SUBMISSION TO PORTFOLIO COMMITTEE ON AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

Submission on the Upgrading of Land Tenure Rights Amendment Bill [B6-2020]

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LandNNES is a network of 27 Civil Society Members, 23 of which are NGOs and four are independent individual members. LandNNES members work on land, agriculture and fisheries, as well as human and Constitutional rights in support of marginalized land rights holders and small-scale farmers and fishers. The members are listed at the end of the document. https://landnnes.org/network/

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1 Introduction

This submission is a response to the call for public commentary on the Upgrading of Land Tenure Rights Act Amendment Bill. According to a news release issued by the Parliamentary Communication Services on behalf of the chairperson of the Portfolio Committee on Agriculture, Land Reform and Rural Development, Nkosi Zwelivelile Mandela, on 26 June 2020, the Bill had to be finalised as a matter of urgency in response to a Constitutional Court ruling that set the date for finalisation as April 2021.

The Portfolio Committee on Agriculture, Land Reform and Rural Development (National Assembly) released the following commentary after a briefing by the Department of Agriculture, Land Reform and Rural Development (DALRRD) on the Upgrading of Land Tenure Rights Amendment (ULTRA) Bill [B6-2020]:

> The ULTRA Bill seeks to address the unfair discrimination of women based on their gender to their right of tenure as found in the case of the Rahube matter, where the deed of grant was tested as it applied to only males. In the Rahube matter it was an automatic transfer to the male. The Department of Agriculture, Land Reform and Rural Development must study the clauses and provisions in the principal Act that may render the legislation unconstitutional, and furthermore, the department must

also look at other Bills and Acts such as the Communal Land Rights Act and others, which will affect the ULTRA Bill, and devise a comprehensive legislative framework to engage with the Bill. Notwithstanding this, the committee notes the Constitutional Court ruling to have the Bill finalised by April 2021, and therefore will proceed to provide the public with opportunities for submitting their views on the Bill in writing and other means amidst the restrictions imposed by the Covid-19 pandemic to ensure that public participation is sought on the ULTRA Bill.

2 The principal Act: the Upgrading of Land Tenure Rights Act 112 of 1991, ULTRA

Our understanding of the principal Act, the Upgrading of Land Tenure Rights Act 112 of 1991 (ULTRA) is as follows. ULTRA provides for the conversion of rights as defined in its schedules to 'ownership' by which the Act means registration in the Deeds registry. The rights that qualify for conversion are Schedule 1 rights, mainly quitrent titles, deeds of grant and leasehold; and Schedule 2 rights, mainly Certificates of Permission to Occupy (PTOs) and other customary rights. Schedule 1 defines rights to plots already surveyed into parcels and are thus registerable. Schedule 2 defines rights that are not to surveyed parcels, and not registerable in their current form; and would thus first have to be surveyed in order to be registerable to complete the conversion. For this reason, the Act distinguished between these two categories of rights, which have subsequently been labelled "Schedule 1" or "Schedule 2" rights in the context of the application of ULTRA.

In terms of ULTRA, Schedule 1 rights were automatically converted to 'ownership' and as far as I am aware, all or most of the Deeds Registries have updated these titles by pure administrative action in the registry offices. No consultation is required unless the land were to fall into the 'tribal' category and to my knowledge, no 'tribal' land has been converting using ULTRA to upgrade tenure. A major concern for constitutional compliance is that this automatic conversion completely by-passed a consultative process in order to determine who held the rights in the first place. The conversion simply confirmed the apartheid practice of conferring succession rights on the eldest male so-called 'heir'. This automatic process means that good democratic governance principles of 'fair, prior and informed consent' (FPIC) by interested parties. Interested parties would principally comprise family members who in terms of customary norms have access to property based on kinship and neo-customary norms based on marriage. These norms inform all land holding systems.

