

## Executive Summary

Over two million people have returned to southern Sudan region since the signing of Comprehensive Peace Agreement (CPA) in January 2005 from IDP camps in Khartoum and other towns in northern Sudan, refugee camps from neighbouring countries and from the Diaspora<sup>1</sup>. The returnees have settled in urban and rural areas of the region. While the massive return has put considerable strain on existing social services, it has also created increased demand for land for settlement and production by the returnees. Demands for land for investment by local and foreign investors have also increased. During the war period and the consequent displacement, land and property in major urban areas changed hands legally and illegally and with high demand for land, land disputes have become rampant. In areas like Jonglei, the return of people with large number of cattle has added pressure on pasture and water resources resulting in resource conflicts. Improved services, and enhanced livelihood opportunities, remain high and unmet.

Access to land, management of natural resources and conflict transformation have been prioritised in the 2009 Work Plan categorised under Humanitarian/Early Recovery (HER) and Recovery and Development (R&D). Development of the Work Plan was undertaken through consultative process involving various stakeholders (Government and NGO partners and UN agencies). Compared to previous work plan (2006 and 2007), access to land and resource based conflicts management have been fully articulated in the 2009 Work Plan building on experience and achievements made in the 2008 Work Plan. Moreover, the project activities fit within the overall framework for FAO interventions under the Food Security and Livelihood Sector submitted to the 2008 UN & Partners' Work Plan.

The land tenure interventions will contribute to the process of early reintegration of returnees, displaced people and former combatants through access to land for settlement and production and to enable them embark on the process of rebuilding their livelihoods. The project activities will also support capacity building of selected institutions like the Southern Sudan Land Commission (SSLC) and the communities to tackle tenure arrangements, resolution of land disputes and natural resource-based conflicts management.

The assistance provided through this project will contribute to improved wellbeing and food security of the people of southern Sudan region. Overarching strategy for the project is building the capacity of communities and traditional institutions for promoting equitable access to land and tenure security. It will also contribute to conflict transformation to ensure peaceful co-existence and resolution of land and resource conflicts. At the end of the project period, it is expected that *households of returnees, IDPs and vulnerable population have access to land for settlement and production and resource conflicts mitigated in high return areas of Northern Bahr el Ghazal, Jonglei and Eastern Equatoria.*

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<sup>1</sup> UNCTM minutes, June 2008 and RRR Working Groups report of June 2008

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## ACRONYMS

AFSD	
ARD	Alternative Resolution of Disputes
CBO	Community Based Organization
CHF	Common Humanitarian Fund
CPA	Comprehensive Peace Agreement
ECU	Emergency Coordination Unit
FAO	Food and Agriculture Organization of the United Nations
GOSS	Government of Southern Sudan
ICSS	Interim Constitution of Southern Sudan
IDP	Internally Displaced People
INC	Interim National Constitution
JAM	Joint Assessment Mission
LOA	Letter of Agreement
MAF	Ministry of Agriculture and Forestry
MARF	Ministry of Animal Resources & Fisheries
M&E	Monitoring and Evaluation
MOLACD	Ministry of Legal Affairs and Constitutional Development
NBEG	Northern Bahr el Ghazal
NGO	Non Governmental Organization
NPA	Norwegian People's Aid
NRC	Norwegian Refugee Council
SIFSIA	Sudan
SLM	Sustainable Land Management
SPCRP	Sudan Productivity Capacity Building Programme
SPLM/A	Sudan people Liberation Movement/Army
SSLC	Southern Sudan Land Commission
SSRRC	South Sudan Relief & Rehabilitation Commission
UNDP	United National Development Programme
UNHCR	United Nations High Commission for Refugees
TCE	Technical Cooperation Emergency of FAO

## **SECTION 1**

## **BACKGROUND**

In January 2005, the civil war between the Government of Sudan and the SPLM/A officially ended with the signing of the Comprehensive Peace Agreement (CPA). The protracted civil war, and recurrent natural disasters changed Sudan's political and socio-economic situations have been weakened. In South Sudan, in particular, institutions and systems have to be largely built from scratch.

