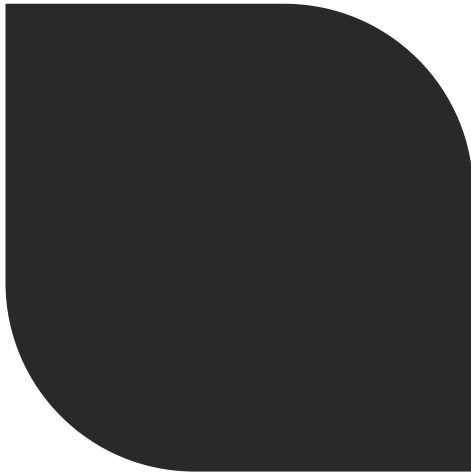




Commission
on Restitution of
Land Rights



STRATEGIC PLAN
2025/2030

AND

ANNUAL
PERFORMANCE
PLAN 2025/2026

ACCRONYMS AND ABBREVIATION

APP	Annual Performance Plan
BAS	Basic Accounting System
CD: LRS	Chief Director: Land Restitution Support
CD: RMS	Chief Director: Restitution Management Support
CLCC	Chief Land Claims Commissioner
CoE	Compensation of Employees
CPA	Communal Property Association
CRLR	Commission on Restitution of Land Rights
DLRRD	Department of Land Reform and Rural Development
DLCC	Deputy Land Claims Commissioner
DPME	Department of Planning, Monitoring and Evaluation
DPSA	Department of Public Service and Administration
GCIS	Government Communication and Information System
IMC	Inter-Ministerial Committee on Land Reform
IT	Information Technology
JCC	Joint Coordination Committee
LAMOSA	Land Access Movement of South Africa
LAMOSA 1	Constitutional Court Judgment dated 27 July 2016
LAMOSA 2	Constitutional Court Judgment dated 29 March 2019
LanC	Land Court
MTBPS	Medium-Term Budget Policy Statement
MTDP	Medium-Term Development Plan
MTEF	Medium-Term Expenditure Framework
NDP	National Development Plan
OVG	Office of the Valuer-General
PFMA	Public Finance Management Act
RLCC	Regional Land Claims Commissioner
SLA	Service-Level Agreement
SOPs	Standard Operating Procedures
SWOT	Strengths, Weaknesses, Opportunities and Threats

TABLE OF CONTENTS

Acronyms and Abbreviations	3
Ministers Statement	6
Overview by the Chief Land Claims Commissioner	9

PART A: OUR MANDATE **13**

Constitutional Mandate	14
Legislative and Policy Mandate	14
Relevant Court Rulings	14

PART B: OUR STRATEGIC FOCUS **18**

Vision	19
Mission	19
Values	19
Situational Analysis	20
Environmental Analysis	20
Consolidation of Recommendations and Findings	22
Financial Performance	27
Service Delivery Challenges	28
Organisational Environment	28
Institutional and Organisational Structure of CRLR	35

PART C: MEASURING OUR PERFORMANCE **38**

Institutional Information Performance	39
Impact Statement	40
Measuring Outcomes	40
Strategic Endeavours for 2025 - 2030	41
Key Risk Mitigations	43

PART D: TECHNICAL INDICATOR DESCRIPTORS 46

Outcomes 47

Strategic Outcome #1 Land Rights Restored: Output indicator 48

ANNUAL PERFORMANCE PLAN 49

Programme Restitution 50

Technical Indicator Descriptions (TDI's) 53



MINISTER'S STATEMENT

Honourable Minister
Mzwanele Nyhontso

Historians widely agree that the Native Land Act of 1913, enacted by the all-whites Union government, did not initiate the large-scale dispossession of African people's land.

Instead, this process began in 1652 with the arrival of European settlers in the southern Africa, marking the start of a brutal relentless colonial conquest that eventually spanned the entire South African territory.

The Native Act of 1913, promulgated shortly after the Union government's establishment in 1910, formally consolidated and divided conquered land between whites, who claimed vast majority, and Africans, who were relegated to a mere 7% (later increased to 13%) of the land, primarily in barren areas designated as Native Reserves.

To implement the Native Act's spatial apartheid framework, subsequent colonial and apartheid governments enacted a range of supporting laws and proclamations. These included the notorious Group Areas Act of 1950, which aimed to enforce both racial spatial apartheid and the policy of "separate development".

As South Africa transitioned to democracy in 1994, the Constitution's drafters confronted the enduring legacy of colonialism and spatial apartheid, which had led to extreme disparities in land ownership. At the time, whites held the majority of the land, secured by strong tenure rights, while the black majority were relegated to marginal areas with insecure and precarious living conditions.

Many black communities had been forcibly removed from their land, while others lived in uncertainty, working as farm labourers on white-owned farms or in overcrowded Bantustans (former homeland stands).

Against this backdrop, the South African Constitution and the subsequent land reform programme were designed around a three-legged approach. The land restitution for victims of racially motivated land dispossession following the Native Land Act, land tenure reform for black people on land with insecure tenure and land redistribution for black South Africans in need of land for various purposes.

The Restitution of Land Rights Act of 1994 (the Restitution Act) established the Commission on Restitution of Land Rights. The Commission's mandate is to provide redress

to victims of racially based land dispossession who have lodged claims in accordance with Section 2 of the Restitution Act.

The year 2024 marked 30 years since the promulgation of the Restitution Act. This occasion prompted the Commission and the department to reflect on the notable achievements and setbacks of the Restitution Programme. The reflection aimed to improve forward planning and strategies, as outlined in the CLCCs overview.

A thorough evaluation of the programme's performance hinges on three critical areas: to the efficiency of processing and settling lodged land claims, and the provision of post-settlement support to land restitution beneficiaries.

The following sections address these two areas sequentially.

LAND CLAIM SETTLEMENT PACE

Evaluating the pace of restitution requires acknowledging that it is a state-funded mandate. As a result, the number of settled claims is heavily dependent on annual budget allocations.

Despite systemic and institutional capacity constraints that have impacted efficiency, targeted interventions have been implemented to address these challenges.

A closer review of the Commission's year-on-year performance reveals consistent achievement of annual claim settlement targets, with occasional overachievement. Furthermore, the Commission has demonstrated effective financial management by utilising its entire annual budget allocation over the past seven years.

The restitution programme in South Africa has made significant progress since inception. As of 31 December 2024, a total of **83 348** land claims have been settled, resulting in the award of **3 897 495** hectares of land to beneficiaries at a cost of R26 billion to claimants.

The restitution programme has benefited **2 386 058** individual beneficiaries from **466 568** households, with **180 354** being female-headed households and **1 275** persons living with disability.

Additionally, the State has allocated over **R5,3 billion**

in land development grants for restitution beneficiaries. The total expenditure on restitution as of 31 March 2024, stands as **over R57 billion**.

POST-SETTLEMENT SUPPORT FOR LAND RESTITUTION BENEFICIARIES

While land is a valuable economic asset, its productivity relies on continuous financial investment and technical expertise. To derive livelihoods from land, land users require ongoing support. This is known as post-settlement support, which encompasses functions beyond the Commission's mandate and capacity.

A well-structured post-settlement support requires a proper coordination and collaboration between the Commission and other DLRRD entities and broader government agencies with expertise in land development resources. This collaboration facilitates access to land development resources, crucial for sustainable land use. Notably, post-settlement support poses significant challenges, underscoring the need for a well-structured approach.

The Commission and the department have taken proactive steps to enhance intergovernmental relations, despite challenges in this area. These intergovernmental relations have been fostered by establishing cooperative framework agreements, such as the Memorandum of Understanding (MOU) with Department of Forestry Fisheries and Environment (DFFE). Such agreements help to enhance collaboration in key areas like the settlement and post-settlement support for claims impacting nature conservation, tourism and forestry.

Land claims lodged with the Commission involve diverse land uses, necessitating intricate stakeholder facilitation across various economic sectors. To address this challenge, the Commission has developed Settlement Models – guidelines for sector-specific settlement and post-settlement arrangements for various land use categories including mining, sugar cane production, urban development, and others. The Commission continues to engage in sectoral collaboration to refine these models and ensure effective implementation.

The 7th Administration's long-term planning and performance are guided by the Medium-Term Development Plan (MTDP) 2024-2029 which prioritises – **inclusive economic growth and job creation**. The Commission aims to contribute to the Strategic priority by providing land to restitution beneficiaries. This land provision is

paired with targeted post-settlement support from the sector, enabling beneficiaries to employ workers, supply their produce to local markets and ultimately broaden the local, regional, and national economy.

REVIEW OF PERFORMANCE IN THE PRECEDING PERIOD

The Commission has consistently met its Annual Performance Plan (APP) targets for settling and finalising land claims.

There has been a significant progress in reducing backlog of old order land claims, as shown in the tenth LAMOSA report submitted to the Land Court on 4 September 2024. This report revealed that 5 994 land claims remain outstanding.

LEGISLATIVE AND POLICY DEVELOPMENTS SUPPORTING LAND RESTITUTION

Finally, as we scan our legislation and policy landscape, we note the promulgation of the Land Court Act No. 6 of 2023 which marks a significant development.

This Act establishes a new Land Court effectively replacing the existing one and more importantly, expanding the court's jurisdiction over land-related matters.

We note that the Court's increased capacity will significantly expedite the hearing of cases and delivery of judgements.

As the Commission works to expedite the settlement of outstanding claims in line with the LAMOSA 2 judgement, we rely on the Court to efficiently process referred cases. Furthermore, we consider the upcoming review of Property Valuation Act (PVA) and attendant Regulations as vital for optimising the Office of the Valuer-

Giver's (OVG) performance and minimising rejected compensation offers. A well-functioning OVG is essential for the Commission's overall performance and success.

CONCLUDING REMARKS

As we commemorate 30th anniversary of our country's democracy and the passage of the Restitution Act, we acknowledge that unresolved claims overshadow this milestone. The department and I are committed to supporting the Commission in settling old order claims as swiftly as possible within our available resources.

In line with this commitment, we present the Commission's 2025-2030 Strategic Plan and Annual Performance Plan 2025-2026. We extend our gratitude to the Portfolio Committee for their valuable guidance and counsel.



Honourable Mr Mzwanele Nyhontso (MP)

Department of Land Reform and Rural Development





OVERVIEW OF THE CHIEF LAND CLAIMS COMMISSIONER

Chief Land Claims Commissioner
Ms Nomfundo Ntloko

As the Minister has reminded us in his statement of support, the year 2024 marks 30 years since the birth of land restitution dispensation in South Africa.

It was in 1994, the year that also significantly marked the birth of a democratic rule in the country, that the Restitution of Land Rights Act (Restitution Act) was passed into law. Consequently, the Restitution Act gave rise to the establishment of the Commission on Restitution of Land Rights (Hereafter, CRLR or Commission).

The Legislature was itself responding to a call in the interim Constitution of 1993, later the 1996 permanent Constitution, which required the Legislature to give effect to a set of land reform policies – each of which was to deal with a unique land related inequity affecting black people. The Restitution Act establishes the CRLR to pursue a unique mandate, though complimentary to other land reform policies, of presenting victims of forced land dispossession – based on their colour with an opportunity to lodge claims and to receive state-funded redress.

As the Minister has alluded, the 30-year anniversary presents a pivotal moment for the CRLR to introspect on its past performance, identify areas of improvement and distil best practices to inform a more effective and efficient approach moving forward.

The convergence of two significant events provides a fitting backdrop for the Commission in this performance evaluation. This year, we mark 30 years of land restitution but also coincides with the inaugural of the 7th Administration constituted under the Government of National Unity (GNU), presenting an opportunity to align our goals with the new Administration's vision and priorities.

As a state entity, the Commission is mandated to develop a forward-looking strategic plan that spans five years. In formulating this plan, we draw guidance from the Medium-Term Development Plan, which was established under the auspices of the GNU. This plan outlines key delivery priorities that guide the development of our Strategic Plan.

This reflection and the development of our Strategic Plan are enriched by a substantial body of knowledge and expert advice from multiple independent performance reviews conducted recently.

These performance reviews include assessments conducted by the South African Human Rights Commission, the Department of Planning, Monitoring and Evaluation, National Treasury and the 2016 Agriculture and Land Reform Phakisa initiative.

More recently, the Commission has benefited from the

expertise of the High-level Panel, chaired by former President Kgalema Motlanthe and the Presidential Advisory Panel on Land Reform and Agriculture. We have been consistently reporting on the strategic interventions undertaken by the Commission in response to the review inputs and findings. These interventions have been designed to address the challenges and opportunities identified by the panels and to ensure that the Commission is well-positioned to achieve its mandate.

Underpinning all our interventions is the comprehensive turnaround strategy, known as Kuyasa, which the Commission has been implementing incrementally since 2018/19. To fully grasp our interventions, a brief recap of the key recurrent findings from the performance reviews is necessary.

The primary focus of the reviews and diagnostic reports was to identify the underlying causes of slow pace of settlement of old order land claims. A secondary aspect of the reviews examined the weaknesses in the post-settlement support, the Commission's role, and how best to position and structure this programme within the government.

In summary, the findings highlighted several challenges, including: internal operational issues, such as inadequate systems and policy standardisation, legislative inconsistencies that hindered programme resourcing and post-settlement support, which stretched the Commission's mandate and resources, therefore impacting claim settlement.

The reviews revealed that post-settlement support exceeds the Commission's mandate and strains its resources, thus impacting efficient settlement of claims. In line with the legislative framework and Commission on CRLR strategic plans, the processing and settlement of claims remains the Commission's primary responsibility.

STRATEGIC INTERVENTIONS GEARED TOWARDS EXPEDITING CLAIMS SETTLEMENTS

The Backlog Reduction Strategy is the Commission's primary intervention aimed at expediting the investigation and settlement of all outstanding claims. This strategy enables centralised monitoring and tracking of land claims throughout the business process. A critical component of this project management approach is the continuous updating of claim progress by provinces and district offices in the central tracking system.

