

NKUZI

DEVELOPMENT ASSOCIATION

ANNUAL REPORT 2005



Picture by : Schadeburg

Nkuzi Staff member intervened to ensure the owner of these cattle (Mr Sithole a farm dweller) have access to land and grazing

ORGANISING FOR LAND AND PRODUCTION

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WORDS FROM THE CHAIRPERSON

This year was supposed to be the year of delivery as far as restitution of land claims is concerned. I am saying so because the president in 2002 set the end of 2005 as a deadline for the settlement of all claims. The Commission for Restitution of Land rights has not only failed the general public but also the President of the country. Generally, the pace of land reform did not increase after the pronouncement of the President but resources and staff of the Commission increased.

We welcome the willingness to listen to the demands and strategies of the general public demonstrated by the Department of Land Affairs through organizing the national land summit. We welcome the resolutions taken at the summit which include the scraping of the willing buyer willing seller approach. The land summit presented yet another platform for discussions and nice debates and it ended on a positive note with the landless and poor people and the government speaking with one voice. The challenge is for government to put strategies and mechanisms to ensure that the resolutions are quickly implemented.

Nkuzi has made huge strides this year which includes, completing the national eviction survey study, making headline news on television with the presentation of its findings in Parliament. Nkuzi continued to make strategic interventions to protect the rights of the most vulnerable section of our society, farm workers which involve winning major cases in which farm workers lives were under threat, getting good rewards at the CCMA, preventing evictions from happening and winning court cases. Some of these cases made headline news. Its advocacy and lobbying strategy did not only touch the lives of farm workers but also the lives of people who are frustrated with the slow pace of land restitution. The government's lack of delivery in terms of these programmes was put to the test at the national land summit with Nkuzi playing a pivotal role in supporting the input of the landless and poor people. However Nkuzi also played a major leadership role during the summit among civil society players. This has ensured that it enjoyed recognition by all stakeholders who attended the summit.

It is important to have strong civil society organisation in a vibrant democracy such as Nkuzi. I therefore want to take this opportunity to appreciate the work done by the Executive Director and his staff in keeping the organisation central to land and agricultural development issues in the country. I also want to thank my colleagues in the Board for giving me support and help in steering the organization towards the right direction. Finally I want to thank all the stakeholders who believed in Nkuzi for their engagement especially donors who made the work of Nkuzi possible.

Amandla !

Tanya Mungulwa - Chairperson

Board Members

Chris Mamabolo	Regional Land Claims Commission
Desiree Sehlapelo	Working for Water Project (Water Affairs)
Elleck Nchabeleng	Member of Provincial Legislature
Hudson Kgomoesawana	Polokwane Gateway International
Joyce Seema	Tlhavhama Training Initiative
Lucas Mufamadi	Executive Director- Nkuzi
Max Rambau	Peoples Dialogue
Oupa Lehulere	Khanya College

Tanya Mungulwa
Tidimalo Cheune

Business Woman (Dealing with village arts and craft)
Youth Commission



Police illegally evicting farm dwellers and arresting them

ACTIVITY REPORT

1. Introduction

This report covers the period from January 2005 until the end of December 2005. The report aims to give an overview of the work and development of Nkuzi during this year. In November 2004 Nkuzi undertook an annual planning exercise that resulted in the review of programmes for 2005 as follows: These are Land Reform Implementation Programme, Farm Dweller Programme, Policy and Research and Legal Services programme. These programmes are all supported by Administration and Finance which forms a fifth area of work.

New staff members have been appointed to fill the gaps left by resignations last year. The new appointees are Vasco Mabunda, Humbulani Nenzhelele, Frans Malemela, Tsakane Malongete, Morongwa Moshaba and Philemon Talane. During this period we only lost two staff members and gained well experienced staff members. By the end of 2005 we had 22 full time staff members and six volunteers.

A large part of the programme work focused on assisting communities that have received land to make productive use of the land and preventing illegal evictions from farms. This meant that Nkuzi has to develop a sustainable livelihood strategy, coordinate support that is needed on these farms and provide training on both management and technical capacity with the collaboration of relevant government departments and private companies. A few prioritized communities are getting assistance at the moment but the demand is increasing to an extent that Nkuzi cannot cope. Nkuzi has prevented a number of evictions and assisted many to exercise their rights to live and work on farms. It is surprising that after the release of the national eviction survey findings there seem to be an increase in the number of families and individuals threatened with evictions. The highlight of all these programmes was mobilizing and preparing landless communities to participate in the national land summit. However, not even the summit has led to an increase in the settlement of claims.