During the war, forced *migration* occurred on a massive scale, as the population from southern Sudan fled violence and hunger resulting in the highest number of internally displaced persons (IDPs) in the world (estimated at over four million at the time of the CPA). In addition, close to one million people fled to neighbouring countries and became refugees. This migration created a vacuum in rural areas and changed dynamic of land ownership and tenure systems.

### **1.1 General Context**

The CPA signed on 9<sup>th</sup> January 2005 marked a critical juncture for the Sudan opening an unprecedented window of opportunity to turn the devastation of over 20 years of civil war, displacement and underdevelopment into a new era of peace and prosperity. During the peace process a Joint Assessment Mission (JAM) undertaken with the support of the Government of Sudan and the Sudan People's Liberation Movement and the collaboration of international development partners developed a Framework for Sustained Peace, Development and Poverty Eradication in post conflict Sudan. The framework identified key underlying structural causes of conflict and underdevelopment in Sudan and possible issues to address the structural poverty issues.

The CPA therefore opened the way for refugees and internally displaced people (IDPs) to return and resettle in areas in southern Sudan, processes that started immediately after the CPA. Currently *migration* flows are inwards, with large populations returning to their areas of origin or their parents' native land. Though migratory flows in the Sudan are complex to track, it is estimated that over 2 million people have returned since 2004. Still the lack of infrastructure and basic services and difficult access to markets make the process of economic reintegration very difficult. Trends towards increased urbanisation are beginning to emerge as part of the dynamics of the returns process, a significant portion of the displaced will choose to resettle in urban rather than rural areas. This trend is likely to result in urban population to substantially increase as more people continue to return. The city and town administrations is ill prepared to respond to this scenario effectively, a situation which has already caused a number property and land disputes, giving rise to yet another layer of dispute and conflict. Given that majority of population of southern Sudan depends directly on land and its resources to meet their livelihood needs; access to land, tenure security and restitutions of rights are key issues in the post conflict resettlement, reintegration and livelihoods recovery.

The greatest challenge in post conflict southern Sudan is poverty and underdevelopment that unravelled during the more than two decades' war. The agricultural sector was especially deprived in accessing technology, extension services and other strategies that would have transformed the sector. During the period of the war, people's livelihoods evolved to survival strategies, this crisis-responsive transformation negated the development of the agricultural sector, changing the livelihoods of the community and depriving the country benefiting from the abundant and rich natural resources. Transformation of the agricultural sector and the promotion of private sector investments in rural areas, stand out as priority areas for achieving sustainable peace and development in the southern Sudan region.

In this post conflict scenario, the pace of recovery and development is slow, not meeting people's expectations. On the contrary, the arrival of hundreds of thousand of returnees has

exerted additional pressure on the existing social services like water, health and education and on natural resources including land. The intrinsic setting of deprivation is exacerbated by weak capacity of the communities to actively respond to new opportunities. The years of food aid have created dependency syndrome, unlikely to change abruptly in the post conflict situation and institutions in the Government of Southern Sudan (GOSS) are evolving and experience limited capacity in providing required services.

## **1.2 Sectoral Context**

The post conflict situation in southern Sudan is characterised by existing humanitarian needs for food, shelter, income and other basic services like water, sanitation, health and education. As million of displaced people return to the region, immediate needs include among others land for settlement and production and seeking of livelihood opportunities. The GOSS was established three years ago, most of its institutions are still evolving and face major capacity challenges to respond to the needs of the population. The policy and legal environment with regards to land is still not very clear making it difficult to address immediate land related issues occurring in the context of return and resettlement. The land tenure system is defined by customary and statutory laws, the later still shrouded in confusion as the legal environment with respect to land is still not clear.

Land tenure in Sudan as elsewhere in sub-Sahara Africa is one of the structural factors contributing to poverty and violence. Land is not just a means of survival or material gain but has profound cultural, social and political dimensions.<sup>2</sup> Such is the sensitivity of the land issue that it was never addressed in substance at the negotiations leading to the CPA. Instead, the CPA recognized that, the land in southern Sudan is governed by customary law and left the matter to be dealt with comprehensively in the post CPA phase by the two Land Commissions.