As detailed in the subsequent section, this strategy has yielded significant results in reducing outstanding claims. To further enhance the accuracy and quality of the data entered into the Backlog Reduction database, the Commission provides ongoing training to claims researchers and other key officials responsible for updating the tracking system. It is also noteworthy that the introduction of LAMOSA 2, which requires regular reporting to the Land Court on claim settlement progress, improved performance in this area and has had a positive impact on subsequent Court reports.

As aforementioned, the Office of the OVG plays a crucial role in the valuation of properties which informs the compensation paid towards settlement of claims. The need for an efficient OVG as a critical conduit in the settlement of claims cannot be overstated. Improved collaboration between the OVG and the CRLR with the support of the department is commendable and is indeed paying off.

STRATEGIC INTERVENTIONS SUPPORTING SUSTAINABLE CLAIMS SETTLEMENT:

The National Development Plan (NDP) is a long-term action plan that aims to eliminate poverty and reduce inequality and unemployment by 2030.

The vision of the NDP for rural areas is to achieve spatial, social, and economic integration across all levels of governance (municipal, district, provincial and regional), enabling residents to benefit from economic growth, food security and jobs through agrarian transformation and infrastructure development.

Given that the NDP operates at a medium-term level, catalysed by the MTDP as adopted under the GNU, the Commission has aligned its outputs with the government's priorities as outlined in the MTDP.

The MTDP prioritise are:

- Strategic priority 1: Inclusive growth and job creation.
- Strategic priority 2: Reduce poverty and tackle the high cost of living.
- Strategic priority 3: A capable, ethical, and developmental state.

The Commission remains steadfast in its mandate to settle land claims, while also recognising the importance

of fostering sustainable restitution projects through collaboration with targeted sectoral stakeholders guided by the principles of cooperative governance.

Although there are challenges, we recognise that the provision of land and/or equitable redress offers a vital starting point, which can potentially serve as a catalyst for achieving Strategic Prioritise 1 and 2. In the context of land restoration, the State has an additional responsibility to ensure that land is utilised productively.

To achieve this, the Commission has developed three key interventions designed to optimise land use, drive job creation and alleviate poverty.

IMPROVED BUSINESS PROCESSES FACILITATING FORWARD PLANNING AND DEVELOPMENT

The Commission's Kuyasa subproject has led to the development of a claims process flow that facilitates upfront development planning before claim settlement. This approach allows targeted sectoral role players to contribute at critical stages in the claims processing value chain, providing support with development plans, feasibility studies and business plans. These stakeholders play a critical role in mapping sector-specific business models and defining post-settlement roles and responsibilities.

DEVELOPMENT OF SETTLEMENT MODELS

Building on the previous initiative, the Commission has been facilitating the development of sector-specific settlement models, tailoring solutions to meet the unique needs of each sector.

The Commission recognises that claims received impact diverse land uses. Given its limited expertise and funding to support business operations on these properties, the Commission identified a need to collaborate with sectors to discuss and develop sector-specific settlements models. A critical enquiry emerged: despite sharing the same land use, why do restitution projects yield disparate outcomes overtime, with some achieving success and others failing? Through collective examination, sector stakeholders identified key success factors specific to each sector. These factors could then be distilled into replicable sectoral settlement model.

To date, the Commission has successfully engaged various critical sectors relevant to outstanding claims, with consensus on preferred settlement model for each sector. Such intergovernmental and private sector collaboration offers remarkable benefits, particularly in leveraging funding and sharing expertise. This approach becomes even more essential, amidst budgetary limitations.

PERFORMANCE REVIEW

Despite facing formidable challenges over the past five years, including the devastating impact of the pandemic, the Commission has continued to meet its performance targets in respect of settlement and finalisation of claims. As at the formulation of this plan, the CRLR had 5 719 outstanding (old order) claims, which will serve as the baseline. The Commission is committed to settle the remaining old order claims within the shortest time possible, thereby fulfilling its LAMOSAs obligations and paving the way for government to address newly lodged claims.

However, the Commission's capacity to deliver on its objective will inevitably be subject to constraints imposed by available financial and human resources.

CONCLUDING REMARKS

The CRLR is appreciative of the support provided by the Minister in the formulation of this Strategic Plan and Annual Performance Plan and are assured of continued support and counsel during the implementation of this plan. My staff and I commit to redouble the effort, within the available means, to ensure that redress is speedily provided to all those in our society with outstanding land claims.



Chief Land Claims Commissioner

Ms Nomfundo Ntloko

OFFICIAL SIGN-OFF

It is hereby certified that this Strategic Plan:

- Was developed by the management of the Commission on Restitution of Land Rights (CRLR) under the guidance of Minister M Nyhontso.
- Considers all relevant policies, legislation and other mandates for which the CRLR is responsible.
- Accurately reflects the impact and outcomes which the CRLR will endeavour to achieve over the period 2025-2030.



Ms. NS Ntloko
Chief Land Claims Commissioner



Mr M Ramasodi:
Director-General:

Approved by:



Honourable Mr. M Nyhontso (MP)
Minister of Land Reform and Rural Development



Part A

OUR MANDATE

1. CONSTITUTIONAL MANDATE

Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)

The mandate for the South African land restitution programme is derived from Section 25(7) of the permanent Constitution (Act No. 108 of 1996), which states that a “person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress”.

2. LEGISLATIVE AND POLICY MANDATES

The Commission’s mandate.

The Commission on Restitution of Land Rights (CRLR) is established by Section 4 of the Restitution of Land Rights Act (Act No. 22 of 1994) as a statutory body to execute the mandate and vision outlined in Section 121 of the interim Constitution of 1993, which was later inscribed in Section 25(7) of the permanent constitution.

The Land Court Act 6 of 2023 establishes the Land Court (LanC), which has the responsibility to adjudicate on land claims that involve disputes that can neither be mediated nor recommended for settlement by the CRLR through the administrative process.

The long title of the Restitution Act is “to provide for the restitution of rights in land to persons or communities dispossessed of such rights after 19 June 1913 as a result of past racially discriminatory laws or practices; to establish a Commission on Restitution of Land Rights and a Land Court; and to provide for matters connected therewith”.

The Restitution of Land Rights Act of 1994, and specifically Section 6, sets out the functions of the Commission. These key functions are outlined below, as being to:

- **Receive:** Acknowledge receipt of all claims for the restitution of rights in land.
- **Assist:** Take reasonable steps to ensure that the claimants are assisted in the preparation and submission of claims.
- **Advise:** Provide claimants with information regarding the progress of their claims on a regular basis and upon request.
- **Investigate:** Undertake the necessary investigations to understand the merits of the claim.
- **Communicate:** Take appropriate steps to ensure that the public is aware as to who is entitled to claim restitution, the limitations and requirements of the Act, and the manner in which claims are to be lodged with the Commission.

- **Prioritise:** Prioritise claims that affect a substantial number of persons who have suffered substantial losses as a result of dispossession or persons with particularly pressing claims.

In terms of the Restitution Act, restitution can take various forms, including the restoration of rights in land, the provision of alternative state-owned land, the payment of financial compensation or the combination of these forms.

3. POLICY MANDATES

National Development Framework: Vision for 2030

The NDP is a long-term action plan that aims to eliminate poverty and reduce inequality and unemployment by 2030.

Land restitution forms part of land reform, which the NDP requires to be underpinned by the following key principles:

- Enabling land transfer without distorting the market.
- Ensuring sustainable production on transferred land.
- Monitoring land markets, relating land transfer targets with fiscal and economic realities.
- Creating opportunities for mentorship, supply chain integration, procurement and skills transfer.

The vision of the NDP for rural areas is to ensure that they are spatially, socially and economically well integrated across municipal, district, provincial and regional boundaries – where residents have economic growth, food security and jobs as a result of agrarian transformation and infrastructure development programmes, and have improved access to basic services, health care and quality education. By 2030, agriculture is envisioned to create close to one million new jobs, contributing significantly to reducing overall unemployment.

The outcomes captured in the abovementioned vision cut across mandates of various government sectors and spheres, hence the need for a coordinated and integrated approach to the planning and provision of services to rural communities.

The contribution of the CRLR to the NDP and the MTDP will relate particularly to “sustainable land reform and agrarian transformation”, which is set out in more detail in the strategic plan of the DLRRD.

The CRLR plays a key role in radical rural economy transformation. The primary focus of the CRLR is land restitution, which will contribute to ensuring the sustainable and rapid transfer of land to beneficiaries.

Medium-Term Development Plan (MTDP)

The 3 strategic priorities of the 7th Administration are:

- **Strategic Priority 1:** Inclusive growth and job creation.
- **Strategic Priority 2:** Reduce poverty and tackle the high cost of living.
- **Strategic Priority 3:** A capable, ethical and developmental state.

The CRLR's 2025-2030 Strategic Plan and Annual Performance Plan 2025-2026 is closely aligned with the MTDP's strategic priorities for the 7th Administration, ensuring that the Commission's efforts contribute to the broader goals of inclusive development, poverty reduction, and state capacity building.

In support of **Strategic Priority 1: inclusive growth and job creation**, the CRLR is committed to facilitating land restitution that enables previously disadvantaged communities to participate in sustainable agricultural and rural economic activities to foster opportunities for employment and entrepreneurial growth within these communities, helping to drive local economic development and bridge socio-economic gaps.

Strategic Priority 2: Reducing poverty and tackling the high cost of living, land restitution has the potential to uplift the economic status of claimants and alleviate poverty. By ensuring that land is restored with essential support services, the CRLR enables beneficiaries to leverage land as a productive asset, improving household income and reducing reliance on costly, urban-centred resources. In this way, the CRLR fulfils a critical role in empowering communities to achieve economic self-sufficiency and sustainable livelihoods.

Strategic Priority 3: A capable, ethical, and developmental state, the CRLR is dedicated to upholding high standards of governance, transparency, and accountability in its land reform processes. By fostering an ethical and client centred approach to restitution, the CRLR contributes to a developmental state that efficiently serves its citizens and reinforces trust in government services.

MEDIUM-TERM BUDGET POLICY STATEMENT

As expected, the 2024 MTBPS confirmed government's commitment to ongoing fiscal consolidation and debt stabilisation, albeit at a slower pace compared with the 2024 Budget. National Treasury announced that they will release a technical document on permanent measures to anchor fiscal policy in the 2025 Budget. Government's medium-term strategy aims to:

- Stabilise government debt by maintaining sufficiently large primary surpluses over the rest of the next 10 years.
- Prioritise a significant share of public spending towards capital projects to accelerate infrastructure investment.
- Protect critical services spending, particularly on social wages such as health, education, social protection, and community development to support the most vulnerable societies.
- Control the inflation of the public-service wage bill by ensuring fair compensation and cost containment.

A. Expenditure Prioritisation

Compared with the 2024 Budget, main budget non-interest expenditure increased by R10,4 billion in 2024/25. This is due to upwardly adjusted expenditure on rollovers, spending on troop deployment of the South African National Defence Force (SANDF) into the Democratic Republic of the Congo (DRC), SANRAL debt repayment to the Gauteng Freeway Improvement Project (GFIP), and spending related to the COVID-19 social relief of distress grant as announced in the 2024 Budget.

A projected main budget non-interest expenditure increases of R32,4 billion is expected over the next two years, in comparison with the 2024 Budget. This is the result of proposed increases of R11 billion over 2025/26 and 2026/27 for early retirement measures and R3,2 billion for the contribution from national government to repaying SANRAL GFIP debt in 2025/26. Additionally, R10,1 billion will be allocated to the provincial portion of SANRAL debt repayment to the GFIP and the maintenance backlog, while R3,5 billion is utilised for carry-through costs for the deployment of SANDF troops to the DRC. Relative to the 2024 Budget, the expenditure ceiling has increased by R16,8 billion per year in 2025/26 and 2026/27 because of debt repayments by SANRAL related to the GFIP and voluntary early retirement costs. The public sector wage bill remains a very large expenditure item, with unsustainable wage increases remaining a significant risk to the MTEF. Consequently, to contain public service wages, government is expected to reintroduce early retirement without costs, of which more detail will be provided in the 2025 Budget.

Debt service costs have been revised upwards by R6,7 billion compared with the 2024 Budget. For every R1 of government revenue raised in the financial year 2024/25, 22 cents need to be allocated to debt servicing costs. Government is focused on achieving a debt-stabilising primary budget surplus in 2024/25 and over the MTEF, which may result in a peak in debt service costs as a share of government revenue of 21,7% in 2025/26, declining thereafter.

B. Revenue

Compared with the 2024 Budget, gross tax revenue for 2024/25 has been revised downward by R22,3 billion. This is due to a combination of factors, including lower customs duty collections, lower fuel levy collections and an underperformance in personal income tax collections, despite the additional tax collection from the two-pot system (which averaged R7,4 billion according to SARS). A decreased demand for fuel and a significant once-off repayment of a diesel refund resulted in the contraction of fuel levy collections of R13,4 billion. More stable electricity supply conditions prompted lower imports of electricity-related equipment to decrease by R3 billion. Weaker than anticipated employment and wage growth in the private sector resulted in a decrease in expected personal income tax collections. The tax-to-GDP ratio is expected to remain at 24,7% in 2024/25, increasing to 24,8% by 2027/28.

C. Main Budget Framework

Given the outlook for revenue and expenditure, the main budget deficit is expected to narrow from 4,7% of GDP in 2024/25 (upwardly revised from 4,3% in the 2024 Budget) to 3,4% of GDP by 2027/28. For the consolidated budget, the deficit is expected to narrow from 5% of GDP in 2024/25 to 3,2% of GDP in 2027/28. The primary budget surplus is projected to grow over the medium term to support debt stabilization by the 2025/26 fiscal year.

D. Debt Stabilisation

Gross debt has grown at a faster pace than GDP and is projected to rise from R5,62 trillion in 2024/25 to R6,82 trillion in 2027/28. Gross debt as a share of GDP is expected to still stabilise in 2025/26, but at a higher level of 75,5% (compared with 75,3% in the 2024 Budget). This is due to fluctuations in inflation, interest and exchange rates. Recent interest rate decreases, and currency appreciation could not materially decrease debt-service costs. High debt service cost crowds out the share of the budget that can be spent on social and economic infrastructure.