The Land Rights Legal Unit continued to provide essential legal services to people who would have otherwise received no legal representation at all. The unit has achieved a number of successes in negotiating and settling cases between farm dwellers and land owners. With some of the land owners negotiations is not an option but they prefer taking cases directly to court and it is fulfilling to win such cases with costs against landowners. However, the judicial process remains a very expensive process. Last year we welcomed the promulgation of the Communal Land Rights Act even though it has limitations, since it provides people in communal areas with tangible rights. However, DLA does not seem to have a strategy and resources to implement this important piece of legislation.

This has been an interesting year for land and agrarian reform policy debates that has been characterized by a new frankness, most notably in the national land summit, from the government about the failings of the land reform programme. This new openness has unfortunately combined with an apparent inability or unwillingness to put in place real alternatives. The National Eviction Survey found that almost 1.7 million farm dwellers have been evicted from farms since 1994. This continuing land dispossession in the democratic South Africa should be a wake up call for all those involved in land reform indicating that far more needs to be done to secure the tenure rights of farm dwellers.

2. Land Reform Implementation

Nkuzi implements this programme through four sub-programmes: Restitution, Redistribution, Community Organizing and Support as well as Sustainable Livelihoods Promotion.

2.1. Restitution

Among the five land claims that the Commission settled during this period Nkuzi worked directly with three land claims namely Mamahule, Morebene and Makgatho community. This year we expected the pace of settling land claims to improve tremendously since it was a year chosen for finalization of all land claims, but the pace was still very slow. The extension of the deadline for the settlement of all land claims to end of 2008 did not help matters either. The Commission by the end of 2005 has only managed to settle 2548 claims from a total of 5814. This means the claims that need to be settled by the end of 2008 are 2573. If they continue on this pace there is every reason to believe that they shall not meet this second target.

The situation is worsened by the fact that experience from the land claims settled earlier indicated that thorough preparation of the community and the land is needed before actual transfer of land. In highly fertile agricultural land such as Levubu this involves securing experienced farmers who are willing to provide mentorship to the new farmers that are referred to as strategic partners. Most of the time was used assisting communities in Levubu area to understand the Memorandum of Understanding (MOU) drawn up by the strategic partners and engage the Commission to protect their interest. In this regard we organized commercial lawyers (who are willing to do the work pro bono) to work with land claiming communities to reach mutually beneficial agreements. There has been partial settlement of the claims in Levubu and some communities are already working with strategic partners in managing their farms.

Some of our prioritized claims are forced to fight for the restoration of their land through the courts since the landowners are disputing the validity of their claims. These include the cases such as Songozwi and Makgoba. These are claims of historical significance since violent means were used to remove these communities from their land. The Nkuzi Legal Unit is handling these cases on behalf of the Regional Land Claims Commission (RLCC). The success in defending the rights of the people in these cases will set a very good precedent.

2.2. Redistribution

During this period Nkuzi was approached by more communities wanting to be assisted with applications for land through the Land Redistribution for Agricultural Development (LRAD). We have engaged the Department of Land Affairs to assist these groups of people to acquire land through LRAD. By the time an application is lodged with DLA the community has already reached an agreement with a land owner who is desperate to sell. However, DLA takes too long before they process applications and by the time DLA is ready to buy, sometimes the land is no longer available. It is sometimes important to check and verify agreements between land owners and communities before DLA purchases the farm since they could be subjected to unscrupulous land owners. The fact that none of the four groups we assisted to lodge applications have been successful is an indication that this programme is not working for the poor people.

There are many groups of people who want to have a piece of land for agricultural purposes but have not lost any piece of land due to apartheid legislation and also do not qualify through the LRAD process. These are the people who are demanding the review of LRAD since they cannot

pay a contribution in kind or cash for them to qualify for a farm big enough for agricultural purposes.



