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A photograph of a woman wearing a maroon headscarf and a matching top, holding a young child. The woman is looking upwards and to the right with a thoughtful expression. The child is looking towards the camera with an open mouth. The background is a textured, light-colored wall.

**FROM EMERGENCY TO RECOVERY**

# **INTEGRATING HOUSING, LAND AND PROPERTY (HLP) INTO REBUILDING SUDAN**

February 2024

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# EXECUTIVE SUMMARY

## A. INTRODUCTION

The war in Sudan began with fighting between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) in April 2023. Only weeks into the fighting in Khartoum, homes and essential infrastructure like schools and hospitals were destroyed. By January 2024, at least 7.4.1 million people had been displaced, with more than 6 million internally displaced. Sixty-one per cent of all the displaced (about 3.7 million) are originally from Khartoum.<sup>1</sup> Though the clashes began in Khartoum, the war has now extended to the greater Darfur, the Kordofan and Al Jazira state. In Darfur, attacks on formal and informal camps for internally displaced persons (IDPs) became common, leaving thousands homeless when their shelters were destroyed in the fighting; for example, one hundred gathering sites for IDPs in Al Geneina (West Darfur) were completely destroyed. Other armed groups have also exploited the chaos to claim more territory and control in other states.

Sudan humanitarian crisis is not new. In March 2022, there were already 3.7 internally displaced persons (IDPs) in the country. The economy was also in recession, driving food insecurity across the country,<sup>2</sup> compounded by climate shocks.<sup>3</sup> Prolonged conflicts and crises in Sudan have highlighted the need for comprehensive responses that combine humanitarian, development and peace (HDP) activities, to address immediate needs during emergencies, while also planning for mid to longer-term solutions that can create conditions for peace and encourage social, economic and political development.<sup>4</sup> **It is critical that housing, land and property (HLP) issues be understood and addressed in all stages, from the start of an emergency to the recovery and rebuilding.**

This white paper is based on a desk review of literature on HLP in Sudan, as well as observations by humanitarian actors currently in Sudan. The paper highlights the importance of considering HLP issues during all phases of crises, whether arising from conflict or natural disasters, the importance of understanding how HLP has been a driver of recurring conflict in Sudan, and to provide recommendations on what actions can be taken to address these issues to support a more equitable and sustainable future.

## B. EMERGENCY

Common HLP issues in emergencies include destruction of HLP assets; access to adequate housing and land for those affected by displacement; disputes over use of land and natural resources like water; forced evictions; secondary occupation; land grabbing and destruction of HLP assets.<sup>5</sup> Tenure insecurity is often high in emergencies, as people do not know how long they will be able to stay in the houses, buildings and lands where they have sought refuge, or whether they will have to flee again. Displaced families tend to live in overcrowded and impoverished conditions and often resort to sheltering in public buildings, such as schools or government.

HLP issues are especially complex in urban emergency scenarios. In the current conflict, most of the clashes between the SAF and RSF are in cities with populations exceeding 100,000 people. Bombardments and heavy artillery in densely populated urban areas destroyed critical infrastructure and hundreds of homes. The RSF has forcefully occupied civilian residences and both sides have issued evacuation orders in several areas. The loss of their houses, land and property (HLP) and the ongoing fighting has displaced

<sup>1</sup> OCHA Situation Report, *Sudan: Nine months of conflict, Key Facts and Figures* (15 January 2023).

<sup>2</sup> NRC (2021a).

<sup>3</sup> The HNO 2023 notes that in 2022, tens of thousands of houses were destroyed and over 5000 hectares of land were affected by severe flooding, increasing land disputes and fights over other scarce natural resources.

<sup>4</sup> UNHCR (2020).

<sup>5</sup> IOM (2018).



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millions of people. For those who are unable to find safety with relatives, paying rent is often one of the most challenging HLP issues. This leaves them at risk of eviction and loss of safe and adequate housing. Humanitarian access to civilians in urban conflict zones is also extremely challenging, as ongoing clashes hinder access to the people and aid operators' ability to assist with HLP issues like forced evictions or housing solutions.

### C. PROTRACTED CRISES

The current conflict in Sudan is in its tenth month, and there is no end in sight. RSF and SAF forces continue to fight over territory throughout the country, making protracted displacement more likely. In 2022, OCHA had already reported that around 56 per cent of Sudan's IDPs had been displaced for more than ten years.<sup>6</sup> In Darfur, where many people have been displaced for over 20 years, secondary occupation of land in the place of origin has been one of the most widely reported HLP concerns, and many IDPs state this as one of the main barriers to return. Disputes over access to and transfer of HLP are also a source of conflict in protracted displacement.

<sup>6</sup> <https://bit.ly/49r9NpU>

Many camps are located on land that belongs to others, and while at the outset of an emergency, hosting communities may be willing to help those fleeing disaster, the longer the displacement lasts, the more likely it is that disputes will occur regarding the use of land and the need for housing.

Understanding the HLP issues, such as where communities are at risk of climate change-induced displacement, where they are likely to go, and how land and natural resources are managed in those areas can help mitigate conflicts and better support the resilience of the populations affected by displacement.

### D. PEACE PROCESSES AND PEACE BUILDING

Territorial control is often central to the outcome of armed conflicts as confiscation and reallocation of HLP constitute strategic tools to secure economic or political holdings.<sup>7</sup> OCHA's 2022 Periodic Monitoring Report notes that HLP issues and concerns are a key driver of conflict in Sudan, and one of the biggest impediments to

<sup>7</sup> International Peace Academy (2005).

pursuing more sustainable and durable solutions for persons affected by displacement.<sup>8</sup> In the past, the government in Khartoum used the violation of HLP rights as a strategy of warfare and violence in Darfur by recruiting landless Arabs to fight by promising them the land of non-Arab tribes they defeated.<sup>9</sup> In Blue Nile, it was reported that large swaths of land had been cleared and sold to investors during past wars, and that displaced communities could not challenge the sales as many were still displaced and lacked the necessary documentation to take cases to court.<sup>10</sup> Including HLP issues in peace processes, agreements and transitional justice efforts can help ensure that challenging issues such as historical HLP grievances, the return or integration of displaced persons and restitution claims are addressed as part of the resolution to conflict. These issues are technical and complex, and it is generally far more difficult to wait until the post-conflict process to address them, as such challenges can derail peace agreements that are reached.