E. Structural Reforms

The government-led initiative, Operation Vulindlela, which focuses on accelerating the implementation of structural reforms with a high impact on economic growth and job creation, have provided tangible proof of improved outcomes, particularly in the energy sector which unlocked R390 billion worth of investment.

F. Infrastructure Spending

The delivery of infrastructure projects is often hampered by a lack of coordination within the public sector, poor cooperation with the private sector and high borrowing costs. Over the

medium-term, government is providing an environment conducive for attracting private sector participation within public sector infrastructure. Starting in 2025/26, National Treasury will combine project preparation, transaction advice for Public-Private Partnership (PPP) projects and ringfenced financing from government borrowing in a single structure.

This approach will combine the efforts of the PPP office, the Capital Appraisal Unit in the Government Technical Advisory Centre, and the Infrastructure Fund located in the Development Bank of South Africa (DBSA). The consolidation of project preparation and financial structuring will likely result in these projects reaching financial close faster.

Allocations to the Infrastructure Fund amounts to R13,8 billion in 2024/25, R12,9 billion in 2025/26, R17,4 billion in 2026/27, R22,2 billion in 2027/28 and R23,5 billion in 2028/29. Total funds allocated to the Infrastructure Fund remain at R100 billion as announced in the 2019 MTBPS.

G. Implications for the CRLR

The 2024 Medium-Term Budget Policy Statement (MTBPS) presents a challenging fiscal landscape that will impact the CRLR. The MTBPS calls for re-evaluating expenditures to ensure alignment with priority outcomes and for savings to be made across departments. This shift includes adjustments to current spending baselines, meaning CRLR might need to reallocate funds from less essential programs to meet core service delivery needs.

1. The MTBPS emphasises fiscal consolidation, meaning there's a strong focus on controlling government expenditure and stabilising public debt. This push for tighter budgets implies that CRLR will likely need to work within reduced or stagnant budget allocations, necessitating even greater efficiency and cost-saving measures in its operations. CRLR may need to review and prioritise its programmes, focusing on those with the most significant impact on restitution and sustainable land use, while possibly delaying or restructuring other initiatives.
2. National Treasury has indicated a push towards optimising efficiency in government operations, particularly for departments and agencies central to service delivery. For CRLR, this may mean strengthening capacity and skills within the Commission to fast-track land restitution cases and adopt evidence-based practices in its budgeting and reporting. The anticipated requirement to demonstrate measurable outcomes from budget allocations could lead CRLR to streamline workflows and potentially leverage technology in managing restitution claims more effectively.
3. While economic growth is projected to be modest, there is optimism around reduced inflation and improved household spending power, which may gradually

enhance. CRLR could explore partnerships with private entities and non-governmental organisations to supplement funding, especially for projects that require significant capital investments, such as land purchase and community development post-restoration.

4. Risks such as inconsistent revenue, wage pressures and SOE financial liabilities continue to weigh on South Africa's fiscal landscape. This unstable environment suggests the need to remain adaptable and responsive to budgetary shifts for the CRLR. It may also require proactive engagement with Treasury and other stakeholders to secure consistent funding for critical restitution programs, especially those supporting communities in vulnerable regions.
5. The MTBPS reflects a commitment to socio-economic objectives that align with CRLR's goals, including poverty reduction and rural development through sustainable land use. CRLR could use this alignment to argue for the importance of its programs within the national development framework, emphasising how land restitution can drive economic empowerment and stability in rural areas.

RELEVANT COURT RULINGS

In 2014, the President signed the Restitution Amendment Act of 2014 (Act No. 15 of 2014) into law, allowing for the lodgement of new claims for a further period of five years. However, on 27 July 2016, the Constitutional Court declared the Restitution Amendment Act, 2014, unconstitutional on the grounds that Parliament failed to conduct proper consultation before the law was passed.

Consequently, the court further interdicted the CRLR from neither processing any new order land claims nor receiving new claims until the old order claims had been finalised or a new amendment law had been passed by Parliament.

Parliament was given 24 months from the date of the order to enact new legislation, while the newly lodged claims are held in abeyance.

A second judgment was handed down on 29 March 2019 (in what is also referred to as (LAMOSAS 2) after the Speaker of the National Assembly and the Chairperson of the National Council of Provinces (Parliament) – the applicants – had sought an extension to the 24 months given by the Constitutional Court in the 2016 court order. This LAMOSAS 2 judgment dismissed the application for an extension and further made provision for appropriate Land Court judicial oversight or the CRLR.

The Constitutional Court further prohibited the CRLR from processing any new order claims lodged between 1 July 2014 and 28 July 2016 until it has settled or referred to the LanC all claims lodged on or before 31 December 1998 (old order claims).

Further, in line with the judicial oversight ordered, the Chief Land Claims Commissioner (CLCC) was instructed to file a report with the LanC at six-month intervals from the date of this order, setting out the following:

- The number of outstanding old order claims.
- How the CRLR intends processing them, with an anticipated date of completion.
- An indication of the nature of any constraints, whether budgetary or otherwise, the CRLR is facing in meeting its anticipated completion date.

The CRLR has, to date, submitted three reports to the LanC in compliance with the requirements of LAMOSAS 2 with the latest report submitted on 19 November 2020. The extensive steps being taken by the CRLR in repositioning itself for improved performance and meeting the LAMOSAS 2 court order, as contained in the successive reports submitted to the LanC Judge President, are dealt with under Section 8(7) of this Strategic Plan.





Part B

OUR STRATEGIC FOCUS

PART B: OUR STRATEGIC FOCUS

VISION

An equitable and transparent Commission committed to restoring dignity through responsive and sustainable redress for those impacted by racially based land dispossessions, ensuring justice and integrity in every action and fostering satisfaction through fair, efficient, and viable solutions.

MISSION

To restore dignity and justice through the restitution of land rights, ensuring equitable redress for those affected by historical injustices. We aim to finalise settlements efficiently, restoring rightful ownership in a responsible and accountable manner through:

- **Redress** - Providing fair redress for individuals and communities affected by racially motivated land dispossession. We address historical injustices by ensuring claims are resolved equitably and in accordance with the Restitution of Land Rights Act of 1994.
- **Investigation** - We conduct in-depth research to uncover the truth behind each claim. Through investigation, we collect, analyse and verify information, ensuring that all claims are based on factual evidence and sound documentation.
- **Facilitating** - Our role extends beyond processing claims; we actively facilitate negotiations and mediations, fostering collaboration among stakeholders.
- **Finalisation** - Committed to timely justice, we strive to bring each claim to a conclusive resolution. By working diligently to finalise claims promptly, we honour the legacy of those impacted by land dispossession and provide closure to claimants.
- **Restoration** - Restitution is at the heart of our mission. We are dedicated to restoring land rights responsibly, re-establishing rightful ownership, and empowering communities to reclaim their heritage and livelihoods through secure, rightful possession.

VALUES

The CRLR upholds these values:

- We value and encourage diversity and will not discriminate against anyone.
- We uphold the rights of individuals as enshrined in the Constitution of the Republic of South Africa.
- We strive to be transparent, accountable and responsive in all the services we offer to claimants and other stakeholders in order to ensure equitable redress.
- We strive towards maintaining efficient service standards through improved business processes and a focus on ethical and professional operational principles.

We ensure that we have a dedicated, loyal, results-oriented, professional and people-focused workforce that is passionate, and is committed to serving the people of South Africa.



SITUATIONAL ANALYSIS

ENVIRONMENT ANALYSIS

1. Overview

The racial segregation of South Africa had a devastating socio-economic impact which adversely affected majority of the black population. This led to widespread loss of security of tenure, assets, productivity and markets. The impacts of dispossession also included deprivation and alienation from cultural, sentimental, spiritual and symbolic connections to the land. The economic and psychological scars of racial segregation remain today, and the land restitution programme is a critical step towards redress.

From the claims lodged by 31 December 1998, 83 348 have been settled as of 31 December 2024. A second lodgement period was introduced in 2014, initially scheduled to run from 1 July 2014 to 30 June 2019. However, this process was halted on 28 July 2016 following the Constitutional Court ruling that deemed the amendment legislation allowing the lodgement period unconstitutional. Consequently, the processing of over 163 000 already lodged claims was interdicted, and further claim submissions were prohibited.

The Constitutional Court's judgments in both LAMOSA 1 and LAMOSA 2 were primarily driven by two concerns: inadequate consultation processes and the large number of outstanding claims lodged prior the 31 December 1998.

The CRLR has a total of 5 719 old order claims as of 30 September 2024, all these claims need to be processed for settlement.

As at the end of 31 December 2024 in the 2024/25 financial year, the CRLR settled 79 claims to the value of R612 million. The household project budgetary allocation for the said year equated to R2,6 billion. For the 2025/26 financial year, the Commission aims to settle 281 claims. The provisional household budgetary allocation for the 25/26 financial year has decreased from R2,6 billion to R 2,4 billion, which does not adequately correlate with the outstanding claims to be settled as the monetary value for settling claims has increased. For example, the housing quantum that settles financial compensation claims for beneficial occupancy rights is dependent on the housing quantum which is determined annually by the Department of Human Settlement which may increase from R261 364.00, notwithstanding the CPI values for registered rights. Furthermore, land prices have also increased but the Commission's household budget has decreased. Taking cognisance of the depreciating value of the rand with the above factors, it would be prudent to align the settlement and finalisation targets with the allocated budget.

If one looks at the Backlog Reduction Strategy that is targeting the pre-1998 claims, one would see that the outstanding 5 719 claims as of 30 September 2024 would cost approximately R46 billion excluding the running costs of the Commission. It is

critical that there is sufficient funding for the actual process of land restitution which includes ring-fencing the Commission's budget, which is currently included in the budget of DRDLR.

The initial structure of the Commission comprises of 1 447 positions. The number of funded positions in line with the approved structure dated 11 December 2020 is 749 (this means the Commission is operating at 51%) with the total number of filled positions being 683 with 66 vacant positions.

According to the 11 December 2020 approved structure, this constitutes a vacancy rate of about 8,8% which is below the ideal vacancy rate of 10% as prescribed by National Treasury. However, this has been halted in lieu of the recent moratorium.

The budget allocation for each financial year has an impact on the number of claims to be settled and finalised.

2. Policy Environment

The functions of the Commission are to receive claims, investigate and recommend award, which includes an attempt to resolve land claims through negotiation and/or mediation, or otherwise refer the claims for adjudication to the Land Court. Section 20 of the Restitution Act states that "the Director-General of Land Affairs, which is today known as Department of Rural Development and Land Reform (DRDLR) is the accounting officer of the Commission," and that the estimates of expenditure in respect of each financial year shall, after being prepared by the Chief Land Claims Commissioner or an official contemplated in Section 8(1) and designated by the Chief Land Claims Commissioner, and submitted to the Director-General. The Commission reports directly to Parliament and indirectly to the Minister of Agriculture, Land Reform and Rural Development, although the Director-General (DG) remains the Accounting Officer in terms of the PFMA and the Restitution Act.

The department seconded its officials to the Commission to undertake duties related to programme 3, in accordance with Section 8 of the Restitution Act "the work incidental to the performance of the Commission by the officers appointed and seconded to the Commission is provisioned for by the Public Service Act, 1994 (Proclamation 103 of 1994)." By this, it means that the officials serving on programme 3 are subjected to the PSA and provided by in terms salary scales, terms of office, conditions of employment, disciplinary matters and others – as outlined in Section 15 (Transfer and secondment from and to public service) of the PSA.

In addition to the above, Section 21 of the Restitution Act stipulates that the CRLR must "annually, not later than the first day of June, submit to Parliament a report on all its activities during the previous year up to 31 March." This is also largely in line with the requirements of Section 40(1) and (3) of the PFMA. Chapter 18 Section 18.3.1(b) of Treasury Regulations and Chapter 6 of the framework issued by the National Treasury provides for reporting formats for, which the CRLR complies to when it comes to reporting against its predetermined objectives.

Section 1 of the PFMA defines a national public entity as a “national government business enterprise or board, Commission, company, corporation, fund or other entity (other than a national government business enterprise) established in terms of national legislation fully or substantially funded either from the National Revenue Fund or by way of a tax, levy or other money imposed in terms of national legislation; and is accountable to Parliament”. By this definition, the Commission of Restitution on Land Rights is recognised as a Public Entity.

Furthermore, the PMFA provides for the process for annual budgets applicable to non-business Public Entities, including the Commission, i.e., the CLCC, DLCC and RLCCs. For the Commission, the budgeting process is guided by Section 53 of the PFMA. In terms of budgeting, the Restitution branch is treated similarly to other departmental programmes, as per Section 40 of the PFMA, with the Minister as the executive authority. Following the Commission’s establishment as a Public Entity, a similar budgeting process will be adopted.

In addition to the budgeting issues, the Auditor-General of South Africa (AGSA), in its audit, found that the Commission is defined as an entity in terms of the Restitution Act and thus must report separately as an entity under Section 1 of the PFMA. This means that the CRLR must prepare separate financial statements in terms of Generally Recognised Accounting Practice (GRAP) for the period under review. Additional funding is required to accommodate functions such as supply chain management, human resource management, audit and risk management, and bookkeeping. In recent years, the Commission has required to generate separate audit reports the CLCC, DLCC and RLCCs, in addition to its own.

The current legislative framework and structure within the organisation have created an environment that restricts the CLCC decision-making authority and ability to execute its functions within the Commission. This limitation stems from the fact that external government entities control the Commission’s finances and human resources.