2.1 Implications of ULTRA

The rights described in Schedules 1 and 2 are often held by families and the rights are activated by family membership and all that that entails. The rights pass from one generation to the next according to norms of kinship and/or marriage rather than rules of registration and transfer. Or put differently, the land is regarded as inter-generational property that is held by and passed to recognised kin without naming. Conversion irrevocably transforms the rights from socially held property to individually held property, the owner(s) of which are identified by registration of names on the Deed held in the

Deeds Registry. This means the property must be transferred by legal conveyancing. The holding and transmission of inter-generational property, on the other hand, means that the land is held by qualifying, related family members, including sisters/daughters, and generally includes a range of family members related by kinship. This contrasts with registered ownership that is exclusive property held by identified registered owner(s) in terms of a Deed registered in the Deeds Registry, and can only pass by means of formal transfer. These two states are very different from each other and thus ULTRA performs a radical conversion that ought to require social and administrative processes of investigation and adjudication to conform to the dictates of administrative justice best described in this context as 'free, prior and informed consent' (FPIC) by all those who currently regard themselves as the 'owners' albeit by custom.

Historically only men qualified as the rights holders and hence conversion to 'ownership' not only involves radical conversion of the way rights are held and transmitted but *also* implied conversion into the name of a male 'head of family' since the rights passed to a male heir in terms of the laws of succession and inheritance set out in the now repealed apartheid legislation, the Native [Black] Administration Act 38 of 1927. These provisions have discriminated against women, particularly female kin, over the ages. After the passage of the Constitution, it would be fair to say that ULTRA has violated the Constitutional rights of female kin of families with rights to land described in the Schedules in terms of three sections of the Constitution: Section 9 — equality before the law; Section 25 — protected property rights and secure tenure for all, and gender-blind; and Section 33— just administrative action.

The Amendment Bill has addressed gender discrimination and also the way gender discrimination was, and is, exacerbated in ULTRA by 'automatic' conversion. An automated process has resulted in by-passing all the administrative requirements of 'due process' and simply continues to endorse historic injustices on the grounds of gender. Schedule 1 rights such as Deeds of Grant or quitrent are conceptualised as 'lower order' rights, and by *automatically* converting these to 'ownership' by ULTRA it was thought to rectify racial discrimination. However, it is a top-down law that did not provide for an administrative process to ensure that all claimants to the property could press their own rights of access to the property. This defect invariably affects female members of the family more adversely than male members, since in terms of apartheid laws, the property passed through the male line to the eldest male 'heir'. The unqualifying brothers were generally able to access other rights in their name, but with increasing competition, automatic conversion affects all family members, male and female.

These provisions are all in breach of both administrative justice and customary norms that give sisters or daughters of the family, and increasingly wives, equal access to the property, even if control often still tends to rest with male members of the family. Moreover, there are many acknowledged child-headed households whose rights may easily be dispossessed in terms of the current process. The Bill seeks to remedy some of these defects by allowing counter-claims to be lodged by other claimants or perhaps neighbours or other third parties adversely affected by the conversion, and gives them the opportunity to object to the conversion. In so doing, this change of emphasis required the law-makers

to change the process from ‘automatic’ conversion to application-based conversion, which implies it must first be processed by following due administrative process and by relevant administrators according to principles of consultation and consent following the airing of the application to public scrutiny to give interested parties a chance to object.

3 The Upgrading of Land Tenure Rights Amendment Bill [B6-2020]

The intention of the Upgrading of Land Tenure Rights Amendment Bill [B6 - 2020] is:

> To amend the Upgrading of Land Tenure Rights Act, 1991 so as:
>
> 1. to provide for the application for conversion of land tenure rights to ownership,
> 2. to provide for the notice of informing interested persons of an application to convert land tenure rights into ownership;
> 3. to provide for an opportunity for interested persons to object to conversion of land tenure rights into ownership;
> 4. to provide for the institution of inquiries to assist in the determination of land tenure rights;
> 5. to provide for application to court by an aggrieved person for appropriate relief;
> 6. to provide for the recognition of conversions that took effect in good faith in the past; to provide for matters connected therewith.

The Bill provides for a compulsory public notification of an application for conversion of land tenure rights to ownership with the view to allowing interested persons to object; and processes of relief for aggrieved persons. More importantly, it substitutes automatic conversion to a process of ‘application’ for conversion, which is a radical change of legal principle and administrative procedure from an entirely legally driven top-down state-led imperative of conversion that is automatic and precludes public engagement, to a process that must meet the consent of interested parties. Potential objection thus also requires a process of determination by enquiring into the rights of the respective parties.