## E. CLIMATE

In addition to the crisis, Sudanese citizens are also severely exposed to emergencies caused by the effects of climate change: extreme weather, floods and droughts worsen environmental degradation, unsustainable agricultural practices, and resource-based conflicts.<sup>11</sup> The effects of climate change and conflict and insecurity compound each other. Between July and September 2023, OCHA reported that heavy rains and flooding affected 72,400 people, with 5,823 homes destroyed and another 6,664 homes damaged across 16 localities in seven states, including North Darfur, North Kordofan and South Kordofan.<sup>12</sup>

<sup>8</sup> UNHCR (2018).

<sup>9</sup> Tubiana (2021).

<sup>10</sup> UNDP (2017).

<sup>11</sup> NUPI (2022).

<sup>12</sup> OCHA Sudan Humanitarian Update 22 Sept 2023.

## F. RECOMMENDATIONS

### IN THE SHORT-MEDIUM TERM (EMERGENCY AND PROTRACTED DISPLACEMENT)

- ➔ **Support access to immediate/interim solutions for HLP issues for persons affected by displacement** – e.g., facilitating access to secure housing and land for the displaced while also considering the needs of hosting communities, providing support to mitigate risks of forced eviction, considering how to document loss/damage or otherwise protect HLP rights in the areas of origin, etc.
- ➔ **Ensure relevant HLP information is collected where possible;** included in the planning of the Humanitarian Needs Overview and Humanitarian Response Plan; and shared with development actors and donors to advocate for increased funding.
- ➔ **Monitoring patterns of forced evictions from conflict-affected areas** and where displaced persons are seeking refuge, and learn about tenure arrangements in places of displacement and origin.

### IN THE MEDIUM-LONG TERM (TRANSITIONING FROM EMERGENCY/ PROTRACTED DISPLACEMENT TO PEACE PROCESSES)

- ➔ **Assess and document conflict-induced HLP violations and potential remedies** – e.g., forced evictions, land grabbing, secondary occupation, destruction of HLP assets.
- ➔ **Identify potential stakeholders who will be able to help with HLP issues that may arise in transitional phases** (e.g., compensation for destroyed property, HLP disputes) and begin planning on what will be needed to provide redress (e.g., compensation funds, administrative processes to prove HLP claims, HLP dispute resolution mechanisms)
- ➔ **Ensure that peace negotiation and/or recovery processes consider HLP violations/harms** that have taken place and what funding, and institutional mechanisms will be needed to provide redress

# HLP Issues in Sudan

**Protracted Crises**



**Peace Processes**

**Environmental Factors**



**Development Planning**

**Emergencies**



**Protracted Crisis**

## Peace Processes

Integrating HLP in Negotiations

Restitution for Lost Property

Securing HLP Rights

## Protracted Crises

Land Ownership Disputes

Housing Access Challenges

Overcrowded Camps

Informal Settlements

Land Tenure Issues

## Environmental Factors

Displacement due to Environment

Land Use Conflicts

Climate Change Impacts

Access to Resources

## Emergencies

Destruction of Homes

Loss of Property Documents

Tenure Insecurity

Displacement

## Development Planning

Legal Reforms

HLP Dispute Resolution

Secure Housing and Land Tenure

## 1

## BACKGROUND

After the overthrow of Omar al-Bashir in April 2019, a transitional military council was formed with General Abdel Fattah al-Burhan, a member of the Sudanese Armed Forces (SAF) as chair and General Mohamed “Hemedti” Hamdan Dagalo, a leader of the Rapid Support Forces (RSF) as deputy. Although a power-sharing agreement was reached between military and civilian actors in 2019, the military seized full control in 2021, dismissing the prime minister and most of the civilian cabinet.<sup>13</sup> Another framework agreement was reached in December of 2022, where the military agreed to relinquish control to a civilian government in April 2023.<sup>14</sup> However, the military failed to do so, and fighting broke out between the SAF and RSF themselves in April 2023, with each side seeking to control the country.

Though the clashes began in Khartoum, the war has now extended to North, South, Central and West Darfur states, as well as North and South Kordofan.<sup>15</sup> Only weeks into the fighting in Khartoum, homes and essential infrastructure like schools and hospitals were destroyed.<sup>16</sup> By January 2024, at least 7.4.1 million people had been displaced, with more than 6 million internally displaced.<sup>17</sup> Most sought refuge in South Darfur followed by River Nile, East Darfur, Aj Jazirah, White Nile, North Darfur, Sennar, Northern, Gedaref, Central Darfur – all of which saw high levels of violence recently – and other states.. Sixty-one per cent of all the displaced (about 3.7 million) are originally from Khartoum.<sup>18</sup> As the conflict spread into Aj Jazirah in December, more than half a million people had to flee in a month, many for a second time having previously displaced from the capital.

As the war spread beyond the capital, attacks on already displaced populations living in formal and informal camps in Darfur became common.<sup>19</sup> Clashes between the SAF and RSF near one camp in Central Darfur left about 2,300 residents homeless after their shelters were burned down during the fighting.<sup>20</sup> In Darfur, effects of the current conflict have merged with long-standing ethnic tensions and ethnically motivated violence.<sup>21</sup> Other militia groups have also exploited the chaos to claim more territory and control throughout the Darfur and Kordofan states. It is as yet unclear who is in control of the country or when this newest cycle of violence will end.

Sudan was facing a humanitarian crisis even before this most recent outbreak of conflict. In March 2022, there were already 3,779,487 internally displaced persons (IDPs) registered throughout the country,<sup>22</sup> and over 700,000 Sudanese were living as refugees, mainly in Chad, South Sudan, and Ethiopia. Large scale attacks on civilians have been on the rise in the peripheries since 2020, particularly in Darfur, Kordofan and Blue Nile. The economy was also in recession, driving food insecurity across the country.<sup>23</sup> Adding to this, climate shocks like droughts and floods are expected to worsen; the 2023 Humanitarian Needs Overview (HNO) notes that in 2022, tens of thousands of houses were destroyed and over 5000 hectares of land were affected by severe flooding, increasing land disputes and fights over other scarce natural resources.<sup>24</sup>

<sup>13</sup> <https://bit.ly/49qXKc4>

<sup>14</sup> <https://bit.ly/3UJi8B4>

<sup>15</sup> NRC (2023).

<sup>16</sup> International Crisis Group (2023).

<sup>17</sup> NRC (2023).

<sup>18</sup> OCHA Situation Report, *Sudan: Nine months of conflict, Key Facts and Figures* (15 January 2023).

<sup>19</sup> NRC (2023).

<sup>20</sup> OCHA Situation Report, 5 Oct 2023, <https://reports.unocha.org/en/country/sudan/>

<sup>21</sup> UNSC (2023).

