

# **INGONYAMA TRUST WORKSHOP**

## **ON THE PROMOTION OF AGRICULTURAL PRODUCTION ON INGONYAMA TRUST LAND.**

**Greyville Convention Centre, Durban**

**24 November 2016**

### **REPORT TO THE CHAIRPERSON, HIGH LEVEL PANEL**

#### **1. Introduction**

In response to an invitation from the Ingonyama Trust Board to attend the event mentioned above, the Chairperson of the High Level Panel (HLP), the Hon K Motlanthe, nominated Professor Thandabantu Nhlapo to attend the workshop in a representative capacity, and to report back. Logistical arrangements were swiftly made by the Secretariat and Professor Nhlapo duly travelled from Cape Town to Durban in time for the start of proceedings at 08h30 on Thursday 24 November 2016.

Professor Nhlapo was met by the CEO of the Ingonyama Trust (IT or The Trust), Dr Fikisiwe Madlopha, who briefed him on the purpose of the event. According to Dr Madlopha, the objective of the workshop was to kick-start ways in which the IT's main asset (namely, land) could be used productively to improve the lives of the people who lived on Trust land under traditional leadership. This required close collaboration between several core players: the IT itself, traditional leadership, financial institutions, universities and business. For this reason, all these sectors had been invited to the workshop. The idea of doing this in a forum of traditional leaders was to emphasise the IT's "bottom-up" approach which, the CEO explained, was preferred to one in which the traditional leaders were simply presented with reports, documents and options developed elsewhere.

Professor Nhlapo was also formally introduced to the Chair of the Ingonyama Trust Board (ITB), Judge Ngwenya, when he arrived.

#### **2. Morning session: Presentations**

The morning session was opened by the CEO, who was followed by the Chair of the Board and then by the featured speakers, many of whom spoke off prepared presentations. All of the proceedings were conducted in isiZulu.

### **2.1 Opening by Dr F Madlopha, CEO**

- The CEO acknowledged the presence of Professor Nhlapo, among other invited guests, and went on to outline the mandate of the High Level Panel and why the Trust was gratified that the HLP was represented so that they could observe the work of the Trust “at first hand”.
- She stated the objectives of the meeting pretty much as she had explained them to Professor Nhlapo earlier, adding that a good outcome from the day’s activities would be the identification of obstacles to agricultural productivity on IT land, and of ways to remove those obstacles.

### **2.2 Welcome address by Judge SJ Ngwenya**

- Judge Ngwenya welcomed the traditional leaders and specially invited guests (singling out Tongaat Hullett) and reminded the meeting of the need to strengthen the bonds of friendship between the IT, the traditional leaders and the provincial government, all of whom were represented on the Ingonyama Trust Board (ITB). Addressing the invited financial institutions, Judge Ngwenya summarised his views in the words: “no money, no development; no land, no development; no leadership, no development”. This was Judge Ngwenya’s way of emphasising the link between the IT and traditional leadership, and the financial partnerships (with banks and business) they both needed to unlock the potential of the land.
- Stating that land held under the Trust accounts for 30% of the land area of KZN, Judge Ngwenya wondered aloud why under traditional leadership rural communities living on this asset were amongst the poorest in the province and in the country. They are, in a real sense, the ultimate owners of this land, he said, and the role of the ITB was to “ensure that this land, under the King, stays in the hands of the communities”.
- IT land is the only land in South Africa that is in the hands of indigenous communities and not those of the government. For this reason, the ITB had come to the conclusion that it needs to strengthen ties with the indigenous leadership – one resolution was that there should be 4 meetings a year between the IT Board and traditional leaders. (He alluded to 2 meetings already held in 2016: in Mayville in March, and at the Durban ICC in July). He reiterated that the role of the Board was to support traditional leaders in dealing with the land, by convening, co-ordinating and providing logistical support (eg, vetting contracts and rendering them in appropriate language).
- Judge Ngwenya drew the attention of the meeting to the Conference Pack, where 2 documents are appended: the **Preservation and Development of Agricultural Land Bill [un-numbered B XX- 2016]** and its accompanying **Draft Policy on the Preservation and Development of Agricultural Land**, both emanating from the Minister of Agriculture and Fisheries. He reported that

these documents had been subjected to some level of public consultation by the government but the traditional leaders had not been consulted as a constituency – indeed, even the ITB itself had only recently become aware of the proposed legislation. The ITB had since intervened formally, asking that traditional leaders be invited to give their views. The ITB was doing this, Judge Ngwenya explained, executing its mandate to *protect* the land and to monitor threats to it from legislation or from any other quarter (emphasis added).

- The ITB Chair concluded his remarks by challenging the traditional leaders to answer the question: “how can we remain so poor when we have so much land?” He observed that there were other races not present in the room, yet they were the main beneficiaries of transactions involving IT land. He ended his presentation by expressing the hope that the day would produce results, so that it is not just another talk shop.

### **2.3 Mr Gugulethu Xaba** (for Ms R Gwamanda): *State of Food Insecurity in the Country*

- Written presentation [Annexure (i)]

### **2.4 Mr G Xaba** : *The Relationship between Agriculture and Economic Growth*

- Written presentation [Annexure (ii)]

### **2.5 Prof AT Modi**: *Research and Development for Agricultural Technology*

- Written presentation [Annexure (iii)]

### **2.6 Mr Muzi Mdamba** (for Dr Mngoma EDTEA) : *Sustainable Agriculture*

- Written presentation [(iv)]

### **2.7 Mr Hlongwane** (Trade KZN): *Access to Finance for Agricultural Production*

- Written presentation [Annexure (v)]

### **2.8 Inkosi TW Mavundla (ITB)**: *The Role of ITB and Traditional Leaders in Planning*

- Inkosi Mavundla, a member of the IT Board, spoke of the pre-colonial role of traditional leaders as having been that of “owners” of the land, whose duties were to see to its proper allocation and usage, as well as to advise and plan. In this role, they are the ones who devised projects and invited investors. All those powers have been lost, transferred to municipalities under the post-

apartheid government. But traditional leaders must change tack, and re-assume their duties.