The CPA provides each tier of government (GONU and GOSS) to apply its legal system with respect to land rights. The national government in Khartoum would apply and enforce the land rights that have been maintained by successive governments since 1906. The government of Southern Sudan would develop land policy and laws based on the customs of the people with respect to land management to enforce the land rights of the people during the transition period and beyond. For the latter, it is an opportunity to develop land policy and laws on a clean slate and to address historical injustices to the people of southern Sudan.

Southern Sudan has a vast and sparsely populated land territory, and land shouldn't be a problem; however the situation is changing rapidly with increasing population due to the return of IDPs and refugees, the post conflict recovery and development activities and potential exploitation of natural resources. That these rapid changes are taking place in the absence of a comprehensive policy and legal framework for land administration is clearly not in the interests of the region and its people or the sustainable management of its land and natural resources.

Even with the protracted conflict officially ended, the economy remains essentially at conflict levels. This 'war overhang' has meant a continuation of older conflicts over livelihood in addition to the emergence of new disputes over claims to land, access to natural resources and territorial/administrative boundaries. The issues facing the region as a whole include: access to grazing land, water points and overgrazing; deforestation; the question of land rights within a landscape of changing land tenure and shifting populations; as well as oil development.<sup>3</sup> Lack of clear land use and ownership policy and laws, localized scarcity of resources and unclear territorial boundaries continue to make land issues a source of conflict. The absence of formal land registration, predominance of land use (as opposed to ownership) rights, vesting of power to allocate land in tribal chiefs, loss of land rights in the event of protracted

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<sup>2</sup> Omer Egemi (2006): Land and peace in Sudan. <http://www.c-r.org/our-work/accord/sudan/land-peace.php>

<sup>3</sup> Ann Laudati (2008): Garang's Eden: Natural Resource in post conflict South Sudan (a report)

non-use, possible coexistence of overlapping rights on the same territory and discrimination against women who do not have customary rights to land all call for land reform. Recent clash in Unity State and simmering border disputes between Eastern Equatoria and Central Equatoria states and within the two states are clear examples of many unresolved land issues in the region. Fears that the government would appropriate community land or heighten tension between disparate ethnic groups over potential land grabbing and the issue of the north – south borders are recurring concerns.

The development of a coherent land policy to promote sustainable recovery and development is an essential cornerstone and requires substantial efforts by the international stakeholders.<sup>4</sup> The challenge for the government and the people of Southern Sudan is getting things right from the start, and avoiding promoting short-sighted solutions that might jeopardize longer term development opportunities. This requires simultaneous and iterative actions under emergency, recovery and development phases, embedded in a clear vision with long term goals.

## **SECTION 2                      RATIONALE**

Land is an essential source of livelihood, wealth creation and cultural identity. The conflicts and disputes in Southern Sudan over land in relation to the ongoing return and reintegration of refugees and IDPs are many and complex. The capacity of the urban and rural authorities to manage and administer land is limited and the capacity of statutory courts to rule on disputes is highly stressed to the limit and an unclear legal framework compounds the situation.

Returning population requires access to land and natural resources. The Government of Southern Sudan (GOSS) is developing land policy and a land bill is before the Legislative Assembly which, once enacted, will facilitate returnees' and other population access to land, protect community's land rights and address land right injustices and grievances that have continue to increase since the CPA and the start of the return process.

### **2.1      Problems / issues to be addressed**

The problems and challenges the post conflict Government of Southern Sudan faces are immense, some of which include:

- Equitable access to land for production and settlement, tenure security and protection of community's land rights
- Limited capacity of communities and government institutions to support resettlement of returnees and internally displaced people
- Land and natural resources based conflicts due to problems caused by displacement, environmental degradation leading to the shrinking of natural resource base essential for livelihoods of the population; the lack of clear process to address land disputes and conflicts through restitution
- Existence legal framework that perpetuate injustices and the slow pace of policy and legal reforms and the perception among population that government intends to take away community's land rights,
- Rapid and unplanned expansion of urban and semi urban settings
- Customary laws which are constitutionally recognised as one of the basis for law formulation but are diverse, un-codified and difficult to interpret.
- A strong customary system (during the civil war, in the absence of functioning government institutions, customary system became strong and gained recognition)
- Few investments in S. Sudan due to lack of land for commercial investments and insecure tenure.