<sup>22</sup> <https://dtm.iom.int/sudan>

<sup>23</sup> NRC (2021a).

<sup>24</sup> HNO (2023).

As noted by the UN Secretary General, competition and conflict over land is likely to intensify with the growing pressures of climate change, population growth, increased food insecurity, migration and urbanization. Mounting pressure on land resources will drive conflict dynamics at global, regional, national and local levels, and there is increasing acknowledgement that land can be a root cause or trigger for conflict, a critical factor causing its relapse, or a bottleneck to recovery.<sup>25</sup> The growing numbers of displaced populations caused by prolonged conflicts and recurring crises has highlighted the need for comprehensive responses that combine humanitarian, development and peace (HDP) activities. This approach is intended to address immediate needs during emergencies, while also planning for mid to longer-term solutions that can create conditions for peace and encourage social, economic and political development.<sup>26</sup> It is critical that housing, land and property (HLP) issues be understood and addressed in all stages, from the start of an emergency to the recovery and rebuilding.

This white paper is based on a desk review of literature on HLP and the complex environment of Sudan, as well as observations by humanitarian actors currently in Sudan. The paper aims to explain the importance of considering HLP issues during all phases of crises, whether arising from conflict or natural disasters, the importance of understanding how HLP has been a driver of recurring conflict in Sudan, and to provide recommendations on what actions can be taken to address these issues to support a more equitable and sustainable future.

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<sup>25</sup> UNSG (2019).

<sup>26</sup> UNHCR (2020).

**BOX:**

## **HLP RIGHTS AND DISPLACEMENT**

**Housing, land and property (HLP) rights** are about having a home, free from the fear of forced eviction; a place that offers shelter, safety and the ability to secure a livelihood. The concept of HLP includes the full spectrum of rights to housing, land and property held according to statutory or customary law or informally — both public and private housing, land and/ or property assets. HLP rights are held by owners, tenants, cooperative dwellers, customary land tenure owners and users, and informal sector dwellers without secure tenure.<sup>27</sup>

**Security of tenure** provides the certainty that a person's rights to housing, land or property will be recognized and respected by others and protected when challenged, and at a minimum, should protect occupants/users against forced eviction, harassment and other threats related to their rights, regardless of the type of tenure.<sup>28</sup>

**HLP issues are often a driver and/or consequence of displacement.** People are forced from their homes, lands, and resources due to conflict or disaster, and have to find another place to stay. Whether while displaced (e.g., finding land and shelter for refuge), during (re)integration or upon return (rebuilding or re-establishing HLP rights), people's survival often depends on having materials to build and maintain shelters and a safe, healthy, and stable place to live (a home); and safe access to and use of water, land, commercial spaces, and natural resources to sustain livelihoods.<sup>29</sup>

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<sup>27</sup> *The Importance of Addressing HLP Challenges in Humanitarian Responses* (2016).

<sup>28</sup> *Land and Human Rights: Standards and Applications* (OHCHR 2015).

<sup>29</sup> *Demystifying Tenure for Humanitarian Practitioners* (2021).



## 2

# HOUSING, LAND AND PROPERTY (HLP) IN EMERGENCY CONTEXTS

Common HLP issues in emergencies include destruction of HLP assets; access to adequate housing and land for those affected by displacement; disputes over use of land and natural resources like water; forced evictions; secondary occupation; land grabbing and destruction of HLP assets.<sup>30</sup> Tenure insecurity is often high in emergencies, as people do not know how long they will be able to stay in the houses, buildings and lands where they have sought refuge, or whether they will have to flee again. Even if they can find a place to take shelter during an emergency, they worry about whether someone else may try and claim ownership of the HLP assets they left behind.

People who are forced to suddenly flee may leave behind important HLP documents, such as a title deed to their house and/or land. Often, they will not know when or whether they will be able to return, the level of destruction that they may find and whether they will be able to afford to rebuild. Just weeks after the current conflict began in April, rampant destruction and looting of civilians' housing, land and property in Khartoum state was widespread, with RSF forces occupying many residential areas. Also in the capital, both the RSF and the SAF have forced civilians to evacuate from their homes before specific offensive with no consideration for where they could go.<sup>31</sup>

Displaced families tend to live in overcrowded and impoverished conditions and often resort to sheltering in public buildings, such as schools or government buildings, which lack access to sufficient space, privacy and necessities such as food and water. During previous conflicts in Darfur, entire communities who fled from violence sheltered in overcrowded schools and

gathering sites, with dozens of men, women, boys and girls living in small spaces. In July 2023, three months into the current conflict, NRC assessments found that the majority of newly displaced persons were living with host communities and in rented accommodations, while 19 per cent were in camps, schools and other public buildings, informal settlements or improvised shelters. **Across the country**, hundreds of schools are now hosting families who fled the war. Communal shelters in public buildings and informal sites can be found in all the major hosting town.<sup>32</sup> When the war spread to Darfur, existing IDP camps and settlements were attacked,<sup>33</sup> and the IDPs living there were forced to flee again. One hundred gathering sites of Al Geneina (West Darfur) were completely destroyed between April and June 2023, forcing the IDPs to flee, mostly towards Chad.

HLP issues in Sudan related to past emergencies – particularly in regards to adequate housing – have been documented by the humanitarian sector. NRC's 2022 assessment in West Darfur found that no respondents had access to adequate housing: 67 per cent did not have access to any housing, while 33 per cent said their housing was either damaged, makeshift, and destroyed.<sup>34</sup> The Humanitarian Needs Overview (HNO) notes that in their 2022 multi-sector needs assessment (MSNA), 75 per cent of surveyed households reported not having security of tenure, 27 per cent had problems with property occupation, 23 per cent faced ownership disputes, 18 per cent faced threats of eviction and rent disputes and 15 per cent had problems with property being looted.

<sup>30</sup> IOM (2018).

<sup>31</sup> ACLED (2023); NRC (2023).

<sup>32</sup> NRC (2023).

<sup>33</sup> NRC (2023).

<sup>34</sup> NRC (2022c).