The Amendment Bill has taken on board the Constitutional Court judgment in Rahube v Rahube which revealed the in-built gender bias towards male ownership in the principal Act. The amendment has indeed confronted one of the most glaring problems in ULTRA, one that was ultimately identified as ‘unconstitutional’ and rightly so. The amendment seeks to address that problem by making it compulsory to provide a process that allows for the public reaction to an application to convert rights to full ownership. Family members who may be potentially dispossessed may thus stake their claims in the right; and perhaps other claimants with overlapping rights, or third parties, can also raise objections.

The shift from automatic to application-based upgrades per the Amendment Bill is strongly supported in this submission, since it addresses ‘just administrative action’ as required by section 33 of the Constitution. It also addresses gender parity to some extent . However, we are less convinced that the Bill addresses Section 25 of the Constitution, property rights and in particular feel that the Bill fits uncomfortably with proposals for restructuring Land Administration as a whole. Land Administration is highly fragmented within and

across regions, exacerbated by dualistic systems for former homelands versus the rest of the country. ULTRA and the Amendment Bill do not help to ameliorate this fragmentation. ULTRA still has objectionable echoes of apartheid land governance. In spite of appearing to be progressive law, it does not go to the roots of the problem of insecure tenure.

4 Onus for Investigating who should hold title

The bill currently accepts that upgrading of title occurred at the opening of the township register or when ULTRA became applicable, at which time all titles were automatically converted. The onus of investigating who should hold title should be done by the state. The wording in the Bill as it stands does not provide solutions as envisaged by the court and the lawmakers need to consider redrafting.

5 Notification by Government Gazette is not adequate for public notification

The Bill does not make provision for increased accessibility of land information by people l living in areas without easy access to information. Notification of an application to upgrade published in the Government Gazette is indescribably inadequate. The Government Gazette is not accessible to people living in rural communal areas and townships. Alternative accessible means of notification that are appropriate to the context must be included in the drafting of the Bill, e.g. by radio and local notices. We also recommend an entire restructuring of the Land Information System in South Africa to provide for a single data set that includes a range of layers of land-related information, including claims and applications for upgrades or development in easily accessible formats.

6 The Amendment Bill is Necessary but not Sufficient

Our submission is concerned that the amendment by itself, although necessary, is not sufficient to solve the far more substantive problems in the principal Act itself. We welcome (a) the change of emphasis from automatic conversion to ‘application for’ conversion and (b) compulsory public notification of an application to allow interested parties to object to, or raise concerns with, an application for conversion.

These, are however, merely stopgaps. We therefore strongly welcome the call by the Portfolio Committee to review the entire Principal Act with the view to examining other aspects of its constitutionality. Our submission is less concerned with the Amendment Bill than with the Principal Act itself, which we believe is fundamentally flawed in spite of some good intentions. While we concede that the Amendment Bill will have a significantly positive impact on the Principal Act, we have ongoing concerns about the constitutionality and rationality of ULTRA, even if it is amended by the Amendment Bill. The cause for concern that led to the Amendment Bill does go to the heart of some of the problems in the Principal Act, we submit that the proposed amendments, though necessary, merely paper over the cracks and fail to resolve them.

In summary, we submit that the Amendment Bill addresses symptoms of the problems, but does not address fundamental problems in the Principal Act. We submit that the flaws in

the Principal Act will continue to obstruct the state's intention to provide security of tenure via ULTRA, i.e. conversion to 'ownership'. We submit that the process set out in ULTRA, even after the amendment, omits a wide range of other problems that must be addressed to upgrade and strengthen tenure rights and to render property rights compliant with the Constitution. For this reason we call for a complete review of ULTRA in the context of our calls in other contexts for restructuring the Land Administration system to take into account the legacies of apartheid. We do agree that the system should allow for 'conversions', but that this process should be harmonised with Constitutional property law, meaning a process that recognises *de facto* rights. Conversions would be better accommodated in a process of law reform that is embodied in shifts in Land Administration as a whole. Conversions should relate to processes of adjudication of rights held by members of families and communities, and be subject to a range of other administrative processes.

The process of addressing flaws in ULTRA, we submit, should rather be led by a more comprehensive process of Land Administration restructuring that strengthens state capacity, including institutional development such as accessible offices of district land administration.

7 Flaws in the principal Act, ULTRA

We argue that a number of problems continue to dog ULTRA, which the Amendment Bill does not solve. We list several interconnected problems below. These mutually reinforce to each other, but for purposes of analysis and clarity we address them one-by-one.