Project beneficiaries fencing their farm

2.3. Community Organizing and Support

Nkuzi continued to support the structures of the landless people in fighting for their land rights. The National Land Summit held in Johannesburg was an important event that provided a platform for engagement on the implementation of land reform in South Africa. Communities were organized in both Gauteng and Limpopo province to engage with this process and they were also mobilised to put pressure on government to deliver on the promises made at the land summit. The land summit managed to bring many people (practitioners from government, non-government organizations, political parties, and various civil society organizations) together and began to ask the question as to whether the South African land reform programme is moving in the direction desired by the people of South Africa. It provided a space for engagement on the issues of land and agrarian reform by way of reflection on the achievements, setbacks and/or challenges for land reform. Among other resolutions government was encouraged to engage with civil society organizations and develop alternatives to the current approaches to land reform. There was a strong call for a more visible role of the government in the redistribution of land. One of the resolutions was for the scrapping of the willing seller willing buyer approach to land reform. Some of the initial possible solutions being put forward were an integrated local area approach to land reform which has been developed by Nkuzi in Makhado municipality.

2.4 Sustainable Livelihoods Promotion

Over the past two years Nkuzi has been working with communities that have received land through redistribution and restitution to make productive use of such land. This year has seen an increase in the activities offered by Nkuzi in this field by increasing support from six communities to twelve communities. The communities that received support this year include, Marobala, Lebelo, Kokamatlou, Pheeha, Bophelo, Dikgolo, Maboi 6, Makotopong, Munzhedzi, Mavungeni, Shimange, and Manavhela. The challenge that confronts these communities in increasing productivity on the land include lack of skills and funds, internal leadership conflicts and entering contracts without understanding their contents.. Nkuzi ensured that the capabilities of beneficiaries are enhanced by providing training in business and financial management, leadership and project management, conflict management and joint ventures. We also worked directly with communities to offer them technical agricultural skills in the form of poultry, piggery and fruit tree and crop production. We manage to accomplish this with the help of the Department of Agriculture and Municipalities.



Nkuzi Director Lucas Mufamadi, Inspecting the damage done to Koka Matlou farm house due to land transfers without title deed

The communities that have signed settlements agreements such as Koka Matlou and Gumbu land claims want assistance to move back to their land since they are being barred from producing on the land even after attending settlement celebrations. The main cause for this is the RLCC that organizes settlement ceremonies when no settlement agreement has been signed and farmers in other instances not yet paid. When claims get settled and beneficiaries are prevented from moving into the farm the infrastructure gets vandalized. In addition many of the communities that have received land and signed settlement agreements do not have titles even after three years of land restoration. The government failure to implement the Comprehensive

Agricultural Support Programme (CASP) leaves communities who have received land with no support if it was not for non-governmental organizations. The communities that have received land are faced with many challenges most of which could be addressed by offering adequate theoretical and practical training on the management of a farming enterprise as well as the release of developments grants to ensure that they have adequate resources to produce. Nkuzi continued to lobby for the release of development grants and involvement of municipalities to assist beneficiaries of land reform with very little success to show for it.



Some of the remarks left on the vandalized farm house

3. Farm Dweller Programme

The main objective of this project is to make farm dwellers aware of their tenure and socio-economic rights, build their capacity to exercise such rights and improve their institutional environment in which this happens. Despite 10 years of democratic governance in these country farm dwellers continues to experience brutal exploitation and severe rights deprivation by land owners in particular and state organs like the Department of Land affairs both at the provincial and national level. The Local government also often abdicates from its statutory obligation by denying farm dwellers basic services and sometimes facilitating evictions of farm dweller in the land that belongs to the state.

During this year Nkuzi has intervened on **277** cases of threatened eviction, **174** cases of unfair labour practice, and **32** cases of human rights violation. The actual evictions whether legal or illegal were 16 and most of this have not yet been concluded since we are challenging them in court. Many people who are threatened with evictions are former employees to previous land owners, who find themselves in the mercy of the new landowners who are trying to evict them.

Many of these cases were brought to our attention through collaborating with Advice offices, Parliamentary Constituency offices, individual rural councilors and rural municipal managers.

There has been no implementation of long term tenure security as provided for by ESTA to ensure secure tenure for farm workers. Farm dwellers whose tenure rights should be secured in terms of ESTA are not benefiting due to lack of implementation. There is a growing trend of advice by the DLA officials for farm workers to apply for land through LRAD. A few farm dwellers have received secure tenure this way.

