

Land Rights Update

Baynesfield community plans reoccupation

THE Baynesfield Residents' Association, representing former labour tenants who were evicted from the estate in 1974 told the Baynesfield Board of Administration that former tenants and their families would reoccupy the land on November 13 1993 if they do not get a positive answer to their request to return.

In a letter to the Board, Mr Bhengu, a member of the Baynesfield Residents' Committee said that the community had written a number of letters to the Board in the past, informing them of the community's intention to return to Baynesfield. "We would like to inform the Board that we are still determined as ever to go back to Baynesfield. Our fields at Baynesfield await to be ploughed and we will plough them...We will return to where we were removed unless the Board comes up with a positive answer to reach us by 30 October 1993," the letter said.

Commission accepts DBSA proposals for Impendle development

THE Commission for Land Allocation (formerly the Advisory Commission on Land Allocation) has accepted proposals from the Development Bank of South Africa (DBSA) for future development of about 30 000 hectares of trust land in Impendle.

The DBSA proposes that a mixed settlement model be developed which would involve food plots, market gardens, farmer support actions, commercial farming, small commercial farming, commercial and small industry activities and social welfare projects.

There would also be local institution building to involve target groups in decision-making through representative organisations, for example, a food plot association.

Development of the area should be in terms of the following principles:

- sustainability
- security of tenure
- no forced resettlement or removal of local inhabitants
- minimal dislocation of the local and surrounding communities
- maximum local involvement and agreement on planning and development
- if economic benefits exceed economic costs, high potential land should be used for agriculture
- development proposals should enhance physical and economic linkages with surrounding

communities and other sectoral activities

The DBSA identified several stakeholders who should influence the development vision for the area. Among these are former farm labourers, the Department of Regional and Land Affairs, the Department of Agriculture, the KwaZulu Department of Agriculture and Forestry, local tribal authorities, the ANC, Inkatha, neighbouring communities, the Natal Agricultural Union and white farmers.

The communities of Camden and Compensation with whom AFRA works and who made a land claim on the Impendle trust land are in the process of discussing the DBSA's proposal and meetings have been arranged where they will put forward their views to the DBSA.

Charlestown sets date for return to land

ON November 7 and 8 the first Charlestown residents who were forcibly removed from 1975 to 1978 will be returning to their land.

The community got back their land in December 1992 after several years of struggling to have it returned. Among others activities, was an attempt to reoccupy their land in 1991. They were prevented from doing so by a large contingent of police.

In August 1992, the government-appointed Commission on Land Allocation (COLA) held a public hearing where the community presented their land claim. At the end of the year, Charlestown was one of only two forcibly

removed rural communities who got their land back as a result of the Commission's recommendation to the state president.

Mooibank labour tenants and Mondi close to settlement?

NEGOTIATIONS between Mondi Forests and labour tenants who have lived all their lives on the Louwsberg farm of Mooibank, which Mondi bought in 1990, seem close to settlement.

When Mondi bought the farm, it tried to evict all the tenants so that it could establish forests on the land. It managed to persuade some of the tenant families to leave, but 14 families refused to move.

Despite, their uncertain position, these tenants resisted eviction threats and cattle impounding and eventually negotiations began around tenants' demand that they be allowed to remain on the portion of the farm which they had occupied and used for generations.

Mondi suggested that they move to Wonderboom, another of its properties in the Louwsberg area. For almost a year, negotiations have failed to break the deadlock around Mondi's insistence that the tenants move to Wonderboom and the tenants' tenacious determination to remain at Mooibank.

Recently, Mondi agreed to drop its Wonderboom option and to allow tenants to remain at Mooibank. What remains to be settled is the basis upon which tenants will remain there - will they have to buy their portion of Mooibank or will it be allocated to them.

In a letter to AFRA in October, Mondi said it did not want the issue of payment for the tenants' portion to hold up negotiations. A further outstanding issue is the size of the portion which the families should be allotted. Mondi has suggested that this be 150 hectares.

The tenants say this is inadequate for grazing and cultivation and that the boundaries Mondi has proposed could mean that eight of the 14 families would have to move.

They say that before Mondi bought the farm in 1990 they were able to grow their own food and are not been able to do so now because Mondi has prevented their access to arable lands. In response, Mondi has suggested the tenants have gardens instead.

The tenants and Mondi will be meeting on October 28 to address these issues.

Commission on Land Allocation calls for claims on Natal state land

THAT it works at a snail's pace has been one of the grievances which land claiming communities have had about the Commission on Land Allocation (COLA).

Only two forcibly removed Natal communities who made land claim submissions to COLA were told that they would get back their land.

But the communities of Roosboom and Charlestown have not had ownership of their land restored.

Others, such as the AmaHlubi community of Estcourt and the Alcockspruit community of

Dundee, have had public hearings but no response to their claims. These delays in settling communities' land claims have resulted in many problems, such as land invasions from other landless people.

Despite its apparent inability to deal effectively with the relatively uncomplicated, claims which have come to it from land claiming communities, the Commission has now called for people who may have land claims or who may be affected by land claims on 190 pieces of state land in Natal to make submissions.

The land is in the seven districts of Alfred, Eshowe, Ingwavuma, Ixopo, Port Shepstone, Umzinto and Vryheid.

Written submissions must reach the Commission by November 30 and copies of these will be available after that. The Commission said it would call public hearings where verbal submissions could be made.