



Appendix 6 of Annexure W of the UDM Constitution

UDM Land Policy Proposals

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1. Introduction

1.1. Land and politics

Land ownership in South Africa has a painful history, since it played a central role in the racially divisive politics of the past. It is for that reason that land ownership must be dealt with fairly, and why the constitutional right to land ownership must be realised quickly and effectively by government, to avoid land becoming a political football.

The history of other countries also illustrates that land ownership is a complex issue that may lead to political conflicts.

The UDM maintains that slow delivery of land occurs due to ineffective government and maladministration, and not for ideological reasons. Therefore, the UDM commits itself to discourage the exploitation of the issue for political purposes, and to rather focus on proposing practical, non-political solutions.

The failure of government to deliver with regards to land has a severe impact on the lives of many South Africans, depriving them economically and emotionally of opportunities to become active citizens of the country. The lack of security of tenure conspires to make many South Africans second-rate citizens.

1.2. The UDM mission

The UDM will strive to make land ownership a powerful symbol of the common political, economic and emotional connection of all South Africans to their country, therefore the UDM will actively support and promote the constitutional right of all South Africans to equitable access to land.

2. Strategies for land

2.1. Land and nation building

In terms of nation building, equitable access to land for all South Africans will be a vital tool to reaffirm to all South Africans that we are not only equal, but also that we share equal ownership and responsibility for the future of our country.

For those unfairly deprived of land their constitutional right must translate into tangible proof that they are rightful citizens of the new democratic and united South Africa, free from the injustices of the past. It means that government must create an enabling environment to foster restitution or compensation for them, as clearly provided for in the Constitution.



For those who already, and in the future, own land it means that their right to property is protected by the Constitution. It means that government may only expropriate land by balancing the interest of the public and the interests of those affected. In addition, government may only do so if the current owner is compensated with fair value, subject to mutual agreement or a decision of the court.

These constitutional provisions lay the foundation for equitable land ownership in South Africa that, with proper implementation, can heal the wounds of the past.

The failure of the government to make sufficient progress on equitable land ownership deprives South Africans of a vital nation building tool, and could in the long term threaten the foundations on which the new South Africa is being built. The current government is failing to deliver due to a lack of proper and effective management, and not because the Constitution does not allow it to act. The UDM therefore proposes that the process of equitable land distribution can be accelerated.

2.2. Land and government

The UDM proposes that the continued administrative backlogs and red tape in the department must be removed immediately by a complete redesign of the department to accelerate the process of equitable land distribution:

- This will entail a complete overhaul of the department to increase capacity and efficiency and to focus it on the core function of land distribution and restitution.
- There is currently across the country a large amount of Land Affairs offices and services running independently and not sharing resources, such as Surveyor-Generals Offices, Deeds Offices, Land Reform offices, Land Restitution Commission offices, as well as numerous department of Agriculture offices. The UDM will realign these offices to ensure that resources are shared where possible, and to increase public access.
- The department will be staffed with dedicated officials intent on making equitable land ownership a reality as quickly, effectively and fairly as possible.
- In addition, recognising that the department receives less than one percent of the national budget, the budget of the department will be restructured to earmark greater amounts of its budget for the express purposes of equitable land distribution, in order to give immediate attention to the huge backlogs that currently exist.
- Furthermore, legislative amendments will be made where it may be necessary to remove cumbersome administrative requirements that delay processes.
- There are huge tracts of vacant and idle government land that can be sold. The UDM will accelerate the sale of this land to generate funds, and with the aim to encourage local ownership.

2.3. Land and the economy

The UDM recognises the ability of land to create wealth. The UDM proposes Planned Sustainable development programmes that intend to provide communities with the necessary infrastructure to make them economically and socially viable. These programmes will be driven by government through the department of Public Works, in coordination with all other relevant authorities, and will focus on job creation through infrastructure delivery. Planned Sustainable Development is aimed at promoting domestic-led growth and the upliftment of South Africans, especially those that are economically marginalised. It means directly improving the quality of life of all South Africans at local level where they live.

The equitable ownership of land by South Africans is vital for the success of such Planned Sustainable Development programmes. Planned Sustainable Development programmes also entail that government acquires, or assist communities to acquire, land for development.



Land tenure and deeds of ownership is furthermore a key to giving people access to finance. This means that people are directly empowered to enter the formal finance and banking sector and obtain credit, with their property serving as collateral. It is vital to recognise that gaining access to land for collateral must first be preceded by infrastructure development or upgrading, since the lack or disrepair of infrastructure (especially in rural areas and informal settlements) negatively affects the value of the land.

In rural areas, the UDM proposes to accelerate the sale of suitable state land to encourage local ownership for emerging and small commercial farmers to create jobs. Making land productive will require not only a shift in land access, but also support with financial management, access to markets, as well as expertise and skills training.

2.4. Land and its role in housing and security of tenure

The UDM recognises that all basic human needs culminate in a proper shelter. It is the cornerstone of service delivery. For this reason housing plays a central role in our Planned Sustainable Development programmes.

The slow pace of providing well-located land is hampering development and stifling housing delivery. In fact, the process of providing well-located land for housing purposes is generally disastrous and too slow. Planned Sustainable Development programmes will specifically focus on empowering communities and local government to deal with the need to identify and acquire land for development and housing.

Secure tenure to homeowners is fundamental to any Planned Sustainable Development programme. This will go a long way to reducing the risk of evictions and the easier provision of essential services to communities.

In urban areas the Planned Sustainable Development programmes will maximise the housing for low-income families to provide for a decent sized plot of land per housing unit, and to cater for future expansion of houses.

The UDM believes that the nation must be empowered to house themselves by building their own homes, and in such cases government has a responsibility to identify suitable land and provide the necessary infrastructure through Planned Sustainable Development programmes.

The UDM further proposes that recognition must be given to all forms of tenure, including communal tenure systems practiced in rural communities. We believe that there is indeed enough room within the framework of the law that provision can be made for individual title deeds within a communal land tenure system. However, the UDM proposes that the current system must be reviewed in consultation with the affected communities and Traditional Leaders through the Presidential Council on Planned, Sustainable Development to ensure that any changes fit into the UDM's proposal of Planned Sustainable Development. Such consultations will have to focus on cater for future development, as well as the use of, and payment for, future infrastructure and services.

Rapid land reforms targeted at urban and semi-urban communities must be urgently implemented. The government must speedily release land in its custody for Planned Sustainable Development programmes to house the homeless.