COMMISSION ON RESTITUTION OF LAND RIGHTS CURRENT OPERATIONAL POLICIES

Name of Policy	Aim/Purpose	Branch
Financial Compensation	To guide the implementation of settlement for financial compensation claims.	CRLR
Claimant Verification	To standardize the manner in which claimant verification is conducted in the Commission and the way restitution award is distributed amongst the direct descendants.	CRLR
Valuations and Negotiations	Aims to provide a standardised, efficient, and streamlined approach towards valuation and negotiations that helps to address the valuations backlog as well as establish clear roles and responsibilities of the Commission and the OVG.	CRLR
Monitoring of Payments	Aims to support the standardisation processes in the monitoring of payments and establish a practical and holistic approach that can be implemented across the office of the Commission on Restitution of Land Rights (CRLR).	CRLR
Options Workshop	Seeks to support the settlement of claims for restoration purposes by providing direction and guidance on salient and paramount issues during on-the-ground implementation of the settlement process.	CRLR
Payment of Minors	The policy seeks to ensure that the interest of the child is paramount and that the precepts of the Constitution and Children’s Act are adhered to.	CRLR
Quality Assurance	The policy will enable the commission to maintain consistent and transparent levels of service, while complying with the necessary legislative and regulatory requirements.	CRLR
Recreation of Missing Files	This policy is sought to ensure that the commission is acting in accordance with legislature that stipulates that public records must be classified and stored so that they are easily accessible, thereby facilitating transparency, accountability and democracy	CRLR
Settlement of Land Claims	To deal with the settlement of land claims through various available instruments and seeks to support the settlement of claims for restoration purposes by providing direction and guidance	CRLR

COMMISSION ON RESTITUTION OF LAND RIGHTS PLANNED OPERATIONAL POLICIES 2025-2030

Name of Policy	Aim/Purpose	Branch
Settled Claims Recon	To ensure accurate reconciliation of financial data, preventing discrepancies and ensuring the integrity of transactions in the claims process.	CRLR
Claims Database Maintenance & Data Management	To ensure the consistent accuracy, security, and reliability of data, supporting efficient claims processing and regulatory compliance.	CRLR
Grouping/ungrouping or consolidating / deconsolidating of claims	To ensure accurate aggregation and reporting while minimizing the risk of errors and discrepancies.	CRLR
PMO Execution	To ensure structured guidelines and best practices for managing and overseeing projects, ensuring consistent execution, alignment with strategic goals and effective use of resources	
(including target establishment – APP / Ops plans, etc.)	To ensure structured guidelines and best practices for managing and overseeing projects, ensuring consistent execution, alignment with strategic goals, and effective use of resources.	CRLR
Monitoring and Evaluation	To set clear standards for assessing performance, ensuring accountability, and improving the effectiveness of claims processing and outcomes.	CRLR

CONSOLIDATION OF RECOMMENDATIONS AND FINDINGS

Inter-Ministerial Committee on Land Reform

In 2018, President Cyril Ramaphosa established the Inter-Ministerial Committee on Land Reform (IMC). This committee provides political oversight on the implementation of Cabinet decisions on land reform and anti-poverty interventions. The decisions of the IMC impacted substantially on the operations of the CRLR, especially on a strategy to fast-track the settlement of outstanding claims lodged before December 1998, as well as the increased focus on the processing and transfer of state land to restitution beneficiaries.

Land Reform Panel Report

President Cyril Ramaphosa appointed the expert Presidential Advisory Panel on Land Reform and Agriculture in September 2018 to provide independent advice to the IMC.

The panel's mandate was to provide a unified policy perspective on land reform in respect of restitution, redistribution and tenure reform. The recommendations made by the panel build upon and reinforce findings of previous entities and panels, offering a consolidated and unified vision for land reform.

Moreover, these recommendations are crucial as they align with and complement Court's rulings in the LAMOSA 2 judgment, particularly the expedited settlement of old order claims. As such, they inform the CRLR's strategic repositioning aimed to improve performance – making it essential to reiterate here.

The CRLR should assume full responsibility for all restitution processes, up to and including the settlement of claims,

whether through Section 42D agreements or court order. The implementation of settlement agreements, including land acquisition and transfer, the establishment of legal entities, settlement planning and post-transfer land use support will all be the responsibility of the DLRRD.

Claim Prioritisation

To fulfil its mandate the CRLR must prioritise the settlement of old order claims submitted by the first deadline of 31 December 1998, as required by the Constitutional Court. Additionally, the CRLR will provide claimants with alternatives to opt for land redistribution or tenure security, streamlining the process and avoiding the burden of proving past dispossession. To achieve this, the following measures will be taken to strengthen the strengthen the Land Claims Commission's capacity:

- Appointing Regional Land Claims Commissioners.
- Convening a suitably skilled panel of researchers to review the database, and to screen and investigate claims.
- Stopping the amalgamation of claims and improving research and oversight.
- Allowing claimants to opt in or opt out of agreements and distinguish landholding entities like communal property associations (CPAs) from business entities operating on CPA land.

PESTEL ANALYSIS

Below are the identified external PESTEL elements impacting the CRLR, along with the respective impact level on the commission, rated on a scale from 1 to 5, with 5 indicating high impact and 1 indicating low impact.

PESTEL	Key Theme + Impact Level	
Political	• GNU	• 5
	• Change in Political Leadership	• 5
	• Corruption	• 5
	• Expropriation of Land	• 5
	• Political Instability	• 5
	• Conflicting Political Ideologies	• 5
	• World Conflict(s)	• 5
Economic	• Austerity measures	• 5
	• Land Price	• 5
	• Budget Costs (Cost Containment)	• 5
	• Rand depreciation	• 5
	• World economic crisis	• 5
	• Oil Price	• 1
Social	• Stakeholder Dispute	• 5
	• Land Invasion	• 5
	• Age of the Claimants	• 5
	• Land Disputes Ownership	• 5
	• Land Holding Equities	• 5
	• Crime	• 5
	• General Inequality	• 5
	• Poverty	• 5
	• Unemployment	• 5
	• Social Unrest	• 5
Technological	• Network Connectivity	• 5
	• Access to Data	• 5
	• Lack of Systems	• 5
	• Expense of Systems	• 5
	• Access to Technology	• 5
	• Lack of Integrated Information management system	• 5
	• Knowledge and Expertise	• 5
	• Digital vs Paper Based and Lack of Info	• 5
	• Skills Transfer of Systems	• 5
	• Cyber Security	• 5
	• Technology Age	• 5
	• Use of Robots and AI	• 5
	• Need of Power	• 5

Environmental	• Climate Change (post settlement)	• 3
	• Accessibility to the Land	• 4
	• Lack of Office Space	• 4
	• Autonomy	• 4
	• Occupational Health Standards of Current Office Building	• 5
	• Lack of Skilled Staff	• 5
	• Budgetary Constraints on Filling Posts	• 5
	• Audit Outcome (i.e., National Treasury)	• 5
	• Volatile (situation regarding claims)	• 5
Legal	• Slow Litigation	• 5
	• Length of Time to Settle Claim	• 5
	• Inexperience Attorneys	• 5
	• Poor Research	• 5
	• Legal Aid Board	• 5
	• Lack of Automated Record Keeping Systems	• 5
	• New Legislation to Handle All New Claims	• 5
	• Lack of Legislation to Handle New Claims	• 5
	• Challenges with the State Attorney's Office	• 5
	• Lack of Legal Libraries	• 5
		• 5
	• 5	

SWOT ANALYSIS

The SWOT analysis serves as a strategic evaluation tool, enabling the Commission on Restitution of Land Rights (CRLR) to align its internal capabilities with external opportunities and navigate potential challenges. The key objective was analysed to identify its strengths, weaknesses, opportunities, and threats, laying the foundation for actionable strategies to drive success. Below is a detailed breakdown of the analysis for each of the key objective:

Land Rights restored (settled and finalised)

Strategic Objective	Strengths	Weaknesses
1. Land rights restored (settled and finalised)	<ul style="list-style-type: none"> Research unit Standardised operating procedures Policies in place Experienced project offices Good governance framework Budget allocation for the mandate 	<ul style="list-style-type: none"> Not fully implemented SOPS Time it takes to settle the claims Quality of research Ability to keep the records and the IT environment Focus of post settlement and disputes Legal disputes Inadequate workforce Lack of CPA
	Opportunities <ul style="list-style-type: none"> Land Act Focus on the GNU Lack of standardised of systems and procedures Trendsetters Technology as a driver Creation of black farmers – economic transformation Poverty alleviation in rural areas OVG New order claims 	Threats <ul style="list-style-type: none"> Economic situation Aging workforce Land prices are high Desegregated beneficiaries Land Act has removed the certain elements of the chapter. Legal entities Mandate scope creep Unverified Claims Verification and fraud, corruption Potential budget cuts Lack of standardisation of systems and procedures Non-compliance with the occupational safety (working conditions) Lack of structure and post settlements Rejection of offers by landowners Potential expropriation Lack of view of impact Tribal authorities, municipal authorities and other organisations CPAs Land invasions

1.5 KEY STAKEHOLDERS

In delivering on its Mandate, Policies, Objectives, etc., the CRLR is highly reliant on Key Stakeholders in delivering on its key strategic objectives/land rights restored. The stakeholders include:

Key Stakeholder	Role of Stakeholder	Area of Collaboration
Claimants/Community	Lodge the land claims for Restitution of Land Rights.	Restitution Beneficiaries
Portfolio Committee/Select Committee	Oversight	Mandate of the CRLR
Department of Rural Development and Land Reform (DLRRD)	Settlement of Claims and Post Settlement Support.	Settlement and Post Settlement Development
Land Court (LanC)	Adjudicate claims which cannot be resolved through negotiations or mediation.	Adjudication of claims
Other government departments	Provide sectoral support in the settlement of claims and releasing of state properties under claim. Provide archival documents for settlement process. Provide Court Orders on evicted claimants. Provide proclamation documents/information.	Sector specific claims State Properties Financial Model Historical information
Office of the Valuer-General (OVG)	Conduct valuations on claimed properties to determine the historical value at the time of dispossession.	Valuations

Key Stakeholder	Role of Stakeholder	Area of Collaboration
Chief Surveyor-General (CSG)	Validation and settlement of claims through research.	Research and Validation
Deeds Office	Register land parcels on behalf of claimants and the State.	Property registration, issuing of title deeds and land transfer record
Legal Aid South Africa (LASA)	Adjudicate on referral matters from CRLR to LanC.	Legal representation and Mediation
Non-governmental organisations, Non-Profit organisations, Civil Society organisations and Private Sector	Policy development and implementation.	Advisory role
Banking Association South Africa (BASA)	Advisory role on financial strategies.	Financial model
Sector Specific stakeholders	Providing sectoral support in the settlement of claims and releasing of state properties under claim.	Sector specific claims Private Properties Financial Model
Labour Union	Maintaining a stable work force.	Labour Relations

STRATEGIC FOCUS AREAS OF THE CRLR

The CRLR has one (1) overarching strategic focus area:

1. **Land Rights restored** (settled and finalised)

The CRLR also strategically focuses on the three main priority areas for the Government of National Unity.

- Strategic Priority 1: Inclusive growth and job creation.
- Strategic Priority 2: Reducing poverty and tackling the high cost of living.
- Strategic Priority 3: A capable, ethical, and developmental state.

SERVICE DELIVERY PERFORMANCE

As of 31 December 2024, **83 348** land claims have been settled. The settlement of these claims has resulted in the award of **3 897 495** hectares of land to beneficiaries at a cost of R26 billion. These settlements also approved financial compensation of R26 billion to claimants. The restitution programme has benefited **2 386 058** individual beneficiaries who are members of 466 568 households. Of those, **180 354** are female-headed households and **1 275** are persons living with disability.

Section 42C of the Restitution Act provides for the Minister to allocate development grants to the beneficiaries **who have received land. To date, R5 393 054 703 has been allocated towards these grants over time.**

** Due to the number of rights lost and claim forms lodged being used interchangeably, the settled figure is 83 348*

FINANCIAL PERFORMANCE

The CRLR has spent more than R17 billion out of its household budget for and purchase and financial compensation over the past seven financial years. The split between the amounts paid towards land purchases vis-à-vis the payment of financial compensation is illustrated in Table 2. The amount paid towards land purchases (29%) is less than the amount paid in financial compensation (63%). Development grants amounted to R1,7 billion, which is 8% of the expenditure.