Most of the cases are settled out of court through negotiations which results in win win situations between land owners and farmworkers. In few cases both in Gauteng and Limpopo we have been able to restore the rights of farm dwellers by directly approaching the Land Claims Court through our Legal Unit and the RLT attorneys and managed to get rulings in favor of farm dwellers. The CCMA also helps in resolving labour problems of farm dwellers before they reach a stage where they might be evicted. The cases that we refer to the CCMA include unfair labour practice, unfair dismissal and retrenchment.

The table below illustrates the type of cases and the number of cases that Nkuzi dealt with in 20005.

TYPE OF CASES	NUMBER OF CASES
Threatened Eviction	277
Evictions	16
Labour Dispute	174
Violation of Human Rights	32
On / Off site settlement	2
Civil Claims	2
TOTAL	503

Nkuzi has also assisted communities to access graves of their relatives on farms as well as farm dwellers to bury on farm. The Farm Dweller Programme staff has also been involved in the gathering of information for the National eviction survey study and in information dissemination in the current year.

About 10 information dissemination workshops dealing with the rights of farm workers were run for the farm dwellers. There is always a continued need for convening information dissemination workshops particularly to cover relevant applicable legislation like the Extension of Security of Tenure Act, Land reform Labour Tenants Act and the minimum wage sectoral determination for the agricultural sector.

All these workshops are run with the involvement of the Department of Land Affairs and the Department of Labour officials. In addition to these workshops we collaborated with PPASA to disseminate information on HIV/AIDS, and more than ten workshops were held for different stakeholders on farms. This involved prevention, education and training, and care for the sick on farms. The rights education also included rights of people who are affected and infected by HIV/AIDS.



Picture taken by Schadeberg

Nkuzi Project officer Sphiwe Ngomane engaging land owners on the rights of a farm dweller

Land Owner Destroys Family Home with His Bakkie

On the 21st June 2005 witnesses claim that Russel Khourie, the owner of Plot 74 Doornrandjie Farm in Laizonia in Gauteng, tied a rope around a house on the farm that belongs to the Mahlangu Family. Attaching the rope to his bakkie he drove away pulling the whole three roomed house down with furniture and possessions belonging to the Mahlangus inside; luckily none of the family members were inside at the time. It is alleged that Khourie then told bus drivers taking children to a nearby school to move their buses and threatened them with a gun. A neighbouring farm worker who came to see what was happening says he was also nearly knocked down when Khourie chased him in his bakkie. These incidents follow a range of threats made against local farm residents by Khourie who has been buying up land in the area over the last year.

The Mahlangu family - including 68 year old Christinah Mahlangu and eight children - have lived on the farm for eighteen years and never had any difficulty with the previous owner. The family are occupiers that should have legal protection under the Extension of Security of Tenure Act (62 of 1997) that also makes evicting people without a court order a criminal offence.

Nkuzi Development Association was contacted by the Mahlangus when they found their house destroyed. Ntokozo Nzimande, a Project Officer with Nkuzi, and Attorneys from Noko Incorporated Attorneys went to investigate. Charges were laid against Khourie at the Erasmia Police Station and Noko Attorneys, who work as part of the Rural Legal Trust supported team in Gauteng, are preparing an urgent application for a restoration order and investigating a possible restraining order. An interim court order was obtained in the Land Claims Court on Friday 24th restraining Khourie from further actions against the occupiers and ordering the repair of damages done. A date is set for full argument on the matter where the owner will have a chance to argue against it being made a permanent order.

4. Policy and Research Programme

The Nkuzi policy and research programme has continued with a range of land related research projects, the largest being the national evictions survey, and engaged the various land reform policy debates in public forums, the media and in bilateral engagements with government and civil society organizations. Nkuzi as well as providing inputs and critiques based on its experience and research has offered possible solutions through making practical recommendations and taking forward alternative approaches such as the Area Land Reform Initiative (ALRI) and the joint Rural Legal Trust, Legal Aid Board and DLA pilot project on provision of legal services to farm dwellers.

The Policy and Research programme has operated with a permanent staff compliment of only two people and has therefore relied on outsourcing and the contracting of temporary staff to complete the wide range of projects implemented. This approach has been necessitated by the lack of any core funding that leaves the programme dependent on short term project funding.