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The HNO also notes that many people affected by conflict, including inter-communal clashes, had been displaced multiple times during the prior year, and had lost shelters, access to land and water points, personal property and sometimes entire villages.<sup>35</sup> Such information was fed into the 2023 Sudan Humanitarian Response Plan (HRP), which states that interventions will aim to improve tenure security by assisting IDPs and returnees regarding evictions, resolving land disputes, and helping communities with the demarcation of land to prevent future disputes.<sup>36</sup> Additionally, the HRP recognizes that HLP rights need to be considered in shelter and settlement interventions to avoid inadvertently exposing communities to risks or legitimizing land grabbing or secondary occupation.<sup>37</sup>

**The failure to understand and address HLP issues in emergency contexts can undermine the entire humanitarian, transitional and development response and neglect the needs of some of the most vulnerable persons involved.**<sup>38</sup>

In Sudan, there are often competing claims of ownership and use rights over land, and conflict between statutory and customary laws (as well as conflict between laws themselves), particularly in areas like Darfur, Blue Nile and South Kordofan.<sup>39</sup> Understanding land use and ownership rights can ensure that any interventions that require land, whether in WASH, Shelter, Education or Livelihoods and Food Security, are sustainable, and can also mitigate the risk that land disputes will arise and cause a project to fail and/or create further conflict in the community.

<sup>35</sup> HNO (2023).

<sup>36</sup> HRP (2023).

<sup>37</sup> HRP (2023).

<sup>38</sup> IOM (2018).

<sup>39</sup> NRC (2022a).

For example, in identifying land for camps and settlements for displaced persons, failure to understand the land tenure arrangements can lead to contested claims, forced evictions, confiscation of the residents' properties or seizure of the HLP assets and investments. In rural areas like Darfur, where customary leaders control the use of land, other community members may be unhappy if displaced persons settle on their farmland and assistance is given to newcomers while nothing is given to them. Not understanding the dynamics about land tenure systems where displaced persons first settle may lead to obstacles in the future. Protracted displacement is common in Sudan, and misunderstandings about land use and ownership during the initial emergency stages can lead to future HLP conflicts.

Key steps that can be taken to ensure that HLP issues are included at the outset of a response include conducting assessments or otherwise gathering information about relevant issues that include (but are not limited to): the scale and type of HLP needs of the displaced population, such as amount of land and type of housing needed for both living and livelihood; possible HLP that can be used for their needs; security of tenure and use arrangements of HLP by the hosting community in the area of displacement; and needs of the hosting community and how they are affected by the presence of displaced persons. Such information gathering can be done even before an emergency starts for areas that are known to be, or are highly likely to be, affected by displacement. Where possible, steps to protect rights to HLP can be integrated into an emergency response, such as by helping people safeguard HLP documents, engaging in preventive action and advocacy against forced evictions and working with relevant actors to identify adequate housing arrangements for persons affected by displacement. Gathering as much relevant information as possible early on can facilitate planning and development of short, mid and longer term responses. While there will always be a need for flexibility and room to adapt as circumstances change, addressing HLP at the onset allows a better overall view of the how an emergency develops, and its implications.

## 2.1 HLP IN URBAN EMERGENCIES

HLP is complex in urban emergency scenarios, and humanitarian actors have struggled to effectively respond to needs in such settings. People displaced in cities who have fled their homes may have more difficulty finding places to take immediate refuge, particularly when fighting is ongoing. Many homes are looted, destroyed or in unsafe areas, and paying rent is often one of the most challenging HLP issues for the urban displaced. This leaves them at risk of eviction and loss of safe and adequate shelter if they cannot pay, or if landlords/owners decide they want tenants to leave. As a result, the occupants could be subject to secondary displacement or forced returns, especially if HLP claims by the legal owners are successful.

In Sudan, most of the clashes between the SAF and RSF of fighting were in cities with populations exceeding 100,000 people. They have used heavy artillery in densely populated urban areas, and many cities have been heavily bombarded, by July, it was estimated that over 420 buildings in Khartoum state had been destroyed, including critical infrastructure and hundreds of homes in Khartoum, forcing residents to find shelter elsewhere. Urban warfare is ongoing throughout cities in Khartoum state, with aerial bombardments, ground battles and increasing usage of drones, and both the RSF and SAF are heavily controlling the movement of people and materials in and out of the neighborhoods.

The intense clashes within the Khartoum metropolitan area underscore the escalating dynamics of the conflict, with both sides fiercely contesting control over critical strategic military bases and routes. Forced evictions and blockades have both been common throughout the state, with civilians losing access to their homes, food, water, electricity and medical supplies, as the warring parties seek to gain strategic advantage over their opponents.<sup>40</sup> For example, in August 2023, it was reported that the RSF forcefully occupied civilian residences in several neighborhoods in Omdurman to fortify its defense positions; a few days later, both the SAF and RSF issued evacuation orders to the residents of Abu Rouf, designating the neighborhood as a fully operational military zone.<sup>41</sup>

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<sup>40</sup> <https://bit.ly/3SSOrMS>

<sup>41</sup> ACLED (2023).

In January 2024, IOM reported that most of the displaced sought refuge in South Darfur followed by River Nile, East Darfur, Aj Jazirah, White Nile, North Darfur, Sennar, Northern, Gedaref, Central Darfur – all of which saw high levels of violence recently – and other states 65 per cent of newly displaced<sup>42</sup> people are staying with host communities and 8 per cent are in rented accommodations in urban areas. Sixty-one per cent of those displaced are originally from Khartoum.<sup>43</sup> Urban warfare continues throughout Khartoum, Bahari and Omdurman, with aerial and ground battles and increasing usage of drones, and both the RSF and SAF are heavily controlling the movement of people and materials in and out of the neighborhoods.

Additionally, people displaced in urban areas will often take shelter in buildings that are not meant to be lived in, such as schools or other public buildings. For example in September 2023, OCHA reported that there were about 2,700 displaced people from Tawila taking refuge in the school premises in Zamzam, and about 4,000 people from Nyala (South Darfur) taking refuge in five school buildings in Al Fasher town.<sup>44</sup> About 488,000 displaced people had taken refuge in South Darfur, 60 per cent of whom were in camps, improvised shelters, schools/public buildings or gathering sites; approximately 96,000 displaced people had taken refuge in West Darfur, with 38 per cent residing in improvised shelters, school/public buildings or in gathering sites.<sup>45</sup>

Humanitarian access to assist civilians in urban conflict zones is extremely challenging. In the current conflict, the ongoing fighting and blockades have made it more difficult to reach persons in need with any assistance, including HLP issues like forced evictions and severe overcrowding. In non conflict areas in the East of the country, arbitrary denials of access taking the form of bureaucratic impediments have also handicapped the response. Additionally, helping civilians protect their rights to HLP can be difficult. Urban residents use a range of living arrangements, such as single family and multiple occupancy (e.g., multi-story apartment buildings) arrangements, renting and owning, and formal and informal settlements<sup>46</sup>. Tenure situations can often be unclear, as ownership claims may be recorded or not, and if recorded may not be in the appropriate person's name. If government buildings housing official HLP records are destroyed, this creates additional challenges for the future if people need to prove their claims of ownership or other rights over HLP assets.