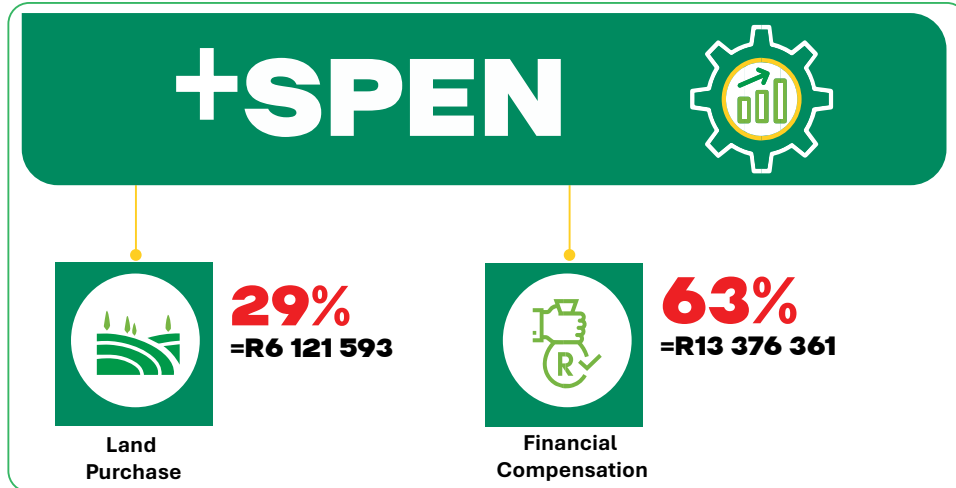


Table 2: Expenditure on Land Purchases and Financial Compensation Since 2017/18

FINANCIAL YEAR (R'000)	FINANCIAL COMPENSATION (R'000)	LAND PURCHASE (R'000)	GRANTS (R'000)	TOTAL (R'000)
2017/18	1,589,812	762,271	165,730	2,517,813
2018/19	1,901,678	373,776	388,755	2,664,208
2019/20	1,221,870	1,519,596	317,638	3,059,103
2020/21	1,241,382	815,616	201,515	2,258,513
2021/22	1,691,743	558,790	397,032	2,647,564
2022/23	1,960,745	1,243,710	47,523	3,251,978
2023/24	2,605,539	365,489	190,141	3,161,169
2024/25 (as at 31 Dec 2024)	1,163,592	482,345	9	1,645,946
TOTAL	13,376,361	6,121,593	1,708,343	21,206,297

Table 3: Expenditure vs Budget as of March 2024

LRS OFFICE	ADJUSTED BUDGET (R'000)	EXPENDITURE (R'000)	AVAILABLE BUDGET/ VARIANCE (R'000)	% SPENT
LRS: Eastern Cape	566,758	277,584	289,173	49%
LRS: Free Sate	2,012	989	1,022	49%
LRS: Gauteng	32,284	25,787	6,496	80%
LRS: KwaZulu Natal	795,672	390,292	405,379	49%
LRS: Limpopo	522,359	375,740	146,618	72%
LRS: Mpumalanga	331,016	135,890	195,125	41%
LRS: North-West	296,966	405,898	-108,932	136%
LRS: Northern Cape	82,350	18,666	63,683	22%
LRS: Western Cape	64,001	15,097	48,983	23%
TOTAL	2,693,498	1 645,946	1,047,551	61%

SERVICE DELIVERY CHALLENGES

Since the Restitution of Land Rights Act came into effect, notable progress has been made in achieving the programme’s core objectives. Despite this progress, the CRLR faces several ongoing challenges, including the following:

- Slow pace of processing, settling and finalisation of claims.
- Overreliance on financial compensation instead of land restoration.
- Inadequate post-settlement support and failure to integrate restitution with broader development initiatives.
- Difficulties in reconstituting communities and addressing issues faced by community property institutions.
- Insufficient institutional capacity, planning, control and business information systems, exacerbated by underfunding.
- Ineffective coordination with tribal authorities, municipal authorities and other organisations, including CPAs.
- Lack of financial and human resources.
- Protracted duration of settling legal disputes.

ORGANISATIONAL ENVIRONMENT

This section provides progress that has been made by the Commission in meeting the recommendations made by various entities, including the Presidential Advisory Panel on Land Reform and Agriculture, which assessed the restitution programme’s performance. This information includes the progress made in relation to the land claims settlement milestones as per the LAMOSA 2 requirements.

In 2019, the CRLR started a business improvement project, called Project Kuyasa. “Kuyasa” is the isiZulu phrase for “the sun is rising”. This project seeks to transform the CRLR into a highly effective organisation with quicker turnaround times, optimised processes, effective systems, efficient offices and improved customer service.

The objectives of Project Kuyasa are as follows:

- Backlog claims reduction strategy.
- Business processes and systems improvement.
- The development of improved financial and settlement models.
- The determination of an appropriate organisational form with autonomy.
- The development of an organisational structure design to support the redesigned process, based on the new operating model.
- People and change management strategy.

Based on the objectives defined above, the following projects were identified:



PROJECT 1: BACKLOG CLAIMS REDUCTION

The aim of this project is to develop a backlog reduction strategy and pilot the approach in preparation for implementation. This project is intended to address the two key issues of defining and categorising the current backlog and developing a strategy and plan to eliminate the backlog. All provincial offices have performed a complete and comprehensive assessment of each outstanding claim, the properties under these claims, the location of the claims and other attribute data.

Over and above the strategy, a detailed management reporting tool has been developed to improve reporting accuracy and track progress. The objective of this tool is to give real-time feedback to the Commission's management and key stakeholders on the current claims' status, as well as the challenges identified.

The tool is intended to monitor and track the settlement of claims by identifying challenges and blockages and dealing with these timeously. It will also assist managers to ensure and adhere to the targets set and to timeously come up with intervention strategies where necessary. This is augmented by a monitoring and evaluation framework with the following key objectives:

- Constant information and data flow.
- Accurate, quality and on-time data submissions.
- Clearly defined ownership and accountability governance channels.

An external verification and audit process is underway, which is intended to ensure data integrity and reporting of the information in the project files.



PROJECT 2: BUSINESS PROCESS IMPROVEMENT

This project has armed the CRLR with improved business processes to be more effective and efficient in-service delivery and the processing of land claims. A key outcome of this project is the business process redesign and aligned policies and standard operating procedures.

The current land restitution claims process and other key enabling processes was analysed to recommend and design the "to-be business processes". This included the identification of key enablers (people, facilities and governance) and the development of an implementation plan.

In summary, the "to-be" process design is expected to deliver specific benefits that are legally compliant and standardised. A key benefit is reduced turnaround times, as follows: The redesigned business process has indicated a potential to drastically reduce the time it takes to process a claim towards settlement from 242 weeks to 63 weeks.

Improved guidelines, policies and standard operating procedures:

Project Kuyasa has further identified the gaps that exist regarding policies in the CRLR and has produced policies and standard operating procedures that would support the proposed reengineered business process to fast-track the settlement of claims.



PRO PROJECT 3: FINANCIAL MODEL

The intention of this project is to provide support in developing enhanced compensation models for the land restitution process and to develop an optimal strategic model for financial compensation awards, given the variable and predetermined parameters.



PROJECT 4: SETTLEMENT MODEL

The intention of this project is to enhance the processing and settlement of land claims in a manner that is fair, qualitative, comprehensive and inclusive.

Various claims on mining, sugar cane production and forestry or conservation land require the involvement of multiple sector stakeholders during negotiations on the framing of settlement models that would benefit the claimants and for sustainability.

The work being done by Project Kuyasa also focuses sector-specific engagements to develop settlement models that incorporate accurate planning, strategies and impact assessments. Various workshops and consultative meetings were held with sector stakeholders for even more effective, sustainable and successful projects.

The above process will also ensure that post-settlement support is addressed during the processing of the claims and stakeholders are brought on board early in the process.



PROJECT 5: ORGANISATIONAL FORM

The overall objective of this project is to identify the optimal operating model to deliver services to the client, while identifying the resources required to most effectively deliver these services.

This project will determine the appropriate business model for the CRLR by analysing various options, developing a business case for the selected option and supporting the CRLR through the process of approving the selected option



PROJECT 6: PEOPLE MANAGEMENT

The intention of this project is to develop an organisational structure that is best suited for the new CRLR, which is aligned to the “to-be” vision, and which will optimise service delivery. The project is expected to deliver an effective and efficient best-fit organisational structure, which will facilitate the delivery of the CRLR’s mandate, with a priority focus on improving service delivery.

The development of an organisational structure that is linked to the appropriate organisational form will be accompanied by a skills development report and a transition plan, which will result from the project’s analytical activities.



PROJECT 7: CHANGE MANAGEMENT

The intention of this project is to manage the effects of change faced by the CRLR in its turnaround transition. The key is to ensure that change is systematically and smoothly implemented to achieve the lasting benefits of change and give both internal and external stakeholders a level of comfort regarding the changes that are coming.

It is imperative to create awareness of the need for change (for the organisation and for individuals) and to understand the impact, risk and readiness for change, while initiating a capacity-building journey in key leaders. A change and stakeholder management plan were prepared, and internal and external stakeholder questionnaires have been completed.

Over the last 5 Years, there has been significant progress on all 6 Projects.

(Note: Project 5 is the only project that requires finalisation/ completing)

PROJECT 1 : BACKLOG REDUCTION STRATEGY			
Deliverable No	Deliverable	Revised Target Completion Date	Progress
1.1	Terms of Reference for CRLR to use in determining and underwritten baseline for all outstanding cases.	24/04/2019	Completed
1.2	Verified list of backlog claims	24/05/2019	Completed
1.3a	Draft backlog reduction Strategy & Plan	26/08/2019	Completed
1.3b	Finalised Backlog reduction Strategy & Plan	11/11/2019	Completed
1.4a	Draft reporting and Tracking tools	28/06/2019	Completed
1.4b	Finalised Reporting and tracking tools	11/11/2019	Completed
1.5	Pilot Phase monthly reports (Deliverables 1.1.5.1 to 1.1.5.5) <ul style="list-style-type: none"> 1st & 2nd Report Complete and Presented at Commission Management forums (and Updated thereafter) 3rd Report Completed and in Review stage Sign off by 23rd Oct 4th and 5th Reports (every 2 weeks) End November 	05/07/2019	Completed
1.6	Processess & Implementation Plan	20/11/2019	Completed
1.7	Technical Task Team Terms of Reference	27/11/2019	Completed
1.8	Monthly Reporting and Monitoring of Outstanding Backlog Statistics for 3 Months (Deliverables 1.1.8.1 to 1.1.8.3)	03/12/2021	Completed

PROJECT 1 : BACKLOG REDUCTION STRATEGY		
Deliverable No	Deliverable	Progress
1.1.1	Terms of Reference for CRLR to use in determining an underwritten baseline for all outstanding cases	Completed
1.1.2	Verified List of Backlog Claims	Completed
1.1.3a	Draft backlog reduction strategy & Plan	Completed
1.1.3b	Finalised backlog reduction strategy & Plan	Completed
1.1.4a	Draft reporting and tracking tools	Completed
1.1.4b	Finalised reporting and tracking tools	Completed
1.1.5	Pilot Phase Monthly reports <ul style="list-style-type: none"> 1st & 2nd Report Complete and presented at commission Management Forums (and updated thereafter) 3rd Report completed and in review stage sign off by 23rd Oct 4th and 5th Reports (every 2 weeks) (end November) 	Completed
1.1.6	Processess & Implementation plan	Completed
1.1.7	Technical task team Terms of Reference	Completed
1.1.8	Monthly Reporting and Monitoring of Outstanding backlog statistics for 3 months	Completed

PROJECT 2 : BUSINESS PROCESS IMPROVEMENT

Deliverable No	Deliverables	Revised Target Completion Date	Progress
2.1	Prioritized list of Processes	15/05/2019	Completed
2.2	As – is processes and opportunities for improvement	15/05/2019	Completed
2.3a	To – Be process Map: Level 1 and Level 2 (Adopted by the branch members)	25/11/2019	Completed
2.3b	To – Be process Map: Level 3 (Detailed business processes of the level 1&2)	21/02/2020	Completed
2.4a	Amended SOP's linked to the new process	20/03/2021	Completed
2.5	Implementation plan for the SOP's and Policies	12/11/2021	Completed
2.6	Implementation of amended SOP's	30/11/2021	Completed
2.7	Reporting and Tracking tool	22/01/2022	Completed
2.8	Skills Transfer	15/03/2022	Completed

PROJECT 3 : FINANCIAL MODELS

Deliverable No	Deliverables	Revised Target Completion Date	Progress
3.1	Literature Review	10/05/2019	Completed
3.2	Baseline Assessment	10/05/2019	Completed
3.3	Draft financial compensation award models	28/02/2021	Completed
3.4	Developed Scenarios	31/03/2022	Completed
3.5	Economic Impact assessment (EIA) & Cost benefit analysis (CBA)	31/03/2022	Completed
3.6	Sensitivity Assessment & Risk mitigation strategy	31/03/2022	Completed
3.7	Financial Compensation award models pilot report	31/03/2022	Completed
3.8	Financial compensation award models (1 per sector)	31/03/2022	Completed
3.9	Financial Compensation policy	31/03/2022	Completed

PROJECT 4 :SETTLEMENT MODELS			
Deliverable No	Deliverables	Revised Target Completion Date	Progress
4.1	Literature Review	10/05/2019	Completed
4.2	Baseline Assessment	10/05/2019	Completed
4.3	Draft Settlement models per sector	28/02/2019	Completed
4.4	Developed Scenarios	31/03/2022	Completed
4.5	Economic impact Assessment (EIA) & Cost Benefit Analysis (CBA)	31/03/2022	Completed
4.6	Sensitivity Assessment & Risk mitigation Strategy	31/03/2022	Completed
4.7	Settlement Model pilot report	31/03/2022	Completed
4.8	Financial Settlement Models	31/03/2022	Completed

PROJECT 5 : ORGANISATIONAL FORM			
Deliverable No	Deliverables	Revised Target Completion Date	Progress
5.1	As – is Report	23/04/2019	Completed
5.2	Draft business case for Organizational form options	20/04/2019	Completed
5.3	Implementation plan to take the business case through the approval stage for the selected option	21/08/2019	Completed
5.4	Detailed business Case for SSDU	31/10/2019	Completed
5.5	To-be Organizational Form presentation and a workshop to get consensus on the selection (to decide on PE vs GC)	31/01/2022	Completed
5.6	Detailed Business Case for GCPE	28/11/2019	Completed
5.7	Support During the approval process (Supports during the engagements required for approval process)	31/01/2022	Completed
5.8	Updated organization form report (after approval)	31/01/2022	Completed although still waiting for feedback from National Treasury on Business Case.
Current Progress	<ul style="list-style-type: none"> Drafting and updating the legislative amendments for the Restitution Act. Processing bill through the cluster process put on hold Awaiting instruction following DG members Feedback from National Treasury on the Business has still not been received 		