Professor Shadrack Gutto addressing the National Eviction Survey conference

The largest research project during 2005 was the National Evictions Survey that Nkuzi initiated and implemented in collaboration with Social Surveys. This national survey of evictions from farms was completed during the year and for the first time quantified how many evictions have taken place. This report made headline television news when the findings were first shared with Parliament. A national conference was organized by Nkuzi in October to create a platform for the main stakeholders to discuss ways to deal with the ongoing evictions crisis.

Nkuzi continued to pilot the ALRI in the Makhado Municipal Area including the promotion of the approach and work with local groups, in particular landless people, the municipality and women.

Nkuzi's successful advocacy around this approach was confirmed by the extent to which it has been discussed at the national land summit and other policy forums. Progress in implementation on the ground has been slower with delays in the commitment of state resources and local officials struggling to take on an approach that is substantially different from their previous ways of operating. Linked to the work on ALRI has been collaboration with the Natural Resource Institute in the UK to look at 'territorial' approaches to land reform in South Africa and Brazil.

Other important research projects implemented in 2005 include a study of the impact of HIV/Aids on land reform and land based livelihoods that are being run nationally by the Human Sciences Research Council. Nkuzi is doing field research in several sites in Limpopo. Nkuzi is also cooperating with the Programme for Land and Agrarian Studies on a study of the impact of land redistribution on poverty and livelihoods.

Policy interventions involved making inputs and doing media work related to the National Land Summit, engaging effectively in the design of a farm housing policy by the Department of Housing, regular commentary in the media and policy forums and a lot of activities related to evictions from farms using the eviction survey as a key input.



Marc, Jurgen and Mr Twala at the launch of the photo book



One of the training offered to paralegals by the Legal unit (Siphiso Molohe was presenting)

5. Legal Services

Nkuzi Law Clinic is the legal arm of the organization accredited annually by the Law Society of Northern Provinces. The clinic facilitate one of the programmes of the organization Nkuzi Land Rights Legal Unit and offers legal services to the landless and indigent people including people who live on farms and communal areas in Limpopo, Mpumalanga and Gauteng Province. The attorneys of the clinic represent clients in court and other forums. This is done to ensure that our target group have access to justice and are enabled to assert their land and related rights. The Clinic is presently handling about 192 cases. The table below illustrates the type of cases in the registrar of our clinic:

TYPE OF CASES	NUMBERS
Security of Tenure	90
Labor cases	68
Human Rights & Damages	15
Restitution	17
Criminal & Other cases	2
TOTAL	192

The clinic finalized about 92 cases in 2005 and about 131 new cases were taken during the said year. About 58 cases were finalized through negotiations, 23 through arbitration and 11 through the court process. Most of the cases which are finalized through negotiations are still labor and security of tenure cases. Security of Tenure cases still top the charts as the highest number of cases referred to the clinic. Farm dweller tenure of security still poses a challenge to the organization as same is always under threat. Another challenge which emerged during the course of 2005 was the high litigation budget which is required to fund our restitution cases.

A year was characterized by a series of developments in the legal profession which we believe will add value to our work. One such development was the release of two Bills namely Supreme Courts Bill and Fourteenth Amendment Bill aimed at overhauling and transforming the judiciary. We believe a transformed judiciary will help to alleviate a problem of strict or narrow interpretation of legislations affecting our target groups. It is unlikely that these Bills will be developed into law since there is vocal resistance from the judges.

A restitution case handled by our clinic commonly known as Popela was finalized during this period. Popela is a case where a community was dispossessed of a right in land as a result of labor tenancy system influenced by past racially and discriminatory laws and practices. The Land Claims Court ruled against our clients on the ground that they are not a community as they lack tribal identity or hierarchy and that they did not lose their rights to land as a result of racially discriminatory laws and practices. The judgment sent shockwaves to all stakeholders in the land sector. It became imperative that Nkuzi should appeal against the judgment as we believe the judgment will set a very bad precedent for other land claims based on similar considerations. The Land Claims Court granted our Application for Leave to Appeal. The actual appeal hearing is still pending.

