



**AGRICULTURAL RECOVERY AND COMPENSATION (ARAC)
REPORT TO CONGRESS 2011**

It now gives me great pleasure to present to you the chairman's report for the period February 2010 to May 2011. An AGM gives us all a chance to reflect upon the year just past, it allows us to report back to you, the members on our efforts and progress to fully represent your best interests within the CFU on all issues to do with compensation and or the recovery of your interests within the agricultural sector of Zimbabwe.

Initially your ARAC committee decided it best to split into 2 working groups, one for compensation and the other for welfare.

ARAC has held 9 full committee and Compensation and welfare subcommittees have held 5 and 3 meetings respectively.

The office is staffed by a very competent and dedicated manager in the form of Ben Gilpin and assistant Shayne Wells. At our last AGM our membership was around 170, this has now more than doubled and numerically constitutes the bulk of Union membership. This is made up 117 pensioners paying \$20.00 and 246 ordinary members paying \$100. Total income from membership is only enough to cover a fraction of our costs. ARAC is not a commodity association and can therefore not levy its members on the basis of their sales. We have been able to get grant support for our projects however obtaining funding for core costs is difficult. We believe that the service to membership in the pursuit of compensation is an essential task of the Union and should be factored into its core activities. Meeting our financial needs is thus a challenge and there is considerable support for the idea that the Union's principal fixed assets should be looked at in depth as a source of finance to drive this objective.

Within the CFU we have made every effort to ensure that at every level, we have full and fair representation. However we clearly recognize the traditional role of the Union and the fundamental importance of representing actively farming members. None the less a lot has been made by those still farming out there, that the CFU, is being taken over by those not farming. We take it as a compliment of our efforts and achievements within the Union on your behalf. The truth of the matter is, not that we are taking over the Union, but that we are claiming our rightful space within the Union and using it for our membership's best advantage. Clearly the significant effort that has been put into communication with our constituency is bearing fruit. In the past year and half we have put out regular and informative Updates to a mailing list of over 1500 farmers. We respond to numerous enquiries and endeavour to find answers to all queries.

At the last CFU congress there were calls from ARAC for a restructuring exercise of the Union to take place it was endorsed by Council in the pre congress council meeting. This has been undertaken and was followed by a Special General Meeting of the Union in November the process of change is arduous but an ongoing one and in the process we endeavour to have a meaner and leaner Union that will bring about full Transparency and Accountability. The newly formed Compensation Committee currently chaired by VP Taffs effectively elevates our issues to the highest level in the Union, and the newly formed EXECO Committee which deals with internal and housekeeping matters within the Union are of extreme importance to our membership.

I'm pleased to report that your ARAC Chairman will sit on both these committees, thus ensuring that our membership issues are kept at the forefront of the Unions concerns.

The word ARAC is an acronym for Agricultural Recovery and Compensation. While in some areas people question the relationship between Recovery and Compensation it is clear from our own

experience that the one cannot happen without the other in that full and fair Compensation will lead to the full recovery of Commercial Agriculture and ultimately the economy. The final review of our mandate will only be possible within the context and conclusion of the Union's constitutional review.

ARAC's compensation efforts coupled with VP Taffs compensation outreach program initially caused a great stir of interest from all displaced farmers. Strictly speaking this Compensation proposal to government was on how compensation could be paid from a recovery of the Agricultural sector. However for the very first time there was actually a positive initiative giving all an air of HOPE for the future. This resulted in a number of "past" members rejoining the CFU.

Rumors of imminent payment by the International community abounded, but sadly that's all they were.... just rumors. For compensation to happen we need first and foremost a government which is willing to fully accept that it is their responsibility to resolve the land issue once and for all. Only once this happens will the international community and financial institutions come on board to assist it to happen. In addition we must proactively continue to prepare for compensation through both legal action in the international arena to gain rulings which will one day serve as our "back stop" in negotiations with both Government and the International community. In other words we still have to prove our rights and fight for our rights, which are no more or no less than anyone living elsewhere in the world!! Similarly we must explore mechanisms and work to get in place the necessary information and structures to roll out any solution.

Only with this full legal and thoroughly backed up information position, are we able to negotiate from a position of strength with both the Government of Zimbabwe and the International community. The current review of the SADC Tribunal has reaffirmed the position that domestic law in SADC is superseded by the Tribunal and must be adjusted to accommodate rulings by that body. We look to this endorsement in local law.

Compensation

This is a very popular word in that a lot of farmers see this as their only hope. The reality is that compensation is a specific entity that is clearly defined in International Law and when mentioned in conjunction with Compulsory Acquisition it becomes the globally accepted solution to our dilemma.

Compensation is not a gift or a divorce settlement but is the principle of replacing or rewarding the individual in financial terms for losses suffered as a result of Compulsory Acquisition. A full and fair payment based on International Law will lead to a full and rapid recovery of our economy and will reduce the impact of inflation and bureaucracy on the value of the amount received. We all need closure to the land issue, whether you are black or white, farmer or no longer farming, business man or worker. Restoration of human and property rights is the key that unlocks the door to a bright new future for the country as a whole!

