

## 7.2 FINAL RECOMMENDATIONS

1. Having taken all these into account, the Joint constitutional review Committee recommends:
  - a. That Section 25 of the Constitution must be amended to make explicit that which is implicit in the Constitution, with regards to Expropriation of Land without Compensation, as a legitimate option for Land Reform, so as to address the historic wrongs caused by the arbitrary dispossession of land, and in so doing ensure equitable access to land and further empower the majority of South Africans to be productive participants in ownership, food security and agricultural reform programs.
  - b. That a mixed ownership of land, which inter alia includes individual ownership (title deed issued to beneficiaries), direct State ownership, trusts and communal land custodianship must be ensured through a separate Land Redistribution Bill, which will make sure that all South Africans have equal access to land.
  - c. That Parliament must urgently establish a mechanism to effect the necessary amendment to the relevant part of Section 25 of the Constitution.
  - d. Parliament and the Executive must ensure that all legislation related to Land Reform, must be enacted as a matter of urgency.
  - e. That security of tenure for farm workers, farm tenants and those residing on communal land held in Trust must be assured, and all rentals of communal land must be abolished.
  - f) Parliament must table, process and pass a Constitutional Amendment Bill before the end of the 5th Democratic Parliament in order to allow for expropriation without compensation.