1. ULTRA is ineffective due to its flaws and its application has had minimal impact on strengthening land rights in spite of the scaled up automatic conversions. It is doubtful that rural rights upgraded by dint of ULTRA have changed local practices of succession or access, given the overlapping and interlocking rights in rural areas. It is when an 'heir' decides to sell the property that conflicts arise.
2. ULTRA is a top-down bureaucratic interpretation of how to strengthen land rights, where the Minister is given strong powers of discretion, rather than a responsive, bottom-up approach to confirming land rights according to a legal-administrative process to determine rights by adjudication.
3. ULTRA — or any conversion law — without an Adjudication Act to guide rights investigations in families and communities is fundamentally paralysed. A law governing Adjudication of rights — meaning investigation of all rights and claims in families and communities according to a set of principles — is urgently needed to introduce a system of administrative adjudication of rights to determine the rights of family members (or secondary rights, or those of third parties) with the view to permanent legal recognition of tenure rights that are appropriate to context.
4. ULTRA (plus amendment) changes *de facto* family rights to *de jure* individual rights which is a radical once-off action that has had little impact in its present formulation as it does not change family practices. It is unlikely that individuals with ULTRA upgraded have continued to register succession or sales. In other words, ULTRA's *de jure* conversions to ownership do not match *de facto* family rights and their protections according to family law and customary norms.

5. ULTRA does not address interlocking family rights and overlapping rights to the commons. Quitrent titles and PTOs all involve existing commonages.
6. The references to 'tribal' land in Sections 19 and 20 are anachronistic and do no warrant a presence in a post-apartheid Constitutional state. These sections give Ministerial powers to what should be processes of rights recognition on the ground and that involve decisions taken at family and community level, with recourse to adjudication and recordal. These sections should be subject to repeal as they have been superseded by the Communal Property Associations Act, the Interim Protection of Informal Land Rights Act 31 of 1996 (IPILRA) and the Constitutional imperatives of democratic governance.
7. ULTRA is a law designed for top-down state-driven interventions to strengthen land rights without an understanding of the constitution of rights in terms of family law and customary norms. Legal change of status will not change people's practices and it is unlikely that registers will be kept up to date after conversion.
8. Conversion of rights should not be a standalone once-off action but should be harmonised with a process of Land Administration restructuring and reform, which requires integrating the highly fragmented and dualistic Land Administration Systems. Proposals in this regard were made to the Presidential Advisory Panel on Land Reform and Agriculture which deliberated over 2018 and early 2019. The published report is available HERE. Many of these proposals, including for an integrated Land Administration system and a Land Records Act have been included in follow up proposals by DALRRD.
9. A Land Records Act as an addition to Deeds should form part of a Land Administration Framework Act and a Land Rights Adjudication Act. In contrast to ULTRA, these are the fundamental ingredients to developing Constitutional property rights under an integrated Land Administration system. Calls for a Land Records Act were made in submissions to the High Level Panel on the High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change (HLP) 2016 to 2017, published HERE . As mentioned in point 8 above, proposals for a Land Records Act were included in the Presidential Advisory Panel report.
10. A land administration infrastructure needs to be built up to adjudicate and administer rights that are in process of strengthening or 'upgrading'. This would fit a bottom-up application-based approach to upgrading assisted by state institutions to process the applications at district level. However, a systematic approach is needed in the long run, but ULTRA would not succeed due to its inbuilt flaws.
11. The Amendment Bill provides no process or budget to strengthen the state's administrative capacity to adjudicate, administer and process rights such as those envisioned in ULTRA. By the time they reach the Deeds Registry office, there should have been a rigorous process of adjudication. Without an administrative structure or process, the only recourse is the courts. Courts should only be a last resort, not the first resort for resolving conflicts.
12. ULTRA is not harmonised with post-Constitution land rights laws or the Constitution in its approach to recognising property rights. Due to overlapping rights in the former homelands, a prior process of rights enquiry (adjudication) is needed before conversion of Schedule 1 or Schedule 2 rights.
13. ULTRA sets up a parallel and contradictory process to IPILRA

a. ULTRA implies a hierarchy of legally defined rights according to its Schedules, which are in turn prescribed according to whether the land is surveyed and registerable, or yet to be surveyed. IPILRA, on the other hand, recognises *de facto* rights which is the only logical and realistic approach to recognising and then strengthening land rights from the bottom up.
b. IPILRA rights, including PTOs and so-called 'tribal land', are constitutionally protected in terms of IPILRA. IPILRA and ULTRA set up contradictory and parallel processes of rights recognition that further fragment the Land Administration System.
c. IPILRA rights are already property rights, though they do need closer definition through adjudication and recordal, which could be made possible by means of a land law that provides IPILRA rights with permanent legal recognition with administrative support.