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<sup>4</sup> JAM Sudan Report 2005: Framework for Sustained Peace, Development and Poverty Eradication.

### **2.1.1 Land use and resource conflicts in Sudan**

Livelihood systems in Sudan are mobile and event driven with some exceptions in central, eastern and western Equatoria (sedentary agriculture). In response to low levels of rainfall, due to the variable nature of that rainfall, skewed distribution of key natural resources such as dry season grazing lands, watering points and some patches of arable soil, livelihood strategies embrace tactics such as flexibility, adaptability, diversification and risk minimization. They all imply a high degree of mobility and multiple resource use, and show different degrees of symbiotic and antagonistic relationships between different land users and uses such as agriculture and pastoralism. These livelihood systems may be spatially extended over hundreds of kilometres while others have a more localized character.

Land and natural resources are ruled by customary arrangements based on usufruct, rather than ownership rights allocated by tribal authorities to hierarchy of users, starting from entire tribes, extending down to local communities and to the household level. Such arrangements were generally sufficient for a subsistence peasant economy in a changing, often unfriendly environment, particularly to the adaptability of inclusive land-use patterns that recognize the need for seasonal migration and mindful of the complementary needs of herding and farming groups.

However, confrontations involving sedentary farmers and pastoralists on one hand and pastoralists versus pastoralists are inherent in the region. Mobile livelihood strategies always bring different people into contacts sometimes resulting in disputes over land rights and access to natural resources. Traditional conflicts between pastoral communities and cultivators are accusations by cultivators against pastoralists of infringing upon their farmlands resulting in crop destructions and among pastoralist; it is over grazing and watering rights. Often, inter-tribal conflicts, which are usually associated with disputes concerning land ownership and use rights, and breaking of traditional rules governing access to land and its use, occur in the southern Sudan region. Growing conflicts over grazing and watering rights in Lakes State between Dinka pastoralists and Jur-Bel cultivators/hunters-gatherers and among various sections of Dinka pastoralists over grazing and watering rights is of major concern. Similarly, conflicts between Dinka of Northern Bahr el Ghazal and nomads from Southern Kordofan over territorial dry season grazing areas has potential of escalating into geo-political conflicts is not sufficiently managed.

While livelihoods strategies have set the scene for land use since time immemorial, a series of relatively recent events and developments have drastically influenced land use and thus the livelihoods. The negative impact of climate on the resource base is beyond any doubt a catalyst for some of the present disputes and conflicts. Analysis of historic rainfall data clearly indicates recurrent periods of extreme drought in 1948, 1972, 1984 and 1998 resulting in major food gaps, possibly irreversible environmental degradation, a shrinking resource base and displacement of people, hence creating fecund conditions for conflict.

Some local land use planning activities with participation of the land users themselves are concentrated on the environmental and conflict transformation issues. These efforts result in plans to manage migratory routes, and were given some new impetus in the context of the conflict transformation process.

### **2.1.2 Capacity to sustain returnees' and IDPs' reintegration**

The armed conflict in Southern Sudan has influenced in different ways roles and capacity of rural communities to deal with land management and local level development processes. The SPLM/A led war was about giving back to the community the right to their land, the message during the protracted conflict was 'land belongs to the community', it is what the population believe in. This has therefore changed people's perception about land ownership in a fundamental way. Furthermore, formal structures for governance were non-existent in much

of rural southern Sudan; the gaps being filled by customary institutions which were strong in land management. Legislations on land enacted by the Khartoum government could not be enforced in the southern Sudan region which gave opportunity to customary institutions to manage land and natural resources. Since the CPA and the formation of Government of Southern Sudan, formal government structures have emerged at all levels and are asserting their authorities over management of land. However, the traditional institutions continue to play a role, managing land on behalf of indigenous population. In the event of land disputes, the local courts sit with and obtain guidance from elders to resolve disputes. However, communities and the customary structures are challenged in ensuring returnees access land and are fully integrated with the resident population. A long-lasting peace depends upon the ability of institutions (grassroots, local and central government level) to overcome the present vacuum and provide development information, basic services for the population and to manage transparently and efficiently the issue of the return and access to land and natural resources.