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<sup>42</sup> IOM -DTM (2024).

<sup>43</sup> OCHA (2024).

<sup>44</sup> OCHA (2023).

<sup>45</sup> OCHA (2023).

<sup>46</sup> Sanderson (2019).

# 3

## HLP IN PROTRACTED CRISES

As observed by the World Bank, displacement often happens in poor areas in developing countries, and both the sudden arrival and protracted stay of masses of displaced persons creates great challenges for hosting communities and governments.<sup>47</sup> Forced displacement is both a humanitarian crisis and development challenge, and today's displacement situations are becoming increasingly protracted, highlighting the need for a more sustainable and efficient way to support both the displaced and their hosts with a longer term perspective.<sup>48</sup> Similar HLP challenges from the emergency phase often exist in protracted displacement – people live in overcrowded accommodation and within congested camps, and they need assistance to access adequate housing and secure land tenure for residential and livelihood activities. However, a lengthy period of displacement can lead to other problems, such as disputes with hosting communities over longer-term access to land and natural resources, the need for more sustainable housing options and ways to protect rights to HLP in areas of origin. Continuing to address HLP issues during protracted displacement is critical to facilitate access to sustainable livelihoods, promote self-reliance and support sustainable durable solutions.<sup>49</sup>

The current conflict in Sudan is in its tenth month, and there is no end in sight. RSF, SAF forces and other non-state armed groups continue to fight over territory throughout the country, making protracted displacement more likely. Sudan's citizens were already struggling to cope with lengthy crises and displacements before this latest outbreak of violent conflict. In 2022, OCHA reported that around 56 per cent of Sudan's IDPs had been displaced for more than ten years.<sup>50</sup> In Darfur, where many people have been displaced for over 20 years, secondary occupation of land in

the place of origin has been one of the most widely reported HLP concerns, and many IDPs state this as one of the main barriers to return. Despite the length of time they have been displaced, a recent study found that only 3% of IDPs in Darfur own land in their current areas, as compared to 43% of non-displaced populations.<sup>51</sup> While some are given use rights to land under customary law, many have to pay rent or some other kind of tax, and these rights are often limited and not conducive to sustainable integration in local communities.<sup>52</sup> Similarly, in South Kordofan, IDPs may be given access to land to farm, but this will usually be negotiated with the dominant group in the host population and access will be dependent on recognition of the primary ownership of the land by this group.<sup>53</sup>

Disputes over access to and transfer of HLP are also a source of conflict in protracted displacement. Many camps are located on land that belongs to others, and while at the outset of an emergency, hosting communities may be willing to offer assistance to those fleeing disaster, the longer the displacement lasts, the more likely it is that disputes will occur regarding the use of land and the need for housing. For example, in Darfur, IDP camps are overcrowded, largely because while the families living in the camps grew in number, the amount of land they resided upon stayed the same. They need more land for the camps, while the hosting community, which had also grown in number, resent feeling that they have permanently lost their lands. In the current conflict, there has disagreement over the use of land in White Nile for Khor Ajwal Camp. Community leaders initially gave authorities the permission to use the land for a camp in September 2022, when a conflict broke out in Blue Nile neighboring state and thousands found refuge in White Nile's school. As authorities wanted the schools to be re-opened, it created in haste Khor Ajwal Camp. But when more IDPs

<sup>47</sup> <https://www.worldbank.org/en/topic/forced-displacement>

<sup>48</sup> *Ibid.*

<sup>49</sup> *Guidance Note of the Secretary General, The United Nations and Land and Conflict* (2019).

<sup>50</sup> <https://bit.ly/49r9NpU>

<sup>51</sup> NRC (2021b).

<sup>52</sup> NRC (2022b).

<sup>53</sup> NRC (2021b).

arrived to the camp one year later with the war, other community members claiming to be the land owners blocked construction of WASH infrastructure for over one month.

Without understanding the dynamics of HLP, including tenure security, humanitarian and development assistance that is meant to promote long-term resilience in a particular place may inadvertently increase conflict if there is underlying disagreement over who is able to control the use of land, housing and other resources in that area.

**BOX:**

### **HLP AS AN OBSTACLE TO DURABLE SOLUTIONS**

#### **What are durable solutions?**

A durable solution is achieved when displaced persons no longer have special assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination resulting from their displacement. A durable solution can be achieved through:

- Sustainable return (reintegration at the place of origin);
- Sustainable local integration where the displaced persons have taken refuge; or
- Sustainable integration in another part of the country (resettlement elsewhere in the country).<sup>54</sup>

Violations of HLP rights are a significant aspect of conflict. Displaced populations are unlikely to return to their home areas if their HLP has been destroyed, confiscated or grabbed and IDPs in Sudan often report that uncertainty about whether or not they will be able to recover their former lands and property is of great concern. Disputes over occupied property are a continued source of instability, preventing durable solutions for returning populations and threatening fragile peace agreements.<sup>55</sup> In Darfur, a 2022 intention survey indicated that a substantial majority of IDPs (67%) would prefer to integrate in the areas where they are currently hosted.<sup>56</sup>

Displaced persons who do return may find their homes occupied by others who refuse to leave, and may also lack proof of ownership to their land and homes. They may also struggle to assert rights to restitution or compensation for their HLP that may have been taken or destroyed. If return is not possible (for reasons of safety or because land is no longer viable), displaced persons may face relocation under circumstances where they may not have sufficient land to live or adequate housing, or where they feel safe.<sup>57</sup>

To tackle these challenges, the national authorities in collaboration with the UN and other stakeholders have set up a durable solutions working group and drafted a national strategy on the issue for IDPs, returnees, refugees and host communities, though it is unclear how the current conflict will impact their work and how their responsibilities and goals may change.<sup>58</sup>

<sup>54</sup> *Durable Solutions for IDPs in a nutshell* (2019).

<sup>55</sup> *The Importance of Addressing HLP Challenges in Humanitarian Responses* (2016).

<sup>56</sup> NRC (2022b).

<sup>57</sup> Sudan DWHL (forthcoming).

