on the basis of the demands of the landless poor and not for party political or other sectional goals.
- 4.4 We resolved to put in place an Interim National Committee during May and June May 2006. We will meet in our provinces during May and June 2006 where we will elect our representatives from our communities to form such an Interim National Committee. The current Steering Committee made up of 5 people from NGOs will be maintained and included in the augmented National Committee.
- 4.5 We also underlined that international alliances are important and should be built, but it is important that information be brought back in order to build our own capacity on the ground. This means that South Africans taking part in international land and agrarian reform forums and meetings must be mandated to attend and must be required to report back and account. When we meet again before December 2006, we will discuss how the poor must build their own organisations internationally around their needs. We will also discuss South African participation at the World Social Forum that will take place in Kenya in January 2007. It is the first time that this Forum will be held in Africa. We can use the opportunity to take the message of struggles for land and agrarian reform at such a forum. Another issue which could build our international work is the Food Sovereignty Campaign: what food we grow, how it is grown, what is paid for it, and how this can ensure that people control their own food production. We need to discuss existing campaign documents and decide what our participation and contribution will be at the Campaign Meeting to be held in Mali in 2007. Finally, we will continue debating how South Africa contributes to the building of La Via Campesina which is a social movement of peasant farmers, small-scale farmers, and farm workers. The LPM is a member of La Via Campesina. There are also members in many countries of Africa, and in other parts of the developing world.
- 4.6 We will use all our activities to take forward our vision for an alternative countryside. We used the workshop to develop a framework in this regard. This framework must be widely disseminated and discussed.
- 4.7 We are just starting to build real alliances, to build trust, between landless communities and other activists. Political clarity is starting to emerge, but we still have a long way to go together. We have committed ourselves to ensuring that grassroots people, grassroots women, will control this process. We come from different situations but we can build real alliances.
- 4.8 We therefore call on all those who wish to join these campaigns and struggles to inform us in writing by 30 June 2006. Correspondence can be sent to Mazibuko K. Jara, Volunteer Interim Coordinator, ALARM, Tel – 021 685 3033, Fax – 01 685 3087 and dambisa@tcoe.org.za

STATEMENT ISSUED BY THE NATIONAL CONSULTATIVE WORKSHOP OF THE ALLIANCE OF LAND AND AGRARIAN REFORM MOVEMENTS (ALARM)

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ANNEXURE 1 – PARTICIPANTS AT THE 24-25 APRIL 2006 ALARM NATIONAL CONSULTATIVE WORKSHOP

1. 60 individual delegates from 30 communities, farm workers forums, and emerging farmers' forums
2. Association for Rural Advancement (AFRA)
3. Association of Community and Rural Advancement (ANCRA)
4. Centre for Rural Legal Studies (CRLS)
5. COSATU
6. Free State Development Association (FRSDA)
7. Itireleng
8. Jonkershoek Crisis Committee (JCC)
9. Land Access Movement of South Africa (LAMOSA)
10. Landless People's Movement (LPM)
11. Mawubuye Land Rights Forum
12. National African Farmers' Union
13. Nkuzi Development Association
14. Rural Legal Trust
15. Sikhula Sonke (a trade union of women farm workers)
16. Southern Cape Land Committee
17. Southern Cape Land Reform and Restitution Forum
18. Surplus People's Project
19. Tenure Security Coordinating Committee (TSCC, KZN)
20. The Rural Action Committee (TRAC, Mpumalanga)
21. Transkei Land Service Organisation (TRALSO)
22. Trust for Community Outreach and Education (a collective of 6 regional organisations in the Eastern Cape, Limpopo and Western Cape)
23. Women on Farms Project

ANNEXURE 2 – ORIGINAL MEMBERS OF THE ALLIANCE OF LAND AGRARIAN REFORM MOVEMENTS

1. Association of Community and Rural Advancement
2. Biowatch
3. Black Agricultural, Wine and Spirits Initiative
4. Development Action Group
5. Free State Rural Development Association
6. Land Access Movement of South Africa
7. Landless People's Movement
8. Ndabeni Community Property Trust
9. Nkuzi Development Association
10. Olive People's Trust
11. Restoration Farmers
12. Rural Legal Trust
13. Sikhula Sonke (a trade union of women farm workers)
14. SACADO
15. South African Communist Party
16. Southern Cape Land Committee
17. Surplus People's Project
18. Transkei Land Service Organisation
19. The Rural Action Committee - Mpumalanga

20. Trust for Community Outreach and Education
21. Women on Farms Project
22. Young Communist League