- They can do this by: i) defending the land; ii) looking after the interests of the people; iii) ensuring that they were involved in “betterment” projects
- In particular, that involvement should entail the government ensuring that traditional leaders were able to: i) participate in development; ii) resolve disputes; iii) participate in co-operative activities including stokvel banks; iv) participate in customary land practices; v) call imbizos regularly to support democratic decision making; vi) participate in planning land use (eg, grazing, taxi ranks, retail spaces); vii) review legislation, eg SPLUMA: viii) Provincial House should create Development Forums and Committees; ix) traditional leaders must overturn the perception that they are obstacles to progress – they must lead development; x) their efforts over the use of land must benefit the residents; xi) they must partner with ITB in the collection of monies due; xii) they must trumpet the success stories of rural development, there are many of these stories (Biyela, Cebekhulu, Mkhize, Ntando)
- Inkosi Mavundla then thanked Inkosi Mangosuthu Buthelezi for his foresight in setting up the Ingonyama Trust. It is the only one of its kind in South Africa. He also urged ITB to help traditional leaders to monitor legislation to see if it helps the cause of their subjects. ITB should also help with capacity building among traditional leaders. Traditional leaders, Ingonyama Trust, Municipalities, the government and Banks are all *equal* partners (emphasis added). No one is above the other.

### 3. Afternoon session: Commissions

There were five breakaway commissions:

- Financing development
- Collaboration between ITB and Traditional Leadership
- Models of Agricultural Production
- Research and Development; M&E
- Collaboration with all sectors; marketing

Professor Nhlapo joined Commission 2 on Collaborative action between the IT Board and Traditional Leaders, which was chaired by Inkosi Mavundla. The points that emerged can be summarised as follows:

*On the question: “What role can ITB and TLs play in using allocation to enhance proper use and development of land?”*

- Allocate land so that recipient has enough for residential and household needs, including garden, grazing, burial space etc
  - For business plots, ITB should pre-screen applicants and help measure the pockets of land required
  - ITB should help kick out SPLUMA
  - Planning is key. Residential plots should be strictly separated from schools, agricultural land and business sites. This planning should be a consultative exercise involving the community. This approach means there is no longer “my field” but “ours”). It takes care of the problem of allocated land remaining unused. It also solves the problem of “allocatees” leaving the land and later selling to strangers. Also implies “one household, one garden”.
  - ITB should send reps to these community planning consultations. Planning will also create uniform standards: same style of tilling, and of erecting boundaries
  - In cases of conflict, the Department should not jump in: they should allow communities to resolve the problem
  - IT should visit ALL traditional Councils **after** they have decided what they want to do, to help put the plans in proper language and check surveyors’ reports, etc. (Another version of this: TCs must initiate projects then submit them to ITB for vetting and strengthening)
  - TLs should avoid being seduced by offers from developers: it makes no sense to accept R50 000 for land that can make your community millions with proper planning and use.
  - Municipal projects must find TCs ready with allocation plans, and must take their place in the queue and in the plan.
  - Policy should be uniform, (eg, to stop township people from using rural areas to bury their dead because of shortage of cemeteries in town)
  - ITB should create a data base of opportunities suitable for developments in chiefs’ areas and advise accordingly.
  - Communities should get into game farming, it links to indigenous uses of animals, where nothing went to waste (meat, bones, skin, horns, even dung)
  - ITB should increase the number of these workshops, to increase TL buy-in
- **The principle of planning (and planning consultatively) having been ACCEPTED, the RECOMMENDATION was made that the ITB must meet with the Provincial House to report these developments, but must have visited all TCs as proposed before it attends such meeting. The dates for the visits must be set for January 2017. The aim must be to plan for a 5-day Workshop to take all of today’s discussions forward. The Workshop should**

**bring together a wider sampling of stakeholders. The Department of Economic Development, Tourism and Environmental Affairs committed playing a part in the workshop. ITB was nominated to take charge of the arrangements for the Workshop.**

#### **4. Closure**

Due to time constraints there were no report-backs from the breakaway groups (these will be incorporated in the report on the workshop). There were two closing remarks.

- **Inkosi Mdunge, Chair of the Provincial House.** He thanked the High Level Panel for sending a representative, which he viewed as evidence that the voice of traditional leaders was being heard. He re-emphasised the strong bond between the ITD and Traditional Leadership, saying “we are one”. The ITB was best placed to co-ordinate stakeholders on matters involving land and development, and to ensure that legislation does not present obstacles to the project. Inkosi Mdunge made the point that there was public support for traditional leadership, despite the scepticism of some sections of society. He noted that African people do make a distinction between politics and culture and were invariably loyal to the latter even when they were educated and urbanised. He concluded his remarks by urging the Land Bank to transform.
- **Judge Ngwenya, Chair of the IT Board.** Supporting the words of the earlier speaker, Judge Ngwenya also expressed his appreciation to the HLP for being represented despite the short notice. He requested that Professor Nhlapo formally convey the gratitude of the Board to the Chairperson of the High Level Panel. He declared himself as satisfied with the day’s proceedings and promised that the ITB would follow up on the recommendations made. He then declared the meeting closed.

RT Nhlapo

29 November 2016