Case Study

Adam Maduku is a land occupier who resides on a farm known as Zandrif. He was born and lived on the farm for more than twenty years. His parents who also lived on the farm are now deceased and were buried on the farm. Mr Maduku is married. The family's three children died and were buried on the farm. The last child to die was buried in 2003. The landowner build a new house for the family and demolished the old structures. In a move which shocked many people in the country the landowner undug the corpses of the three children buried on the farm and gave the remains to the family to see what to do with them. The incident was widely publicized in the South African media and made headlines in television news broadcasts, When our attorney intervened the remains of Mr Maduku's babies were still in his house and have already been there for more than two days. Our attorney contacted the local municipality which helped in arranging for the remains to be removed from the house to the local mortuary. Our attorney assisted the family to lay criminal charges and the matter is still with the Director of Public Prosecution for his decision to prosecute. The remains were later re-buried on the same farm.

6. Management and Institutional Development

New staff members have been appointed to fill the gaps left by resignations last year. The new appointees are Vasco Mabunda, Humbulani Nenzhelele, Frans Malemela, Tsakane Malongete, Morongwa Moshaba and Philemon Talane. During this period we only lost two staff members and gained well experienced staff members also from other organizations. By the end of 2005 we had 22 full time staff members and six volunteers. We are working on improving the environment in which we operate, to be more stable and less volatile.

Nkuzi holds an annual operational planning meeting each year. This year we had a successful strategic planning event held at Luonde lodge facilitated by CDRA. The objectives and outputs of the organization were revisited. Some of the programme objectives changed and other projects were consolidated. The annual plan helps guide implementation of Nkuzi's programmes.



Some of Nkuzi's staff after a session of the annual planning meeting for 2006 at Luonde Lodge

7. Staff Training

One staff member attended a training workshop organized by Community Development Resource Association (CDRA) on the Foundation for Developmental Facilitation. Another staff member attended the Project Planning and Evaluation workshop a second Module organized by Olive OD and Training. Training on mediation was organized and attended by two staff members facilitated by the Commission for Conciliation, Mediation and Arbitration (CCMA). The CCMA training offer insight in the processes of mediation and negotiations to our project officers. One manager has attended a training course in Fundraising offered by the fundraising institute of South Africa.

The Director also attended training with CDRA on Developmental Supervision. The training came at a time when we were at the process of implementing the Performance Appraisal System. This helped us to finalize the review process.

Our Polokwane Administrator attended training offered by Papillon on Meeting Coordination and Minute Taking. This has improved the capturing of minutes of the Board meetings and other workshops of Nkuzi significantly. She also attended a course offered by Damelin the Fundamentals of Microsoft Office. The Office Bookkeeper has also been trained in Advanced Quickbooks to ensure that she has above average knowledge in our accounting software.

The Project Manager for ALRI participated in the national local government conference that was held in Durban focusing on accelerated service delivery. Among other issues, intergovernmental relations was a critical issue that was debated because it affected service delivery in that

municipalities are not yet able to play the envisaged coordination role. This is particularly the case for land reform as municipalities do not consider it to be their mandate. Six staff members of Nkuzi participated at the National Land Summit held in Johannesburg. This also provided learning as well as an engaging opportunity.

8. Monitoring and Evaluation

Nkuzi provides a space for staff to reflect and learn from each other through the Bi-monthly planning meetings. This also provides an opportunity to review the annual plans and prioritize activities that need to be done on a short term basis. New staff has an opportunity to understand the approach of the organization through practical experiencing the running of the bi-monthly planning meetings. Time is also allocated for the staff forum to engage the management on a number of issues that directly affects them and make inputs to help the organization grow. The plans for the previous month are reviewed during this meeting which also provides an opportunity to monitor progress.

Nkuzi is planning to conduct a three year impact assessment early next year, provided funds are secured to do so. This will help the organization to conduct a strategic planning session informed by the impact assessment. The assessment will include the reviews of the vision, mission, objectives and programmes since the last one conducted was in 2001.

9. Sustainability Factors

The work of Nkuzi is supported by a range of funders, mostly overseas based. We have continued to maintain all our foreign based donors during a very difficult period. We have also managed to secure financial support from local donors this year such as the National Lotteries Board (NLB) and the National Development Agency (NDA).

Nkuzi continues to generate own income through doing work for the government, universities, and other non profit organizations. Through this income we are able to cover some of the expenses that are not covered by donors.