<sup>58</sup> <https://bit.ly/49r9NpU>

## 4

# HLP IN PEACE PROCESSES, PEACEKEEPING & PEACEBUILDING

OCHA's 2022 Periodic Monitoring Report notes that HLP issues and concerns are a key driver of conflict in Sudan, and one of the biggest impediments to pursuing more sustainable and durable solutions for persons affected by displacement.<sup>59</sup> In the current conflict, the RSF and SAF, as well as other militia groups like the Sudan People's Liberation Movement-North (SPLM-N), continue to fight to control lands for power and strategic advantage. In the past, the government in Khartoum used the violation of HLP rights as a strategy of warfare and violence in Darfur by recruiting landless Arabs to fight by promising them the land of non-Arab tribes they defeated.<sup>60</sup> In Blue Nile, it was reported that large swaths of land had been cleared and sold to investors during past wars, and that displaced communities could not challenge the sales as many were still displaced and lacked the necessary documentation to take cases to court.<sup>61</sup>

Territorial control is often central to the outcome of armed conflicts as confiscation and reallocation of HLP constitute strategic tools to secure economic or political holdings.<sup>62</sup> Including HLP issues in peace processes, agreements and transitional justice efforts can help ensure that challenging issues such as historical HLP grievances, the return or integration of displaced persons and restitution claims are addressed as part of the resolution to conflict. These issues are technical and complex, and it is generally far more difficult to wait until the post-conflict process to address them, as such challenges can derail peace agreements that are reached.

After the removal of Omar al-Bashir from power in 2019, there were concerns about land claims

among communities on different sides of the conflict that fueled further violence. Those displaced and dispossessed by the conflicts had hoped that a new government would enable restitution and improved access to land and resources, while those who benefitted from the conflict feared that they would lose access to lands for grazing or gold mining.<sup>63</sup> Though it has become more common to reference refugee and IDP rights to return and restitution in contemporary peace agreements, the processes have often been incomplete, generating additional frustration and grievance for the victims of involuntary displacement.<sup>64</sup>

This has been the case for Sudan: The 2019 Transitional Constitution Declaration (CD), the Doha Document for Peace in Darfur (2011) and the Juba Peace Agreement (2020) (JPA) all included several provisions regarding the ability of displaced persons to receive restitution or compensation for violations of HLP rights that were suffered. The CD provides many HLP protections for displaced persons, but its status has been unclear since the October 2021 coup. The JPA also provides for restoration or compensation for HLP assets that were lost or destroyed during the conflict, as well as the creation of a Compensation and Reparations Fund to implement the provisions,<sup>65</sup> though several people interviewed in Darfur and Khartoum, including political leaders, have argued that this position is not practical as many secondary occupants on lands belonging to the displaced may themselves be victims of the war and settled where they found available land, and might also need compensation to allow them to return.<sup>66</sup>

<sup>59</sup> UNHCR (2018).

<sup>60</sup> Tubiana (2021).

<sup>61</sup> UNDP (2017).

<sup>62</sup> International Peace Academy (2005).

<sup>63</sup> RVI (2022).

<sup>64</sup> International Peace Academy (2005).

<sup>65</sup> NRC (2022b).

<sup>66</sup> NRC (2022b).

The provisions regarding restoration or compensation for HLP rights have not been implemented. Some of the most significant criticisms of the JPA are that the agreement lacks sufficient specificity on how to implement its provisions, lack of funding for implementation and possible conflicts with the national statutory framework.<sup>67</sup> The JPA has also been described as problematic because it was negotiated without all the necessary stakeholders, two major warring parties did not sign, and it gave some actors political power in regions where they had no constituency.<sup>68</sup> Other reports note that in Darfur, the response to the JPA by communities who thought they might lose land was one of violent resistance, by attacking IDP settlements near contested land and/or by preventing IDPs from accessing their land in their area of origin, attempting to cement control over these areas.<sup>69</sup> Given the newest round of violence in the country between the SAF and RSF and their fight to control more territory, it is unclear what the status of the JPA is and whether its provisions will be upheld.

**Including HLP issues in peace agreements is necessary, but must also be realistic in terms of what is agreed upon, taking into consideration necessary financial, physical, human and technical resources.** Steps for implementation must be considered, and among other things, these discussions will have to consider the needs of people who have had their HLP assets destroyed or taken, how to find land and housing for people who have been displaced and are unable to return to their places of origin, and what durable solutions are available and how they can be achieved. Many stakeholders in the country will be impacted by the effect of peace processes on HLP matters, and discussions should include the broad range of actors, including the parties to the conflict, civilians, government, donors, development and humanitarian actors, that may be needed to support the success of peace agreements.

It is important to note that achieving durable solutions requires access to effective and accessible mechanisms to rebuild or rehabilitate destroyed or damaged HLP, resolution of HLP-related disputes, restitution and/or compensation for HLP left behind and access to HLP for homeless and/or landless displaced persons.<sup>70</sup> Simply reinstating land allocations to what they were before displacement – whether from past conflicts or the current one – will not address the grievances of groups who did not have access to land in the past, and will not be sufficient given the scale of destruction that has been seen in this conflict. For example many people displaced from and within Darfur do not want to return to their places of origin because of the atrocities that were committed there, or cannot because their lands are occupied.<sup>71</sup>

The current conflict has completely destroyed countless HLP assets, including hundreds of homes that have been reduced to rubble. It is as yet unknown whether or when people displaced by this newest round of fighting will feel safe enough to return to their original homes in Khartoum, especially if their HLP assets have been looted, damaged and/or destroyed. Further, this conflict has reignited old grievances and competition over the use and control of HLP outside of Khartoum, the results of which are still unfolding. Failure to ensure that such destabilizing HLP issues and potential remedies are included in peace discussions may well jeopardize the success of any agreement that is reached.

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<sup>67</sup> NRC (2022b).

<sup>68</sup> RVI (2022).

<sup>69</sup> RVI (2022).

<sup>70</sup> IOM (2018).

<sup>71</sup> NRC (2021d).



## 5

# HLP IN CLIMATE AND ENVIRONMENTAL CRISES



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In addition to the crisis caused by the current conflict between the RSF and SAF, Sudanese citizens are also severely exposed to emergencies caused by the effects of climate change: extreme weather, floods and droughts worsen environmental degradation, unsustainable agricultural practices, and resource-based conflicts.<sup>72</sup> The effects of climate change and conflict and insecurity compound each other. Fighting which causes people to flee to wherever they can may force people into areas with high risks of floods or droughts. Between July and September 2023, OCHA reported that heavy rains and flooding affected 72,400 people, with 5,823 homes destroyed and another 6,664 homes damaged across 16 localities in seven states, including North Darfur, North Kordofan and

South Kordofan.<sup>73</sup> Heavy rains in El Fasher Town in early August destroyed the homes of over 1,300 IDP families, affecting approximately 10,000 people in IDP camps.<sup>74</sup>

Rapid-onset disasters (like droughts and floods) and slow-onset climate change (such as changing seasonal rains) exacerbate vulnerabilities and strains peoples' livelihoods. Rainfed agriculture accounts for 90 per cent of cultivated land in Sudan, making many vulnerable to climate change, and more frequent floods and droughts endanger farming and pastoralist livelihoods and food security. In 2020, flooding and landslides triggered by torrential downpours affected over 800,000 people in Sudan, destroying homes and

<sup>72</sup> NUPI (2022).