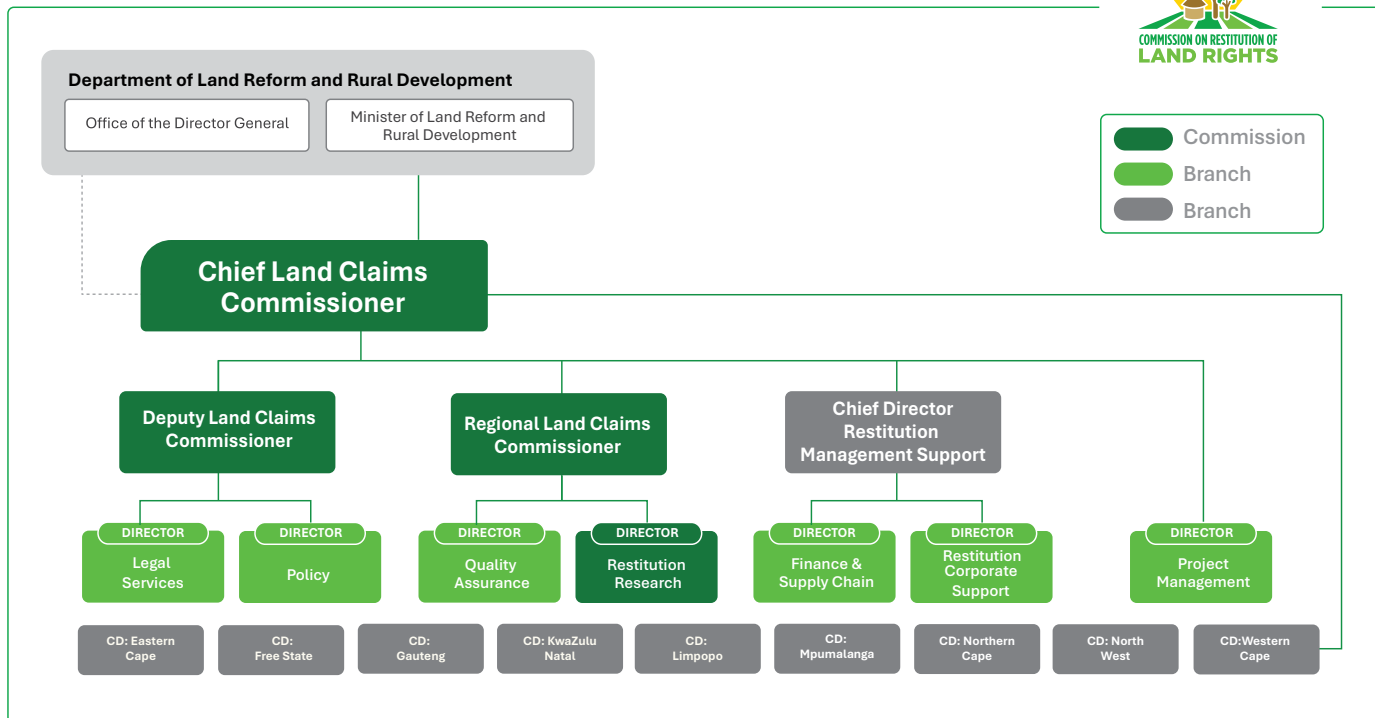
PROJECT 6 : PEOPLE MANAGEMENT			
Deliverable No	Deliverables	Revised Target Completion Date	Progress
6.1	As – Is Analysis	28/06/2019	Completed
6.2	Best Practice and Gap Analysis Report	19/07/2019	Completed
6.3	To-be Functional Design	16/06/2019	Completed
6.4	To-be Organizational Design: RLCC vs CD (10%)	27/09/2019	Completed
6.5	To-be Organizational Design: Informed by Organisational form 3.1 3C (10%)	27/09/2019	Completed
6.6	Finalised Organisational Structure (10%)	11/03/2022	Completed
6.7	Job Description for new and amended roles: Informed by Organisational Form 3.1 3C (10%)	11/03/2022	Completed
6.8	Job Descriptions for new and amended roles: informed by Organisational form 3.1 .3C (10%)	11/03/2022	Completed
6.9	Finalised Job Description for new and amended roles (Deputy Director level and above (10%)	11/03/2022	Completed
6.10	Reviewed skill	05/12/2021	Completed
6.11	Transition Plan	15/09/2020	Completed

PROJECT 7 : CHANGE MANAGEMENT & COMMUNICATION			
Deliverable No	DELIVERABLES	Revised Target Completion Date	Progress
7.1	Change impact, readiness & risk assessment plan (Based on surveys)	15/05/2019	Completed
7.2	Change management & Stakeholder engagement plan	25/02/202	Completed
7.3	Change leaders engagement session	18/03/2020	Completed
7.4	EXCO Change management teams sessions	27/05/2021	Completed
7.5	Change leaders capacity building session (#1)	30/04/2020	Completed
7.6	Change leaders capacity building session (#2)	28/05/2020	Completed
7.7	Directors Change Management Team session	21/10/2021	Completed
7.8	A Training team plan for the new processes and systems	14/02/2022	Completed

INSTITUTIONAL AND ORGANISATION STRUCTURE OF THE CRLR

The structure as illustrated in Figure 1 is the current de facto organogram and reporting structure. Within the National Office, the Regional Lands Claim Commissioner (RLCC), Deputy Land Claims Commissioner (DLCC), Director: Restitution Management Support (CD: RMS) and nine Provincial Chief Directors reporting to the Chief Land Claims Commissioner (CLCC), whilst also interacting with the National Office Officials.

Figure 1: Institutional and Organisational Structure of the CRLR



RESOURCE CONSIDERATIONS

Expenditure Trends and Projections

The figure below indicates how the CRLR’s budget has progressively decreased over the past seven years since 2017/18. The indicative budget for 2024/25 also shows a decline. However, over the MTEF, the indicative budget increases to provide operational budget, dealing with service delivery and performance in support of the settlement and finalisation of claims.

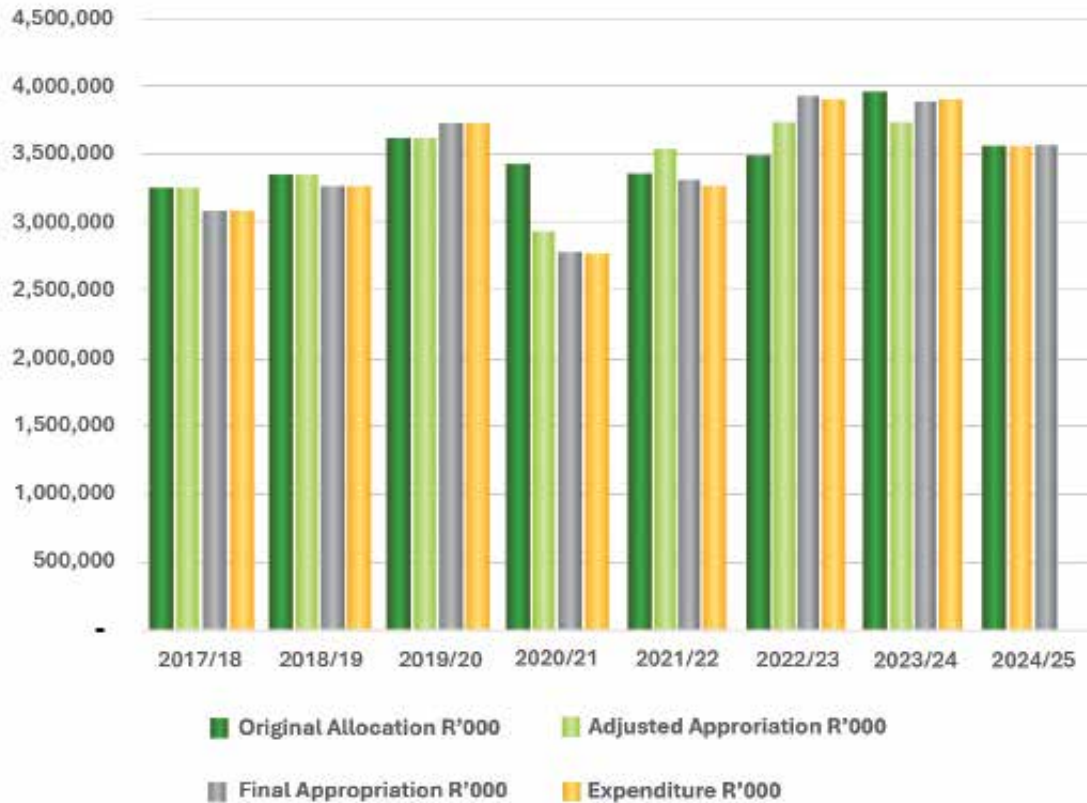


Figure: Budget trends

HUMAN RESOURCES

Achievements:

Notable progress has been made in enhancing human capital. All 59 priority positions for levels 1-12, approved for filling have been successfully occupied.

In addition, a cumulative total of 66 positions were filled. However, the recruitment process for 28 advertised positions was halted due to a moratorium imposed on 21 of October 2023. Furthermore, budget constraints led to 43 positions have been frozen while a further 26 posts became vacant following the moratorium, necessitating the reallocation of Compensation of Employees budget.

The recruitment and Selection process for Senior Management Service (SMS) is centralised at Restitution National Office. Initially, 4 vacant SMS positions were prioritised and successfully filled. Cumulatively, 4 SMS positions became vacant and were not filled due to the moratorium on filling of vacant posts, specifically: CD: LRS FS, CD: LRS KZN, Director: QA NC and Director: QA EC.

In addition three officials (two at Middle Management, and one at Junior Management) were appointed under National Research Unit.

Challenges and Remedial Action:

The Department of Land Reform and Rural Development implemented cost containment measures, as per the Department of Public Service Administration's directive to ensure fiscal sustainability while filling critical vacant positions. A moratorium was placed on filling of vacant positions, prompting a re-prioritisation of positions. These will be presented to an oversight committee for approval considering the available Compensation of Employees budget and service delivery requirements. The Commission is focusing on core business and critical support functions, such as legal services, policy, and finance to ensure effective operations.

Age Distribution and People with Disabilities

The average age of all staff members is above 35 years. The average age of SMS members is slightly higher at 49 years. The age composition is therefore relatively young, considering the high number of skilled and highly skilled staff members. There are 16 staff members with disabilities, which constitutes 2,3% of the total establishment.

Employment Equity

The total staff complement is 680. The representation of males at Senior Management level is 26 against 11 females. At levels 12 and below, the representation of females is 372 against 271 males.

Total Number of Commission Staff is 11 as indicated below:

Number	Title
1	CLCC
2	DLCC
3	RLCC
4	D Research
5	DD Research
6	DD Policy Research
7	ASD Research
8	ASD Admin
9	Office Assistant (RLC)
10	Senior Administration Officer
11	Office Assistant (CLCC)

Total Number of Branch Staff

669 including Commission Staff.

Comparison

Initial approved posts on version 2,9 structure (before merger), were 1 459.

Following the merger of the two departments in 2020, a new organisational structure was designed based on headcount.

Approved Posts	749 including Commission staff.
Headcount	680
Frozen and Vacant	69



Part C

MEASURING OUR PERFORMANCE

PART C: MEASURING OUR PERFORMANCE

INSTITUTIONAL PERFORMANCE INFORMATION

As mentioned earlier, the CRLR was established to receive, investigate, and make recommendations (based on negotiations and mediation) for restitution to individuals and communities who were dispossessed of their land rights after 19 June 1913, as a result of past racially discriminatory laws and practices. This applies to claims lodged on or before 31 December 1998. If a claim cannot be resolved through negotiation or mediation, it is referred to the LanC for adjudication.

Reflecting on the years since the Restitution Act was passed, it is clear that the restitution programme needs a major overhaul to improve its delivery pace and effectiveness. This is clearly supported by the studies and evaluations done and highlighted above.

The CRLR is committed to achieving its mandate in alignment with key national, provincial, and municipal plans and policies. To this end, the CRLR will contribute to the realisation of the NDP, NDP Five-Year Implementation Plan, the MTSF and prioritisation of women, children, youth and people with disabilities, as well as the district development model priorities. To effectively deliver on its mandate, the CRLR will focus its efforts on strategic activities to achieve the following meaningful impact and outcomes.

Explanation of Planned Performance over the Five-year Planning Period

Related Priority Area

The outcome is aligned with the MTDP priority area of Spatial Integration, Human Settlements and Local Government. This priority emphasises rapid land and agrarian reform that contributes to reduced asset inequality, the equitable distribution of land and food security.

Key initiatives include the following:

- Land acquired for redistribution, restitution, and tenure reform.
- Land reform projects provided with post-settlement support.

Redress and equitable access to land is aimed at achieving equitable access to land. Land distributed to victims of racially motivated land dispossession allows them to effectively participate in land utilisation for agricultural, housing or commercial use.

Improved governance and service excellence are integral to the priority of creating a capable, ethical, and developmental state. It shows DLRRD's willingness to create a capable governance structure, built on principles of high ethical standards. A well-run government will influence all the areas of DLRRD's impact

statement. When governance is improved, and corruption reduced, the organisation will be well positioned to achieve the impact it wants to see.

Innovation in service delivery, robust internal controls and full compliance with policies will enable the organisation to achieve its five-year targets. This will be supported by effective change management, capability development and the cultivation of a high-performance culture. Skills development in the organisation will be aligned with business needs to ensure successful strategy execution. A set of 22 initiatives has been identified to ensure that the five-year targets and outcomes can be achieved. Each of these have been projectised and linked to the six outcomes as indicated above. The initiatives often impact on more than one outcome, which is indicated in the tables as primary or secondary linkages.