The major challenge is to find a way to transform the conflict in rural areas into a situation where returning IDP and refugees are integrated into existing social structures, where different social groups use the same natural resource base for their livelihoods, and where there is space for an emerging private sector to develop their businesses using these same resources. The return process should be seen in a broader context of recovery and development, where the use of land and natural resources remains an essential economic activity for a majority of the population.

### **2.1.3 Policy and legislations reform**

Since the colonial period, successive laws and decrees have undermined the land rights of subsistence farmers and pastoralists. Sudan is a country where most of the rural people rely on the legitimacy of customary law to access land and natural resources. The state often refrains from using statutory law in rural areas, but can interfere when it considers it necessary.

The characteristics of Sudan statutory land laws are summarised as:

- *Fragmented and scattered still with a strong colonial inheritance*
- *Repeated revision; legislation far outrunning implementation*
- *Probably overlaps, and contradictions*
- *Devised to implement policies that do not necessarily reflect rural reality*
- *Very urban*
- *Based on commercial crop production, gives little or no attention to traditional land use systems, especially grazing*
- *Absence of awareness creation, poor dissemination, little knowledge and poor understanding, no translation into local languages.*<sup>5</sup>

The present statutory laws create an uneasy and unsynchronised co-existence of different bodies of law and different legal instruments have contributed to undermining the legitimacy of both systems<sup>6</sup>. “It is important to note that the existence of plural land law regimes is not inherently problematic in many national contexts. The difficulties that arise in practice often stem not from pluralism *per se*, but from long-standing failures to harmonize the operation and interaction of the various systems, to define the jurisdiction of each, and to reduce the uncertainty and insecurity surrounding some customary systems by according them a greater degree of formal recognition in the eyes of the state”<sup>7</sup>.

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<sup>5</sup> OSRO/SUD/409/HCR: Study on arbitration, mediation and conciliation of land and property disputes (Domenico Nucci, 2004)

<sup>6</sup> Ramirez 2002

<sup>7</sup> Ramirez 2002

The Wealth Sharing Agreement and the Interim Constitution acknowledge the need to "*progressively develop and amend the relevant laws (on land and natural resources) to incorporate customary laws and practices, local heritage and international trends and practices*". Specifically, the instruments call for the incorporation of customary laws and the establishment of Land Commissions (a national commission, one for southern Sudan and for each of Southern Kordofan and Blue Nile states) to arbitrate claims, offer compensation and recommend land policy and legislation reforms.

The Southern Sudan Land Commission, established through a Presidential decree on 25<sup>th</sup> June 2007 has functions that can be divided into two major conceptual categories:

- a. Judicial functions (entertainment and eventually enforcement of land claims through arbitration; assessment of compensation)
- b. Policy-making functions (production of recommendations on land reform and land use policies, and recognition of customary rights; advisory for coordination of sector policies; study and record of land use practices)

Under the second broad function, the Southern Sudan Land Commission has facilitated drafting of a Land Bill which is before the Legislative Assembly for consideration and it is envisaged that it would be enacted in the first quarter of 2009. A land policy development is underway with the support of international organisation including FAO. In both instances, the processes have started on a clean slate and the GOSS has the luxury to develop laws and policies that holistically address land and natural resource issues in the post conflict situation.