<sup>73</sup> OCHA Sudan Humanitarian Update 22 Sept 2023.

<sup>74</sup> Relief International (2023).

farms. In North Darfur, Khartoum, Blue Nile, West Darfur and Sennar states, swathes of farmland were left underwater, and the Blue Nile region recorded the highest floods in over 100 years.<sup>75</sup> On top of the loss of safe land on which to live and farm because of armed conflict, these environmental disasters further reduce the amount of arable land available to the Sudanese population, forcing more competition between multiple uses of land and potentially leading to more future conflicts.

Evidence indicates that climate change has also increased competition for access to water points, pasture and traditional grazing areas, triggering new rounds of inter-communal conflict.<sup>76</sup> Thousands of Darfurians were displaced from North Darfur to less inhabited parts of South Darfur during a decade of drought in the 1970s and 1980s. Lack of water and land in other parts of the country led to populations from northern Sudan and neighboring Chad also arriving in the region, creating a “vicious cycle of overexploited soils, deforestation, wind erosion, and further depleted resources, thus exacerbating local resource conflicts.”<sup>77</sup> The displaced groups settled on land in South Darfur which had not previously been used for agriculture, but within areas used by pastoralists, sparking several conflicts over land use and undermining the existing cooperative relationships between farmers and herders.<sup>78</sup> In other regions, herders had to change their traditional movement patterns to seek food and water for their animals, which also undermined relationships with farmers and led to conflicts around the risk of damaging harvests.<sup>79</sup>

**Addressing HLP issues is a key component in preparedness, prevention and response to displacement caused by natural disasters and climate change.** The United Nations Integrated Transitional Assistance Mission in Sudan (UNITAMS) mandate recognizes the adverse effects of climate change on the stability of Sudan and stresses the need for appropriate risk assessment and risk management strategies.<sup>80</sup> Often, those residing within informal or customary settlements bear the biggest brunt of natural disasters, resulting in displacement and damage to HLP assets. Providing support to increase tenure security, particularly for those in informal arrangements, is a key element of both disaster risk reduction (DRR) policies and development efforts at large.<sup>81</sup> Secure land and housing tenure can help fight against climate change; knowing that their HLP rights are protected can encourage more effective and thoughtful ways of using land and natural resources to protect the environment and limit carbon emissions. To design adequate DDR policies and mitigation measures, and plan to “build back better,” actors will need to have a good understanding of the formal and informal HLP rights that existed prior to a disaster, and how this affects vulnerable populations.<sup>82</sup>

Understanding the HLP issues, such as where communities are at risk of climate change-induced displacement, where they are likely to go, and how land and natural resources are managed in those areas can help mitigate conflicts and better support the resilience of the populations affected by displacement.

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<sup>75</sup> NUPI (2022).

<sup>76</sup> NUPI (2022).

<sup>77</sup> NRC (2022b).

<sup>78</sup> NRC (2022b).

<sup>79</sup> NUPI (2022).

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<sup>80</sup> NUPI (2022).

<sup>81</sup> IOM (2018).

<sup>82</sup> IOM (2018).

## 6

# HLP IN DEVELOPMENT PLANNING



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Disputes over control and access to HLP assets contribute to broader political and ethnic struggles and impede equitable and sustainable development throughout the world.<sup>83</sup> At this moment, the repeatedly broken ceasefires and continued fighting throughout the country do not provide the stability that is needed for economic and political development. The RSF and SAF are still fighting for strategic control of land in the country and forcing out the existing owners/users of this land. These new violations of HLP rights will have to be considered alongside those that pre-date the conflict. However, even under more stable conditions, HLP disputes remain prevalent in post-conflict settings, often characterized by

large-scale displacement, illegal seizure of HLP assets, abandoned land and property, illegal occupation, overlapping claims, reduced housing stock, lack of documentary evidence, and gender discrimination in access to land and property assets – impeding political and economic development for the country.<sup>84</sup>

Governance-related challenges, whether actual or perceived, include lacking trust in land authorities, historical land-related injustices, tenure insecurity, unequal HLP distribution and ineffective land legislative and administrative capacity. There has been growing recognition of the need to address HLP governance issues to

<sup>83</sup> International Peace Academy (2005).

<sup>84</sup> International Peace Academy (2005).

achieve sustainable peace and long-term development goals in Sudan,<sup>85</sup> though this will likely only be possible after the current conflict reaches some kind of resolution. However, during this state of crisis, thought must still be given to the kinds of legal reforms and institutional measures the country will need to address the HLP problems from past and current conflicts, and the kinds of resources the country will need to do so. HLP issues should be a core focus of future rule of law and development programming to break cycles of conflict, offer longer-term solutions and provide better conditions for social and economic development.<sup>86</sup>

**BOX:**

### **LEGAL PLURALISM AND CONFLICT OF LAW**

Management of HLP involves long-term efforts that go to the heart of the rule of law and good governance in any society. In the developing world, crucial issues often arise at the intersection between “state law,” based on notions of individualized property rights, and “customary” rules governing land and resources held jointly by members of traditional communities.<sup>87</sup> This holds true for Sudan, where several types of land tenure can be observed. Under Sudan’s statutory law, formal, freehold land tenure was only available before the Unregistered Lands Act 1970. The government assumed ownership of all land not registered by that time, which could be leased to citizens for a period ranging from 20 years to 50 years, depending on the classification of the land and its location. There are also several types of informal land tenure which include slums and informal settlements, usually on the edges of urban areas.<sup>88</sup> Nevertheless, customary law remains dominant in many regions of the country, including Darfur, South Kordofan and Blue Nile states.<sup>89</sup>

For example, in Darfur, formally registered land rights cover less than 1 per cent of the land, and despite the 1970 Unregistered Land Act, most customary land users consider the land as theirs and governed by their customary system.<sup>90</sup> The presence of plural legal institutions with the authority to adjudicate upon HLP disputes may encourage “forum shopping” and lead to protracted HLP disputes.<sup>91</sup>

The coexistence of legal pluralism in Sudan is marked with some degree of competition and dominance.<sup>92</sup> Statutory legal systems and laws are often unclear and inaccessible to vast members of the population, due to cost and location among other factors. Traditional leaders, judicial structures and the Native Administration system in Sudan are more accessible to the population outside of urban areas, but they may often discriminate against weaker members of the group, such as women and outsiders. There is a need to analyze both types of systems and principles to identify the strengths and weaknesses and determine how best to protect all parties regarding HLP disputes.