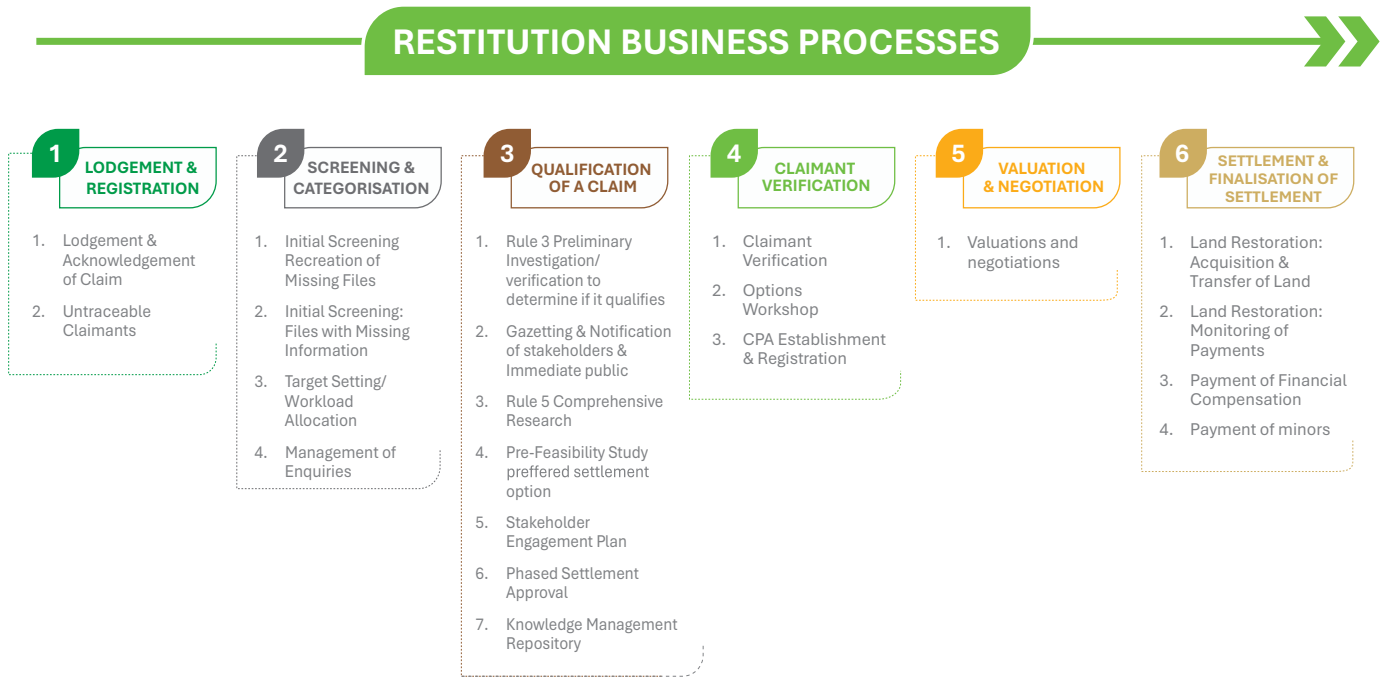
IMPACT STATEMENT

Impact statement

Dignity Restored through Restitution

The main function of the CRLR is to settle and finalise claims lodged by 31 December 1998. Cognisant of the steps, as per Figure 1 followed towards the settlement and finalisation of claims, the strategic objective identified is **Land rights restored**, underscored by the Restitution of Land Rights Acts as amended, 1994.

Figure 1: Process and Subprocesses for Restitution



MEASURING OUR OUTCOMES

CRLR's performance using objectives, with the corresponding output indicators outlined in the table below.

- **Land Rights restored** (settled and finalised)

Strategic Outcome	Output	Outcome Indicator	Baseline	5 Year Target
1. Land rights restored (settled and finalised)	1.1. Land Claims Settlements and / or finalised	1.1.1. Number (%) of land claims settled	5719	1587 (28% reduction)
		1.1.2. Number (%) of land claims finalised	5719	1501 (26% reduction)

STRATEGIC ENDEAVOURS FOR 2025 TO 2030

The CRLR is acutely aware of addressing certain issues key to the strategic function of the CRLR and its contribution to the 2030 National Development Plan. A key focus area is the notion of “equitable redress” to families and communities dispossessed of their land rights under apartheid spatial planning policies. In this regard, four strategic endeavours were identified that would be addressed over the next five-year period. They are:

- **Post -settlement support**
The CRLR in collaboration with other strategic role-players will consider an approach that deals with post-settlement support. Land which is restored without any obligatory support fails to realise its full value, propelling the state to play a more meaningful role in the sustainable process of development and support.
- **Driving towards a “faster” turnaround time of reducing the backlog and settling “old order claims”**
It has been recorded that the protracted rate at which claims have been settled over the years has been a persistent challenge and that a strategy to “fast-track” the settling of the claims should be developed, noting the human, technical financial resources required to reduce the backlog and settle the outstanding old order claims.
- **Working towards autonomy**
The autonomy of the CRLR has been a topic of discussion for several years, with key political stakeholders and departments expressing support for its independence. The AG have consistently highlighted the lack of adherence of the CRLR as an autonomous organisation and a potential Public Entity 3A unit. To this end, CRLR has developed business processes aimed towards achieving autonomy which should further pursued in the coming period.
- **Dealing with LAMOSA 2 and the “new order claims”**
The judgment stipulates that the CRLR cannot proceed with processing the approximately 180 000 new order claims until all the outstanding old order claims have been fully settled. While options have been tabled to deal with this matter, a strategy will be formulated overtime noting that the number of outstanding claims to be settled are unevenly spread across provinces, and the CRLR is exploring opportunities to leverage resources such as staff, across provinces to reduce the backlog of outstanding claims.

As the CRLR works to address these challenges it remains deeply committed to ongoing human capital development, recognising its crucial role in ensuring effective service delivery.

COST DRIVERS

From the discussion above, six key cost drivers can be identified. The statistics projected below are based on the backlog reduction strategy project (within Project Kuyasa), which established frameworks to improve the accuracy and quality of claim statistic reporting at the CRLR. These statistics are subject to change following the completion of the full verification audit, which has commenced.

Settlement of Claims before the 1998.

A claim is settled once the Minister, or the duly delegated official, has approved an award for the restoration of a right, alternative land or financial compensation. Once a settlement has been made, it is entered into the commitment register, where it remains until the award is fully implemented, i.e., the land has been transferred or financial compensation has been paid in full.

The process towards settlement utilises the CRLR’s operational budget (i.e., compensation of employees (CoE), and goods and services) to execute research and to fund the payment of service providers such as valuers.

There are 5 719 outstanding claims lodged before the 1998 cut-off date. Of these, 43% are in the research and gazetting stage, and the full business process must be followed to settle the claims. It is important that funding is always made available for research purposes.

The total operational budget of the CRLR and the Restitution Branch CoE, goods and services, and machinery and equipment) is R902 million for 2024/25. A preliminary projection, excluding management, legal, and other costs suggests that approximately R65 billion will be required to settle all outstanding old order claims. However, it is essential to note that this estimate carries a 25% margin of error on the R65 billion as 43% of the claims are still in the research and gazetting stage and have not been evaluated by the Valuer General.

The operational budget allocated for 2024/25 is R902 million. This includes the budget of the CRLR and the Restitution Branch. Therefore, a clear process should be established to split the respective budgets. Research of claims will be insourced and (in the case of complex claims) outsourced.

Finalisation of Claims Lodged before the 1998 cut-off date.

A claim is finalised when the settlement, as contained in Section 42D or a court order, has been affected, i.e., the property has been transferred to the beneficiary or the financial compensation has been paid.

The finalisation of claims is the responsibility of the Restitution Branch. These payments are made from the restitution grants through the transfers and subsidies to the households and capital assets budget allocation.

The CRLR is developing a defined process to determine a more accurate estimate for costs related to finalisation. The increase in annual targets to finalise claims can only **be done if substantial additional operational funding is allocated to researching, recommending, and settling** these claims (as a precursor to finalisation) as many of **the remaining claims are quite complex and demand considerable effort in terms of research and negotiations with communities and landowners.**

CLEARING THE COMMITMENT REGISTER

The commitment register increases or decreases as new claims are settled (when it would increase) or as settled claims are finalised (when it would decrease). By clearing the commitment register, targets are achieved insofar as the finalisation of claims is concerned.

Commitments presently amount to R5,9 billion. Some 36% of the commitments, amounting to R2,169 billion, are in respect of development, and 10% are for the payment of land purchases and 54% for payment of financial compensation. Presently, all these commitments are funded from the project budget of Programme 3.

The commitment register is progressively being reduced through the finalisation of claims that were settled in the previous financial years. A balance needs to be struck between clearing the commitment register of claims originating from previous years (which are often more difficult to finalise due to ageing) and the current year settlements.

To date, 36% of the commitments, amounting to R2,169 billion, are in respect of development grants, and 10% for the payment of land purchases and 54% for payment of financial compensation (i.e., are directly related to the legal mandate of the CRLR as contained in the Act). Although the CRLR has a direct interest in assuring that all land transferred to restitution beneficiaries is utilised optimally in the interest of food security and job creation, this mandate lies outside the CRLR.

As such, it may be appropriate to move the commitment in respect of development grants to the relevant programme within DLRRD. At this stage, commitments made in terms of section 42(C) (i.e., development grants) are still being paid out of the restitution budget.

REOPENING OF CLAIMS

As indicated above, the Restitution of Land Rights Amendment Act, 2014 (Act No. 15 of 2014), came into operation on 1 July 2014 and provided for the reopening of the lodgement of land claims for a period of five years up to 30 June 2019. However, the claims were only opened until July 2016 due to the Constitutional Court judgement, which repealed the amendments to the Act.

An electronic lodgement system has been developed to inaccurately capture claims. This system is being further developed to interface with an electronic project management system that will enable the electronic processing of claims. The electronic lodgement system will also be the land restitution register that the Restitution Act requires to be established and maintained.

The Restitution Act requires the CRLR to prioritise the settlement of claims lodged before the 1998 cut-off date and which had not yet been finalised when the lodgement of claims was re-opened. While the CRLR is committed to prioritising the settlement of claims lodged before 1998, preparing for the reopening of claims lodged after 1998 will be crucial to the CRLR's performance.

CRITICAL FUNDING AREAS

Human Resources

The number of funded positions in line with the approved structure dated 11 December 2020 is 749. The total number of filled positions as of 31 January 2025 is 683 with 66 vacant positions. This constitutes a vacancy rate of about 8,8% which is below the ideal vacancy rate of 10% as prescribed by National Treasury.

Goods and Services

To expedite the settlement of claims, the offices need to appoint specialists to provide services such as claimant verification, valuations and the tracing of beneficiaries. This relates to both the clearing of the commitment register, as well as settling the outstanding claims. These expenses cannot be covered by the transfer to households/capital budget as they are unrequited and, in some cases, the research leads to the dismissal of claims with no ultimate benefit to households. To fast-track the settling of claims, the focus is on finalising the research on outstanding claims. This will lead to the appointment of service providers and academic institutions to facilitate the process. As the Restitution Branch does not have district offices, officials need to travel to communities to hold meetings, attend to negotiations and collect complete supporting documentation. The travel cost is a cost driver for the restitution offices. The Restitution Branch supports communities with legal fees in terms of Section 29(4) of the Act. The legal fees, as well as state attorney fees, are a big cost driver for the programme. A reprioritisation of funds is currently taking place in this regard.

Machinery, Equipment and Capital Assets

Capital assets have a set depreciation period and some of the departmental resources, like computers, have already reached the end of their life cycle; hence the request for additional funding to replace such assets. The financing cost for the lease of labour-saving devices is allocated as capital asset funding. Officials work in the field and must be able to work remotely.

A need has been identified for equipment to work remotely. A reprioritisation of funds is currently taking place in this regard.

National Treasury reclassified project expenditure and all land purchases are now paid from the capital asset item – Land and Subsoil. A reprioritisation of funds is currently taking place in this regard.

Transfers and Subsidies

The Restitution Branch has been unable to fast-track the settlement and finalisation of outstanding land claims due to a lack of funding and human resource capacity. A backlog of commitments is also due to claimants. Furthermore, there is a need to factor in grants to communities who have since received land and are not able to utilise the land sustainably due to the lack of grant funding. This has resulted in bad publicity for the DLRRD as farms are not sufficiently supported by means of recapitalisation and development funding.

Table 8: Indicative MTEF Budget Allocation Per Item

RESTITUTION	2024/25 R'000	2025/26 R'000	2026/27 R'000	2027/28 R'000
Total budget allocation	3,564,598	3,634,500	3,885,000	4,064,000
Households	2,693,454	2,510,200	2,679,000	2,765,600

The total budget allocations reduced from 2024/25 with 2,5% and 7% for the project budget. The budget increases with 6% in 2026/27. However, the household budget is still 1% lower than in 2024/25. The average growth rate from 2024/25 to 2026/27 is 5,3%.

Settlement of Claims

As indicated above, the settlement of claims requires operational funding to process claims up to Section 42D stage. The current assessment of old claims indicates that an amount of **R46 billion** would be required to settle these claims.

The cost for the new order claims cannot be calculated due to the LAMOSAJudgement.

Finalisation of Claims

The finalisation of claims depends on three key factors:

- The number of claims lodged.
- The ratio between financial and redress in the form of land.
- The cost of land (urban, rural, dry land, conservation, etc.).

Based on current estimates, the cost to settle and finalise old order and new claims is around R129 billion.

KEY RISKS AND MITIGATIONS

Key risks and mitigations linked to the respective outcome indicators have been detailed in the following tables.

A summary of the strategic risks and mitigation strategies that may affect the achievement of the identified outcomes and the respective risk mitigations have been outlined in Table 1.