ARAC has been able to source some finance for a project that focuses on Consequential and Disturbance Losses. This is being put together by Wynand Hart who will give a presentation on his progress later on in the meeting. I'm sure that he will put over to all of you what each and every one of us should be doing documentation wise, so that we are ready when compensation does happen. It's simply not enough to say that Valcon or Mills Fitchett represent me....we still have to have and be able to produce "proof of ownership", as a bare minimum, before we can enter the fray.

The valuation process has caused a lot of concern but once again we have come a long way from where there was no control and input from the farmer and the CFU to where there exists a MOU between CFU and Valcon and a contract between the farmer and Valcon. These are not perfect

but form the foundation for further planning and action. In sourcing funds for our own project we were able to assist in lobbying for support for Valcon and \$25 000 was directly pledged to upgrade soft ware. It is also to be noted that through dialogue with ARAC, Valcon has agreed to extend the data base used in the farm valuation process to accommodate various aspects of disturbance losses.

The Valuation Consortium has got a total of three thousand two hundred properties on their database that is owned by two thousand four hundred title holders. The mapping has been 96% completed and is a huge asset in giving an accurate picture of total area and specific title information that have been affected by the Fast Track Land Resettlement Exercise. This will greatly assist any settlement in that accurate data forms the foundation for the calculation of an accurate global figure. I especially would like to thank John for showing his total commitment to his fellow farmers. The mapping exercise with Valcon is of the utmost importance and to have mapped 96% of the country is of huge value to us all. I hope that we will all contribute to the peer exercise that will shortly be outlined.

We have secured a small grant of \$32000 from the British Government to target specific aspects of our work. Most of this is aimed at producing material for advocacy. This involves:

1. A review of GOZ land policy since GPA
2. A review of the Scoones' work in a critical way.
3. A look at BIPPAs in particular.
4. Production on a report on the Doma Trashings together with an interactive CD. This has been partly done and needs to be completed to be effective.
5. Development of a short DVD on the plight of farmers because of exclusion and failure to compensate them. This to only needs completion and is to assist the elderly get some sort of support.
6. A small fund to enable legal and advocacy meetings in SA with the South African Legal Council which has strong civil and legal circles.
7. There is some funding to specifically assist in projects to assist displaced farmers. A short course running from 15th to 17th June will be held for interested farmers and Foundation for Farming are keen partners in this regard as they are with
8. Seed Funds to enable the establishment of demonstration plots here at the Union.

Of the total grant, \$5500 will support core costs and an additional \$2000 was offered to the presidential tour to the UK which was a resounding success.

In this regard, most of you will already have received feedback on the trip, follow-up with contacts will continue. Needless to say high on the agenda was the current plight of many of our resource strapped and ageing members and efforts are continuing to try and get support for a number of measures to assist, in particular looking into British support to the Governments funds for compensation and pushing for an interim pension scheme for farmers.

On the welfare side, I would like to thank Richard Brooker and his team at the Farm Families Trust. They continue to work diligently and provide an enormous level of assistance to so many in need; with limited resources they have truly managed to make a huge difference, particularly to those facing medical crisis. Our office has been able to provide a coordinating and distribution link food parcels to around 50 of our members every two months. We would like to thank Louis Fick for his help in initiating contact with Zimbabwe Pensioners Support and Hannes Botha and his team for the generous support.

The CFU has initiated legal action in the local courts in an attempt to deal with the issue of compensation and create legal precedent that will benefit all farmers.

In conclusion from my report it is clear that we really have come a long way, but we have not resolved all the challenges and we most certainly do not want to offer false hope.

1. Compensation has now become recognized by all the players including government as the right of displaced farmers.
2. Compensation has been recognized by displaced farmers as their only solution. However it is not a quick fix or a divorce settlement.
3. Compensation restores the rights of the individual to change them from a victim into a participant with clearly defined and respected rights.
4. Displaced farmers without full and fair compensation will never have their rights restored in Africa and will continue to lose the right to citizenship and the right to be considered as Zimbabweans and Africans.

All our dreams and hard work over generations have been destroyed. By understanding the role and impact of compensation fully we have the choice to, either have our rights restored, or we can take the divorce settlement and become exiles in countries we do not like and under the present circumstances we will never again escape from.

Lastly I would like to take this opportunity to thank the President Deon Theron and his V/President Charlie Taffs for their support over the past year. They have played a huge positive role in our success, to Ben and Shayne in particular and the rest of the CFU staff, thanks for your dedicated work, you have truly been a caring team to my committee thanks for your support over the last year you have made a sacrifice in trying to move this process forward and for this I am very grateful. To my committee, thanks for the commitment, without your time and input our efforts would have achieved little.

To our members once again thanks for coming and your support and understanding, these are much appreciated.

Thank You!!