Nkuzi Polokwane staff with the project officer for Horizont 3000 one of our major donors

Nkuzi has always spent all the funds received on programmes that have to deliver to the poor and landless rather than save the money in reserves. The delivery on programmes has created a reputation that has enabled the organization to grow and attract further funding. The negative side is that the organization has no reserves and therefore operates from one project or programme to the next depending on the availability of funding. This makes it difficult to attract and keep high caliber staff.

Given the above Nkuzi is confident that with the continued support of key funders it will be able to sustain and improve the current programmes. However, there are challenges such as the challenges to change focus faced by our key foreign donors, the strength of the Rand and the international standing of South Africa. All these increase the urgency for Nkuzi to look for alternative sources of funding or income.

10. Networking

The Executive Director of Nkuzi is currently serving in the governing structures of the following institutions, the National Land Committee (NLC), the South African Netherlands Partnership on Alternatives Development (SANPAD), the Development Facilitation and Training institute (DevfTI) of the University of the North. The Programme Manager for Policy and Research on the other hand is still the Chairperson of the Rural Legal Trust (RLT).

The networking opportunities provided by the National Land Committee (NLC) are at its minimum since the closure of the national office. The affiliates of the NLC remain active in the land sector and try to coordinate activities at national level. The potential for the NLC to re

establish itself depends on the resolutions of the problems they are currently confronted with. The affiliates of the NLC remain committed to national networking either through the NLC or another structure.

South African NGO Coalition (SANGOCO) continues to function but is seriously weak at the moment, with staff at provincial and national offices having been retrenched. However, SANGOCO continues to comment on national issues affecting NGOs in the country. However, its ability to mobilise NGOs and CBOs in the country is seriously compromised by lack of staff and resources.

11. Acknowledgements

Nkuzi would like to thank all donors and individuals who have supported her work during the year 2005. In particular we would like to note our appreciation of the financial support received from HorizonT3000 (Austrian Development Agency), Ford Foundation, Foundation for Human Rights, Christian Aid, Atlantic Philanthropies, the Rural Legal Trust, National Development Agency, National Lottery Distribution Trust Fund and the Open Society Foundation during this difficult period. We would also like to thank our partners in different projects namely, the Human Sciences Research Council, PLAAS of the University of Western Cape and Natural Resource Institute, Greenwich University and Social Surveys. We appreciate the relationship we have with different structures of government and non-governmental structures.

We also thank all the land claimants, landless people, farm dwellers and others who have shown confidence in Nkuzi by coming to us for assistance. We will continue to try and provide quality services and make important interventions in order to realize far reaching agrarian reform in South Africa.

12. Abbreviations

AGRISA	- Agriculture South Africa
CCMA	- Commission for Conciliation Mediation and Arbitration
CRLR	- Commission for the Restitution of Land Rights
CLRB	- Communal Land Rights Bill
CPA	- Communal Property Association
CLRA	- Communal Land Rights Act
DFID	- Department for International Development
DLA	- Department of Land Affairs
FHR	- Foundation for Human Rights
HSRC	- Human Sciences Research Council
IDS	- Institute for Development Studies
LAB	- Legal Aid Board
LPM	- Landless Peoples Movement
LRAD	- Land Redistribution for Agricultural Development
MEC	- Member of Executive Council (Provincial equivalent of a government minister)
NLC	- National Land Committee
NRI	- Natural Resource Institute
PLAAS	- Programme for Land and Agrarian Studies

RLCC	- Regional Land Claims Commission (regional structure of the CRLR)
RLT	- Rural Legal Trust
SANGOCO	- South African Non Government Organisation Coalition
SAHRC	- South African Human Rights Commission
Treasury	- Department of Finance

Nkuzi Permanent Staff End 2005

1. Khumalo Ntokozo
2. Kwindi David
3. Langa Letago
4. Letsoalo Jerida
5. Mabunda Vasco
6. Makhubela Getrude
7. Malemela Frans
8. Malongete Tsakane
9. Maluleke Themba
10. Malumbete Nandu
11. Manenzhe Tshililo
12. Mohale Shirley
13. Molope Sipho
14. Moshaba Morongwa
15. Mufamadi Lucas
16. Nenzhelele Humbulani
17. Ngomane Sipiwe
18. Shirinda Shirhami
19. Shivambu Joe
20. Tlakula Jay
21. Talane Phillemon
22. Wegerif Marc