## **2.2 Stakeholders and Target Beneficiaries**

The project implementation will be carried out in full collaboration with GOSS institutions in particular the SSLC, the State Governments and the local authorities in Jonglei, Northern Bahr el Ghazal and Eastern Equatoria states. The implementation will be done in partnership with NGOs and CBOs with community based programme in the target areas. Returnees, IDPs and vulnerable resident communities, i.e. women, children/youth and minority groups are the primary beneficiaries. The project will galvanise the support of civil society organisations to take interest and play active role through providing information, lobby and advocacy on land related issues in the region.

Building on previous work conducted in other locations, assessments on access to land by the population and Alternative Resolution of Disputes (ARD) workshops will be conducted targeting traditional and civil administrators and Community Based Organisations (CBOs).

## **2.3 Project Justification**

Improved security in the region resulting from progressive implementation of the CPA has acted as a pull factor for IDPs and refugees to return and resettle. Local investors and foreign investors have gained confidence in investing in the region albeit short term investments. Based on communities' assessments, discussions with partners, feedbacks from stakeholders' dialogues, priorities of the Southern Sudan Land Commission and experiences and learning from community diagnosis process, key priority areas identified include:

- Securing access to land for returnees and reintegration of internally displaced people
- Resource based conflicts resolution
- Integrating land use planning in peri-urban and rural areas
- Land policy and legislative framework development

These interventions are aimed at contributing to build long term peace and stability which will also form critical transition phase from humanitarian assistance to recovery/development. Specifically, the project interventions are aimed at supporting early reintegration and livelihoods recovery of the returnees, capacity building of communities in land and natural

resource management, institutional capacity building in land administration and land disputes resolution through arbitration and mediation especially of the SSLC and land administration departments at the State Government levels.

#### **2.4 FAO's Comparative Advantage**

FAO has broad experience in dealing with land issues throughout Africa, with specific focus on post-conflict situations. It is a lead technical organisation on rural land tenure within the UN system. FAO has over 40 years experience working in Sudan and it has been involved in land tenure issues since 2001. In the southern Sudan region, FAO implemented series of post-conflict emergency and early recovery interventions to address issues of access to land, tenure security and resource-based conflicts resolution through land and property rights information dissemination, training of partners on land use, resource based conflict transformation, and support to emerging land administration institutions to respond to local land management issues. It has privileged technical partnership on land issues with the SSLC, the Ministry of Legal Affairs and Constitutional Development and Ministry of Agriculture and Forestry on one hand and with the UNHCR, UN-Habitat and Norwegian Refugee Council on the other hand.

The FAO Emergency Coordination Unit (ECU) has significantly increased its operational capacity at Juba level where it enjoys operational and financial autonomy with an imprest account.

### **SECTION 3**

### **PROJECT FRAMEWORK**

#### **3.1 Project Impact**

The project will *contribute wellbeing and better household food security of conflict affected households through improved access to land and tenure security*. Overarching strategy is the promotion of equitable access to land, tenure security and natural resource base protection for sustainable recovery and development.

#### **3.2 Outcome and Outputs**

The project is intended to ensure equitable access to land for 10 000 vulnerable households among returnees, IDPs and resident communities in Northern Bahr el Ghazal, Jonglei and Eastern Equatoria states. At the community level, establishment of structures to lead reintegration, livelihoods recovery and resource-based conflict transformation process; and at the governmental level, enhance capacity of members of the Southern Sudan Land Commission in arbitration and mediation of land and resource disputes.

The project interventions are expected to translate into increased access to land and security of tenure for the returnees and vulnerable members of the communities which will result in improved food security and livelihoods. Support to traditional and formal institutions will translate into peaceful co-existence and shared vision in use and management of land and natural resources.

#### **Outcome**

10 000 households among returnees, IDPs and vulnerable population have access to land for settlement and production and resource conflicts mitigated in high return areas of Northern Bahr el Ghazal, Jonglei and Eastern Equatoria.

#### **Outputs**

**Output 1: 10,000 households among returnees, IDPs and vulnerable population have access to land for settlement and production.**

*Activity 1.1:* assessments on return and re-integration situation of refugees, IDPs and demobilised combatants to determine issues of access to land, land claims and land disputes and mechanisms for disputes resolution in Aweil North County in NBEG and in Bor County in Jonglei State.