No.	Outcome Indicator	Key Risks		Risk Mitigation
		Weaknesses	Threats	
Outcome 1: Land Rights Restored (Settled, Finalised, Phased and Researched)				
	1.1.1. Number of Land Claims Settled	<ul style="list-style-type: none"> Inadequate funding Outdated information management systems Inadequate skills and lack of re-search standardisation Poor coordination between government departments and stakeholders Insufficient workforce and high staff turnover 	<ul style="list-style-type: none"> Rising costs of land Macroeconomic instability Delays caused by legal disputes Resistance from communities or claimants Land invasions and disruptions 	<ul style="list-style-type: none"> Develop comprehensive funding proposals and strengthen partnerships Modernise IT systems and adopt digital tools for claim tracking and settlement Standardise research protocols and provide staff training Establish multi-stakeholder platforms for regular engagement Recruit and train staff for long-term retention; strengthen security measures
	1.1.2. Number of Land Claims Finalised	<ul style="list-style-type: none"> Centralised decision-making Lack of mechanisms for tracking finalised claims Limited awareness or understanding of claims process among beneficiaries Insufficient funds to process claims 	<ul style="list-style-type: none"> Long legal disputes Risk of lawsuits or claim rejections. Inconsistent reporting leading to reputational damage. Unrealistic claimant expectations Reduced credibility with stakeholders 	<ul style="list-style-type: none"> Decentralise processes and empower regional offices Periodically review and update policies Establish real-time monitoring and evaluation systems Conduct community education campaigns Explore alternative funding models and cost-sharing mechanisms

Risk Type	Risk	Risk Mitigation
Finance		
Budgetary Risks	Limited budget	<ul style="list-style-type: none"> Offers to be negotiated and linked to the recommendations of the Valuer-General Annual submissions to National Treasury to indicate funds required in the adjustment and MTEF cycle
Expenditure Risks	Under-spending	<ul style="list-style-type: none"> Monthly expenditure monitoring and cash flow revision(s) to be done
Support		
IT Systems	Lack of effective information and records management system	<ul style="list-style-type: none"> Development of standardised business process to be fed into the project and management information system Apply change management principles during implementation
Human Resource Risks	Ineffectual human resources	<ul style="list-style-type: none"> Development of revised institutional form and continual training
Process Risks	Delays in implementation of settlements	<ul style="list-style-type: none"> Developed detailed business process that is elaborated into SOPs and timeframes Implementation of reviewed settlement models
Reputational Risks	Reputational risk linked to delays in the settlement of claims	<ul style="list-style-type: none"> Statutory Commission meetings to be held with formal and widespread communication aims, including media, as well as quarterly statistics releases Communication process under way in collaboration with the GCIS
Legal and Regulatory Risks	No clear definite mandate of the CRLR (e.g. scope creep into post-settlement issues) Litigation risks	<ul style="list-style-type: none"> Clarify mandate in the context of future autonomy and develop plans to ensure integration with DLRRD's processes Improvement of tracking and management of matters in court compliance checklist and quality control by quality assurance Increased quality assurance capacity



Part D

**TECHNICAL INDICATOR
DESCRIPTIONS (TDIs)**

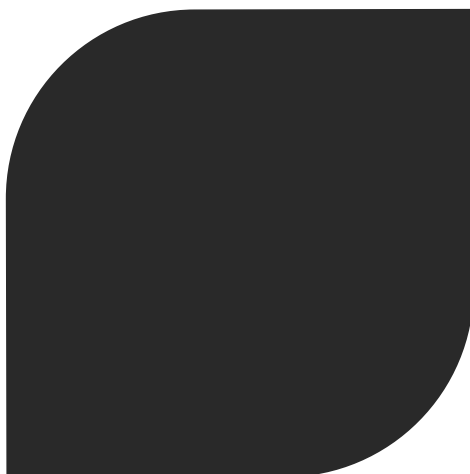
OUTCOMES

Strategic Outcome #1 Land Rights Restored: Output indicator 1.1.

Indicator Title	Number of Land Claims Settled
Definition	<ul style="list-style-type: none"> The indicator refers to the total number of claims lodged that have been settled either by the Minister or as per delegations at the time or through court directives. The indicator also includes full and final settlements for missing, untraceable or uncooperative beneficiaries where the settlements were not previously counted. A claim is settled once the Minister, or the duly delegated official, has approved an award for the restoration of a right, alternative land or financial compensation.
Source of Data	Signed Section 42D/42E or court order, making an award of financial compensation, land or alternative redress.
Method of Calculation or Assessment	Simple count: Claims are counted as settled when signed by the Minister of Land Reform and Rural Development or CLCC as per delegation, or court directive is received.
Means of Verification	Signed Section 42D or Section 42E or Court Order (signed by the Minister or CLCC as delegated by the Minister)
Assumptions	Effective processing of claims
Disaggregation of Beneficiaries	Statistical Information
Spatial Transformation	<ul style="list-style-type: none"> Equitable redress to victims of racially motivated land dispossession Integration of segregated communities
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Quarterly
Desired Performance	281 claims settled
Indicator Responsibility	Chief Land Claims Commissioner

Strategic Outcome #1 Land Rights Restored: Output indicator 1.2.

Indicator Title	Number of land claims finalised
Definition	<ul style="list-style-type: none"> The indicator refers to the land claims that have already been settled, which have now been finalised. A finalised claim means full financial compensation being disbursed, or the land purchase price has been disbursed; and/or land has been transferred, or a combination thereof. The indicator includes the number of claims that have been dismissed or deemed non-compliant. The indicator also includes declarations for the commitment register to clear the commitment register and deferred claims and or untraceable claims. A claim is finalised when the settlement, as contained in Section 42D, or a court order, has been affected, i.e., the property has been transferred to the beneficiary or the financial compensation paid, or the land purchase price paid.
Source of Data	<ul style="list-style-type: none"> Includes one or a combination of: <ul style="list-style-type: none"> Signed-off provincial reports Basic Accounting System (BAS) reports Project summaries Non-compliant or dismissal letter to the claimant signed by the Regional Land Claims Commissioner Approved declaration or reconciliations to clear funds from the commitment register Deeds Web report to confirm transfer to claimants. Deferral memo signed by the RLCC that claim and /or untraceable claims to be referred
Method of Calculation or Assessment	Simple count of the number of claims that were finalised within the period under review
Means of Verification	<ul style="list-style-type: none"> Detailed dated and signed register of land claims finalised and proof of payment/financials provided on the departmental letter head dated within the period under review, and either of the following: <ul style="list-style-type: none"> Dated and signed non-compliant/dismissal letter on approved letter head, signed by the RLCC where the minimum period of 30 days has lapsed at the time of the RLCCs signature; or Deeds Web printout confirming transfer details; or Dated and signed declaration or reconciliation submission to clear funds from the commitment register; or Dated and signed deferral memo on approved letter head, signed by the RLCC
Assumptions	Claims settled
Disaggregation of Beneficiaries	Statistical Information
Spatial Transformation	<ul style="list-style-type: none"> Equitable redress to victims of racially motivated land dispossession Integration of segregated communities
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Quarterly
Desired Performance	277 claims finalised
Indicator Responsibility	Chief Land Claims Commissioner



ANNUAL PERFORMANCE PLAN 2025/2026

PROGRAMME: RESTITUTION

Institutional Performance Information

Programme 1: Claim Settlement

Purpose: This programme is designed to solicit, investigate, and attempt to resolve land claims through negotiation and/or mediation, or otherwise to refer the claims for adjudication to the LanC.

Outcome 1: Restored Land Rights and Alternative forms of Equitable Redress

Table 1: Outcomes, Outputs, Performance Indicators and Targets for Outcome 1

Outcome	Outputs	Output Indicators	Annual Targets							
			Audited Performance			Estimated Performance	MTEF Period			
			2021/22	2022/23	2023/24	2024/25 (Q2)	PROVINCIAL			
					2025/26	2026/27	2027/28	2028/29		
Outcome 3: Redress and Equitable Access to Land and Producer Support	1.1. Land Claims Settled and Finalised	1.1.1 Number of Land Claims Settled	262	355	361	63	281	307	332	346
		1.1.2 Number of Land Claims Finalised	442	429	641	115	277	284	289	296

Table 2: Annual and Quarterly Targets for Outcome 1

Output Indicators	Province	Annual Targets 2025/26	Q1	Q2	Q3	Q4
Number of Land Claims Settled		281	45	77	102	57
	Eastern Cape	30	2	7	13	8
	Free State	0	0	0	0	0
	Gauteng	22	2	4	14	2
	KwaZulu-Natal	85	20	25	25	15
	Limpopo	45	5	15	20	5
	Mpumalanga	48	8	14	14	12
	North-West	1	0	0	1	0
	Northern Cape	1	0	0	0	1
	Western Cape	49	8	12	15	14

Number of Land Claims Finalised	277	47	67	85	78
Eastern Cape	25	3	7	8	7
Free State	9	2	1	2	4
Gauteng	36	7	11	11	7
KwaZulu Natal	80	15	20	25	20
Limpopo	20	5	5	5	5
Mpumalanga	45	8	12	14	11
North-West	10	2	3	3	2
Northern Cape	1	0	0	1	0
Western Cape	51	5	8	16	22

**FINANCIAL
COMPENSATION CLAIMS**



188

AGRICULTURE



31

FORESTRY



6

**CONSERVATION/
TOURISM**



9

**URBAN COMMERCIAL
DEVELOPMENT**



9

SUMMARY OF CRITICAL BUDGET REQUIREMENTS

For the 2024-2027 MTEF, the restitution budget has a baseline allocation of R13,1 billion to purchase land, pay development grants, and provide financial compensation. The committed funds of projects already approved by the Minister amount to R5,357 billion, which has an impact on the required budget.

Table 3: Indicative MTEF Budget Allocation Per Item

TOTAL: RESTITUTION	2024/25 R'000	2025/26 R'000	2026/27 R'000
Economic Classification			
Compensation of Employees	476,081	494,711	667,862
Goods and Services	339,216	356,580	481,395
Provinces and Municipalities	8,062	8,422	11,372
Households	2,510,522	2,771,883	3,742,043
Payments for Capital Assets	388,538	345,556	466,504
TOTAL ECONOMIC CLASSIFICATION	3,722,419	3,977,152	5,369,176

Table 4: Indicative MTEF Budget Allocation Per Sub-programme

PROGRAM	2024-2025 ADJUSTED BUDGET	2025-2026 BASELINE	2026-2027 BASELINE
National Office	222,778	259,359	350,137
LRS Offices	923,254	945,910	1,276,996
Households	2,576,387	2,771,883	3,742,043
TOTAL	3,722,419	3,977,152	5,369,176





TECHNICAL INDICATOR DESCRIPTIONS (TDIs)

TECHNICAL INDICATOR DESCRIPTIONS (TDIS)

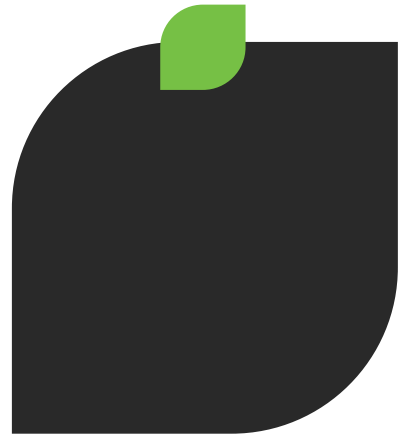
OUTCOME 1

Output Indicator 1.1

Indicator Title	Number of Land Claims Settled
Definition	<ul style="list-style-type: none"> The indicator refers to the total number of claims lodged that have been settled either by the Minister or as per delegations at the time or through court directives. The indicator also includes full and final settlements for missing, untraceable, or uncooperative beneficiaries where the settlements were not previously counted. A claim is settled once the Minister, or the duly delegated official, has approved an award for the restoration of a right, alternative land, or financial compensation.
Source of Data	Signed Section 42D/42E or court order, making an award of financial compensation, land or alternative redress.
Method of Calculation or Assessment	Simple count: Claims are counted as settled when signed by the Minister of Land Reform and Rural Development as per delegation, or court directive is received.
Means of Verification	Signed Section 42D and/ or 42E and /or Court Order
Assumptions	Effective processing of claims
Disaggregation of Beneficiaries	Statistical Information
Spatial Transformation	<ul style="list-style-type: none"> Equitable redress to victims of racially motivated land dispossession Integration of segregated communities
Calculation Type	Cumulative year end
Reporting Cycle	Quarterly
Desired Performance	281 claims settled
Indicator Responsibility	Chief Land Claims Commissioner

Output Indicator 1.2

Indicator title	Number of and Claims Finalised
Definition	<ul style="list-style-type: none"> The indicator refers to the land claims that have already been settled, which have now been finalised. A finalised claim means full financial compensation being disbursed, or the land purchase price has been disbursed; and/or land has been transferred, or a combination thereof. The indicator includes the number of claims that have been dismissed or deemed non-compliant. The indicator also includes declarations for the commitment register to clear the commitment register and deferred claims and/or untraceable claim A claim is finalised when the settlement, as contained in Section 42D, or a court order, has been affected, i.e. the property has been transferred to the beneficiary or the financial compensation paid.
Source of Data	<ul style="list-style-type: none"> Includes one or a combination of: Signed-off provincial reports Basic Accounting System (BAS) reports Project summaries Non-compliant or dismissal letter to the claimant signed by the Regional Land Claims Commissioner Approved declaration or reconciliations to clear funds from the commitment register Deeds Web report to confirm transfer to claimants Deferral Memo signed by the RLCC that claim and/ or untraceable claims to be referred
Method of Calculation or Assessment	Simple count of the number of claims that were finalised within the period under review
Means of Verification	<ul style="list-style-type: none"> Detailed dated and signed register of land claims finalised, and proof of payment/ financials provided on the departmental letter head dated within the period under review. Dated and signed non-compliant/ dismissal letter on approved letter head, signed by the RLCC where the minimum period of 30 days has lapsed at the time of the RLCCs signature. Deeds Web printout confirming transfer details. Dated and signed declaration or reconciliation submission to clear funds from the commitment register. Dated and signed deferral memo on approved letter head, signed by the RLCC
Assumptions	Claims settled
Disaggregation of Beneficiaries	Statistical Information
Spatial transformation	<ul style="list-style-type: none"> Equitable redress to victims of racially motivated land dispossession Integration of segregated communities
Calculation Type	Cumulative year end
Reporting Cycle	Quarterly
Desired Performance	277 claims finalised
Indicator Responsibility	Chief Land Claims Commissioner



NATIONAL OFFICE

Postal address:

Private Bag X833, Pretoria, 0001

Physical address:

8th Floor, Centre Walk Building, cnr Pretorius and Thabo Sehume Streets, Pretoria

Contact us:

Tel: 012 407 4400/4402

Toll free contact number: 0800 007 095



CRLR Strategic Plan 2025-30
RP93/2025 | ISBN: 978-1-77997-707-6

CRLR Annual Performance Plan 2025/26
RP94/2025 | ISBN: 978-1-77997-708-3