14. IPILRA should be the starting point for rights recognition for permanent legal recognition followed by adjudication and upgrading by processual and administrative means within a coherent land administration restructuring process that provides institutional support, administrative infrastructure and recording.
15. ULTRA operates within a context of grave institutional weaknesses in the current Land Administration system, which requires the development of:
    a. accessible district offices to administer the land rights listed in ULTRA and recognised by IPILRA and all the other land rights laws;
    b. an integrated and inter-operable national land information system (NIS) with capacity to collect and disseminate a range of data, including various layers of land information ranging from tenure, land use, bio-physical and ecological, social, land development proposals, claims, etc, in one site, and ensuring local land information is included, and all land information made freely and openly accessible country-wide to all people (there are currently multiple and disconnected land information systems in the country, duplicated across former homelands and provinces)
    c. a system for recording rights that are currently not recorded, surveyed or readily surveyable, such as rights to the commons and family systems that require flexible administration.

We now turn to these points one by one, grouped under headings.

8 ULTRA is ineffective in its current formulation

Our conclusion regarding ULTRA as a whole is that it has been largely ineffective in spite of the intention to strengthen rights through conversion to 'ownership'. Automatic conversion of quitrent rights in the homeland Deeds Registries and national Registries has not altered the basic terrain of insecure or inadequate tenure law in South Africa and has violated the rights of family members as discussed in this submission. ULTRA has been in force for 29 years and has barely scratched the surface of upgrading rights and strengthening tenure in South Africa.

Why is this so?

ULTRA is unimplementable due to its disregard for realities of overlapping rights in communities and family rights in family units. This is why it has not been implemented for nearly 30 years in any systematic sense. The *de jure* conversions have not been adhered to on the ground or by transfers in the Deeds Registry, and old tensions and conflicts continue as before.

There is no adjudication system to process complex and overlapping or nested rights in communities and families, with or without the formalities of various forms of Schedule 1 titles such as quitrent and Deeds of Grant. ULTRA is more implementable in urban than rural contexts due to the opening of township registers and lay-out planning, but even where township registers are available, a system of adjudication is needed prior to upgrades or conversions.

ULTRA does not address the realities of *de facto* family rights in terms of family law practiced according to customary norms and the rights of access to family property.

ULTRA is a bureaucratic top-down approach that does not allow for the flexibility needed to strengthen property rights with deep and complex roots in history. In other words, ULTRA is a top-down bureaucratic interpretation of how to strengthen land rights, rather than a responsive, bottom-up approach to confirm land rights, and where desired, to convert these land rights into registered rights.

9 ULTRA sets up a parallel and contradictory process to Constitutional property rights, IPILRA and other land rights laws

ULTRA exacerbates the high levels of fragmentation in the existing multiple, overlapping and often contradictory systems of land rights and Land Administration. We concede that ULTRA has some provisions that are necessary, particularly for people, families or business that want to register their rights, but these are set within an outdated and anachronistic framework for recognising, strengthening and converting rights. ULTRA as a whole should be reviewed within the context of the Constitution and other land rights laws. Conversion of rights needs to be set into a process of administrative review and recognition of customary property rights.

9.1 ULTRA implies a hierarchy of legally defined rights according to its Schedules

ULTA rights are prescribed according to registerability (and ultimately on being surveyed). IPILRA, on the other hand, recognises *de facto* rights which is the only logical and realistic approach to recognising and then strengthening land rights from the bottom up.

9.2 IPILRA rights, including PTOs and so-called 'tribal land', are constitutionally protected in terms of IPILRA

IPILRA and ULTRA set up contradictory and parallel processes of rights recognition that further fragment the Land Administration System.

9.3 IPILRA rights are already property rights,

IPILRA rights are recognised as property rights, though they do need closer definition through adjudication and recordal, which could be made possible by means of a land law that provides IPILRA rights with permanent legal recognition with administrative support.

