

Multi Agency Grants Initiative



A dialogue and workshop on Rural governance, Land restitution, communal land, farm worker and farm dweller struggles, and land and agrarian reform in the Eastern Cape

16th-18th August 2016
Chatha Hall, Chatha Village, Keiskammahoek

CO-HOSTS: Co-hosted with the Legal Resources Centre, the Border Rural Committee, CALUSA, Masifunde and Ntinga Ntaba kaNdoda.

AIMS AND OBJECTIVES

1. To debate and shape an overall provincial rural civil strategy in mobilising and organising for rural transformation for the next three to five years (2017 to 2020);
2. To undertake a critical review of recent relevant legislation, policy developments and litigation on communal land, spatial planning and land use management, rural governance, restitution of land rights, and broader land and agrarian reform;
3. To debate and shape the framework for a provincial rural civil society agenda and strategy on legislative and policy reform to achieve rural democracy and transformation;
4. To debate and shape a provincial rural civil society strategy on land and agrarian reform; and
5. To debate and shape a provincial litigation strategy to achieve rural democracy and transformation.

DAY 1, 16th August

1. Travel
 - a. 10h30 – Departure of shuttle from KWT to Chatha
 - b. 10h30 – 12h00: Travel to Chatha
 - c. 12h00 – 12h45: check-in and lunch

PROGRAMME

DAY 1, 16th August

ITEM	TIME
1. Welcome & opening	12h45 – 13h00
2. Introductions	13h00 – 13h20
3. Aims, Objectives and Expectations	13h20 – 13h50
<p>4. Plenary: Legislation and policy update and dialogue</p> <p>4.1 The Communal Land Tenure Bill and pre-1913 land claims</p> <ul style="list-style-type: none"> • Mr. Hilton Toolo – Chief Director: Policy Research and Legislation Development (Department of Rural Development and Land Reform) <p>4.2 Towards a new communal land and rural governance dispensation: reflections and lessons from the Eastern Cape Provincial Land Tenure Summit</p> <ul style="list-style-type: none"> • Chief Zolile Burns-Ncamashe - Eastern Cape House of Traditional Leaders • Ms. Ntombolundi Zitha – Ntinga Ntaba kaNdoda <p>4.3 The Traditional and KhoiSan Leadership Bill in the aftermath of the Cala Reserve judgment</p> <ul style="list-style-type: none"> • Speaker to be confirmed – from the Department of Cooperative Governance and Traditional Affairs <p>4.4 Perspectives from traditional leaders</p> <ul style="list-style-type: none"> • Speaker to be confirmed – from the Congress of Traditional Leaders of South Africa <p>4.5 Perspectives from municipalities</p> <ul style="list-style-type: none"> • Speaker to be confirmed – from the South African Local Government Association <p>Chair: Professor Lungisile Ntsebeza (UCT & CALUSA)</p>	13h50 – 16h00
BREAK	16h00 – 16h20
5. Plenary: Legislation and policy update and dialogue (continued)	16h20 – 18h00

DAY 2, 17th August

ITEM	TIME
<p>1. Civil society policy perspectives, experiences and case studies on rural governance, communal land, restitution, farm worker and farm worker struggles, and land and agrarian reform</p> <p>1.1 Restitution – Bonani Loliwe (Border Rural Committee) & Vulamasango Singene Campaign</p> <p>1.2 Rural Governance – Dr. Fani Ncapayi (CALUSA) & Amahlathi Crisis Committee</p> <p>1.3 Communal Land – Mazibuko K. Jara (Ntinga Ntaba kaNdoda) & Amadiba Crisis Committee</p> <p>1.4 Farm worker & farm dweller struggles – Meluxolo Mbali (Khanyisa) & ECARP</p> <p>1.5 Towards an integrated land & agrarian reform agenda – Lali Naidoo (ECARP)</p> <p>Chair: Nomgcobo Makhamandela (Ntinga Ntaba kaNdoda)</p>	08h30 - 13h00
LUNCH	13h00 – 13h45
<p>2. Towards a provincial strategy and programme, and the resources required (plenary presentation) – Mazibuko K. Jara (Ntinga Ntaba kaNdoda)</p>	13h45 – 14h15
<p>3. Commissions on the proposed provincial strategy and programme</p>	14h15 – 15h15
BREAK	15h45 – 16h05
<p>4. Commission reports</p>	16h05 – 17h30
<p>5. Towards a provincial litigation strategy</p> <p>5.1 Framing questions for a litigation strategy – Wilmien Wicomb</p> <p>5.2 The 1996 Constitution from a rural perspective (land reform, property rights and rural governance) – Advocate Dumisa Ntsebeza, Advocate Thembeke Ngcukaithobi and Advocate Alan Dodson</p> <p>Chair: Dr. Fani Ncapayi (CALUSA)</p>	17h30 – 19h30

DAY 3, 18th August

1. Towards a provincial litigation strategy (continued) 1.1 Lessons from social justice litigation (NCGLE, Equal Education and TAC) and implications for land redistribution and rural democracy – Professor Sandy Liebenberg 1.2 Lessons from Shilubana & Bhe Judgments and other customary law litigation – Dr. Aninka Claassens & Women’s Legal Centre 1.3 Restitution and pre-1913 land claims – speakers to be confirmed 1.4 Lessons from Cala Reserve case – Professor Lungisile Ntsebeza & Wilmien Wicomb	08h30 – 10h30
BREAK	10h30 – 10h50
2. Commissions on litigation strategy	10h50 – 11h50
3. Commission reports	11h50 – 12h30
4. Consolidated way forward	12h30 – 13h15
5. Closure	13h15