<sup>85</sup> NRC (2021c); NRC (2021d).

<sup>86</sup> Guidance Note; OCHA (2023).

<sup>87</sup> International Peace Academy (2005).

<sup>88</sup> NRC (2022a).

<sup>89</sup> NRC (2021c); NRC (2022a).

<sup>90</sup> UN Habitat (2020).

<sup>91</sup> International Peace Academy (2005).

<sup>92</sup> Mohamed A. Babiker, *Conflict of Laws and Legal Pluralism in the Sudan: Customary Law and Courts in the Context of Sudan's Legal Pluralism - Marginalized or Empowered under English Common Law and Islamic Law*, JSTOR, 1990.

## 7

## RECOMMENDATIONS

HLP issues can trigger or worsen conflict, but promoting and protecting HLP rights of all members of society, including those affected by displacement, is necessary to achieve goals of resiliency, peace and sustainable development. This paper has attempted to highlight the importance of considering and addressing HLP issues during all stages of conflict in Sudan: emergency, protracted displacement, peace negotiations and peace building, and future development.

HLP issues are complex, and action from all actors – humanitarians, peace negotiators or mediators, and development – are needed to ensure that they are addressed. Humanitarians may have greater access to persons affected by displacement at the beginning of a crisis and are able to begin identifying HLP issues and to gather more information. Peace missions must also be aware of HLP issues to ensure they are included in negotiations and can start thinking about how to assess and sequence them with other priorities in an informed and effective manner. All development agencies should be aware of early signs of destabilizing HLP disputes and realize that long-term programs and support (financial, human and technical) will be needed to resolve challenging issues. Governments contemplating HLP reforms will also need consistent support and technical advice.<sup>93</sup>

#### IN THE SHORT-MEDIUM TERM (EMERGENCY AND PROTRACTED DISPLACEMENT):

##### Policy level

- **Ensure that HLP is included in the planning of the Humanitarian Needs Overview and Humanitarian Response Plan**, and that funding is allocated to the emergency and development response
- **Ensure that a proper and functioning coordination mechanism is dedicated HLP issues**, with strong linkages with Protection, Site Management, Shelter and NFI sectors is in place.
- **Engage with authorities and host communities on emergency HLP solutions for IDPs** to ensure that HLP screening/ due diligence and negotiation is done to mitigate risks of forced evictions
- **Include the documentation of individuals HLP loss/damage** as a strategic step to pave the way for possible reparation

##### Program level

- **Gather information from displaced populations about their HLP** at both the location of displacement and place of origin, including about tenure security and the state of their assets

**The legal context of Sudan whilst it remains at war clearly limits long-term progress on HLP policy issues, but progress is still possible and preparatory arrangements will help accelerate progress in a post-war situation. As one of the largest and most complex displacement crises in the world now, with the potential to become one of the largest refugee crises in the world, it is imperative to increase access to adequate housing and land; this would help build resilience and self-reliance both for the millions of people displaced and those communities hosting them, and will lay the foundations for durable solutions.**

<sup>93</sup> International Peace Academy (2005).

- ➔ **Gather information from hosting populations to understand tenure security levels regarding their HLP**, and the effect of displaced persons in their communities. This includes understanding the land ownership and tenure arrangements in areas where displaced persons are seeking refuge
- ➔ **Continue monitoring patterns of forced evictions from conflict-affected areas** and where displaced persons are seeking refuge
- ➔ **Raise awareness, provide legal support to persons affected by displacement on HLP rights**, insisting on the importance of preserving HLP documents where possible, through both formal and informal evidence if necessary (e.g., title deeds, utility bills, contracts of sale, tax receipts, etc.)

#### IN THE MEDIUM-LONG TERM (TRANSITIONING FROM EMERGENCY/PROTRACTED DISPLACEMENT TO PEACE PROCESSES):

##### Policy level

- ➔ **Ensure that peace negotiation processes take into consideration the funding and institutional mechanisms** that will be needed to provide redress for HLP violations that have taken place. Such as:
  - Develop and implement restitution/compensation schemes for violations of HLP rights, including relevant institutions and processes
- ➔ **Ensure peace building activities/ early recovery phases include HLP**. Such as:
  - Develop and sequence steps to address historic and/or institutional HLP grievances and challenges
  - Design and implement legal reforms regarding HLP related matters
  - Develop institutions to manage and monitor HLP related matters
  - Support government capacity to provide safe and affordable housing, particularly for vulnerable populations such as persons affected by displacement
  - Secure long-term funding to develop and implement the above by involving development partners

##### Program level

- ➔ **Review the need for protection against forced evictions** and identify steps that can be taken to mitigate risk of eviction and increase security of tenure
- ➔ **Assess and document conflict-induced HLP violations and potential remedies**
- ➔ **Identify potential stakeholders who will be able to help with HLP dispute resolution**, and consider how to support and strengthen HLP dispute resolution mechanisms
- ➔ **Support efforts to prepare contingency plans for displacement from natural disasters**
- ➔ **Better understand the HLP dimensions of natural disasters**, such as the vulnerabilities of existing housing, including those in informal settlements and camps where displaced people are living.
- ➔ **Assess and document natural disaster-induced HLP needs and potential remedies**

#### THERE ARE KEY KNOWLEDGE GAPS THAT REMAIN WHERE MORE RESEARCH IS NEEDED, PARTICULARLY ON:

- ➔ New patterns of displacement and HLP violations due to the current conflict, and evolving intentions regarding preferred durable solutions
- ➔ Positions of host communities where IDPs are residing; e.g., what would they like in return for allocating/renting/selling land to IDPs for longer term use or to facilitate local integration
- ➔ Situations of secondary occupants; e.g., Why are they occupying that land? Why can they return or not to their own places of origin or past ways of life?
- ➔ More specifics regarding customary law regarding land use and administration in practice now and in the past, considering that they will likely vary by area and population
- ➔ More specifics of customary/traditional methods of dispute resolution in practice now and in the past, considering that they will likely vary by area and population

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