*Activity 1.2:* assessing competing land claims, by who and develop guidelines for disputes resolution, disseminating information generated to stakeholders including the Return & Reintegration, Food Security & Livelihoods and Protection Working Groups of the UN, the SSLC and the Southern Sudan Relief and Rehabilitation Commission (SSRRC), the State Government authority and NGOs partners.

*Activity 1.3:* develop guidelines and best practices for dealing with access to land and natural resources, restitution of rights and land/property disputes resolution.

**Output 2: Traditional and civil administrators are better informed about local land and resource conflicts and are playing active roles in their resolution.**

*Activity 2.1:* Conduct land resource conflict mappings in Northern Bahr el Ghazal, Jonglei and Eastern Equatoria states and develop information guidelines for training and other interventions.

*Activity 2.2:* mapping of traditional institutions in terms of their roles and capacity in land and resource conflicts resolution and use the information to update alternative dispute resolution (ADR) workshop module.

*Activity 2.3:* capacity building of 150 civil and traditional leaders in land disputes resolution through workshops in five locations and developing guidelines and best practices for dealing with issues identified with respect to access to land and natural resources and resolution of land disputes and disseminating to local authorities in the target areas.

*Activity 2.4:* facilitate dialogues for at least two communities in each target state to reach build consensus for access and use of resources in their territories.

**Output 3: National dialogue to develop consensus on policy framework towards a comprehensive land policy**

*Activity 3.1:* conduct national workshop on land policy development

*Activity 3.2:* Conduct one workshop on community land rights and land use in Magwi County for 45 participants comprising of representatives of local authorities, traditional leaders, representatives of IDPs/pastoralist, civil society representative and women leaders.

*Activity 3.3:* *Activity 3.2:* Provide technical assistance to land policy development process and to community dialogue on land the ownership question.

**3.3 Sustainability**

Sustainability will depend on the participation of state and county authorities, community's leaders, returnees and IDPs in project implementation and monitoring. The project will ensure increased levels of awareness among communities on communal and individual land rights and traditional and civil institutions will have capacity in the management of resource-based conflicts at grassroots level through mediation and conciliation.

Access to land and natural resources for disadvantaged people will be adequately addressed especially the rights of women and minority groups. Through training, women will have more

skills and empowered to be fully involved in livelihood activities to contribute to households' and communities' welfare.

Participation of target beneficiaries including decision making will be promoted to create ownership of project in order to guarantee sustainability of the project benefits. The project will be implemented in partnership with the government, local NGOs and CBOs which should enhance capacity of these institutions.

The project outputs will contribute to the livelihoods recovery of the conflict affected people and investment opportunities in the rural areas, with a possible spin-off effect for the development of small-scale enterprises.

### **3.4 Risks and Assumptions**

#### **3.4.1 Risks assessment:**

1. Slow implementation of the CPA leads to break down of relationship between the two partners leading to hostilities, activities of other armed groups and militia increase causing insecurity in target project areas; intertribal or inter-/intra-clan conflicts lead to widespread displacement with drastic impact on the livelihoods of the target communities.
  - a. Likelihood/impact: medium to high
  - b. Monitoring: involving communities/beneficiaries in security monitoring and reporting, reviewing/rescheduling project plans, monitoring return and resettlement and reporting any tensions between returnees and host communities.
2. Lack of coordination of land issues among stakeholders' leads to breakdown of communication and poor implementation of project activities.
  - a. Likelihood/impact: low/medium
  - b. Mitigation: ensuring that the land coordination forum is re-established and holds regular coordination meetings to ensure all stakeholders inform each other on their programme and coordinate interventions.
3. Insufficient implementation arrangements and capacity of government institutions responsible for land policy and laws development and land administration hampering implementation of project activities.
  - a. Likelihood/impact: medium
  - b. Monitoring/mitigation: continue to provide technical assistance to the relevant institutions and advocate reviewing organisation structure to enhance efficiency and collaborative partnership.