9.4 IPILRA rights recognise PTO rights as strong property rights

PTO rights based on occupation or possession are not only recognised by IPILRA but also a number of judgments in the past that have confirmed the rights of PTO holders over other claims: e.g. *Dambuza and Others v Mvandaba and Others* [2019] ZAECMHC 58 (15 October 2019); *Nandipha NO v Irfani Traders CC t.a Jabulani Hardware and Another* (4654/2017) [2018] ZAECMHC 50 (21 August 2018); Appeal Court judgment of *Setlogelo v Setlogelo,* 2014.

Clearly there is a need to concretise and develop IPILRA into permanent law.

10 ULTRA needs to be harmonised with existing processes of recognising land rights but with the addition of a restructured Land Administration System that:

10.1 IPILRA should form the basis of a system for strengthening land rights, and it should be concretised and made permanent within a national Land law and/or a national Land Administration Framework Act

10.2 Conversions of rights should fit into the proposed national Land law and/or national Land Administration Framework Act to ensure procedures for conversions follow a bottom-up application-based approach

10.3 Develop an Integrated Land Administration System for the country

10.4 Pass an Adjudication Act with principles informing the determination of family and other customary rights, and which ensures that child-headed families without decision making capability due to their age are provided with legal protections through guardianships or other mechanisms

10.5 District Land Administration offices to process land rights enquiries and applications

10.6 *National Land Information System to be developed that holds a range of land-related data from localised levels as part of the development of an Integrated Land Administration system*

11 A major evaluation of ULTRA undertaken in 2011

I was a member of a team who evaluated ULTRA and other associated laws as part of a big study undertaken by Umhlaba in 2011. This report was commissioned by the then Department of Land Affairs (DLA) and provided a wide-ranging critique of the problems surrounding ULTRA, and associated laws and proclamations, along with some case studies. It's findings were never acted on. We call on the Portfolio Committee to make this report available to the government and public. It is published HERE

12 The Socio-economic Impact Assessment (SEIA) is inadequate

We submit that the SEIA that was conducted and circulated is wholly inadequate and does not capture the wide range of socio-economic problems and issues impacting on or impacted by ULTRA.

13 Conclusion

We submit that the ULTRA Amendment is necessary but not sufficient to satisfy the Constitutional imperatives of equality (section 9); secure tenure (section 25) and administrative justice (section 33).

We submit that a broader process of land administration restructuring is needed that includes a system of administrative adjudication to determine and strengthen land rights, institutions for conflict resolution other than the courts, and an integrated and inclusive Land Information System that is readily accessible to poor people in rural areas and townships.

The Minister should not have the power to make the determination, it should be guided by Constitutional principles and legal-administrative structures and processes.

ULTRA provides for conversion of rights without the necessary budget, infrastructure and land administration system for managing and administering these complex processes that require thorough rights investigations, adjudication and conflict resolution, with an accessible integrated land information system. For this reason, we call for the harmonisation of ULTRA with other land laws and the Constitution, the passage of an integrated land law and a Land Administration Framework Act that includes an Adjudication law and a Land Records Act. These reforms would do the work that ULTRA intends to do but is incapacitated to achieve.

14 Addendum: List of LandNNES members

1. African Farmers Association of South Africa (AFASA)
2. AFESIS-Corplan
3. African Indigenous Churches Organisation (AICO)
4. Alliance for Rural Democracy (ARD)
5. Association for Rural Advancement (AFRA)
6. Farmer Support Group (FSG)
7. Independent:
    a. Donna Hornby
    b. Ronald Wesso
    c. Rosalie Kingwill
    d. Stha Yeni
8. International Food Security Initiative
9. Land Access Movement of South Africa (LAMOSA)
10. Landless Peoples Movement (LPM)
11. Lawyers for Human Rights (LHR)

12. Legal Resource Centre (LRC)
13. Masifundise
14. Natural Justice
15. Nkuzi Development Association
16. Ntinga Ntaba kaNdoda
17. Phuhlisani
18. Rural Legal Trust (RLT)
19. Support Central for Land Change (SCLC)
20. Socio-Economic Rights Institute of South Africa (SERI)
21. Siyazisiza Trust
22. Surplus Peoples Project (SPP)
23. Trust for Community Outreach and Education (TCOE)
24. Tshintsha Amakhaya (TA)
25. Transkei Land Service Organisation (TRALSO)
26. Women affected by Mining in United Action (WAMUA)
27. Women on Farms Project