#### **3.3.2 Assumptions**

1. A land law is enacted by Parliament and the President assents and progress is made in the land policy development and the process is participatory and inclusive.
2. Donors provide sufficient funds for project implementation.
3. Suitable implementing partners are identified and selected.
4. State and Local Governments cooperate in the project implementation process.
5. Inter/ intra-clans conflicts do not unduly affect implementation of project activities at the community level.
6. Rapid expansion of urban areas into rural territories causing difficulty in managing rural-urban mobility and land disputes increased.
7. Significant coordination efforts between GOSS and State Governments, between ministries and vertical linkages between government institutions and development partners and collaboration particularly in planning and policies, and service delivery will

be required and if not handled properly would lead to unnecessary duplication, uncoordinated approaches and wastage of resources.

## **SECTION 4 IMPLEMENTATION AND MANAGEMENT ARRANGEMENTS**

### **4.1 Institutional Framework and Coordination**

FAO will be responsible for the overall management of project delivery; implementation of activities will be carried out by implementing partners. FAO will provide technical backstopping and management support to the implementing partners to ensure achievement of high quality outputs.

The project will draw technical backstopping support from the Land Tenure and Management Unit (NRLA) FAO HQs. The project team will ensure that existing linkages with government counterparts, in particular with the Southern Sudan Land Commission, the Ministry of Legal Affairs and Constitutional Development, the Ministry of Agriculture and Forestry and other government institutions are strengthened. It will also continue strengthening linkages with other UN agencies especially UNHCR, UN-Habitat and UNDP and NGOs particularly NRC and NPA. The team will endeavour to create linkages with thematic projects in the ECU and other FAO programmes like the Sudan Information Food Security Information Analysis (SIFSIA) and the Sudan Productive Capacity Building Programme (SPCRP).

### **4.2 Strategy/Methodology**

Access to land for settlement and production by the population is critical to the recovery, rehabilitation and development process. During this period, competing land claims and land and property disputes occur because responsible institutions are either evolving or not existing at all, therefore creating a whole set of problems especially for vulnerable groups. The project will therefore contribute to engaging communities in dialogue to ensure equitable access to livelihood resources and supporting capacity building of the institutions responsible for land administration.

The overriding strategy developing complementary and mutually supportive activities at the community level and at the different level of local government structure (i.e. county, state and national levels). A coordinated approach with stakeholders and linkages with government institutions will continue to be strengthened. The following strategies and methodologies will be adopted to achieve the overall project objective.

- Assessments will be conducted in high return locations in the two target states aimed at determining problems of access to land and natural resources by various categories of the population including returnees and other vulnerable groups and identification of potential stakeholders in the issue of access to land and determining their interests and how these interests impinge on the right of others especially the vulnerable groups. The information collected will support in designing interventions to respond to the needs of the vulnerable groups and will be used for developing a framework for creating awareness among stakeholders about the problem.
- Tapping into conflict resolution resources in-grained within the community customary systems and unlocking this potential to enable communities play greater role in resource based conflicts resolution. It will contribute to the process of ascertainment of customary laws especially those pertaining to land management and conflicts resolution.
- Building on the initial experiences developed under previous FAO interventions in land-related matters and building on lessons learned to better respond to the issues that need to be addressed by the local communities in the context of the IDPs and refugees return

process. Experiences and lessons learned will be documented and best practices developed to feed into future projects formulation and interventions.

- Promoting an enabling environment for upstream policy and law development by ensuring participation of local authorities, CBOs and community leaders in policy dialogue. It will develop partnership with various institutions and agencies and strengthen existing ones particularly with NGOs such as NRC, NPA, IAS, PHO, World Vision and SNV.
- Develop partnership with FAO supported programmes especially SPCRP in land rights, tenure security and conflicts assessments and with SIFSIA in updating land cover of southern Sudan.

### **4.3 Donor Inputs**

US\$914,760 is required from donors towards project sheets in the 2009 Sudan Work Plan for UN and Partners to support reintegration and early livelihoods recovery of returnees and internally displaced people.

The following inputs will be procured to implement the project.

#### **Professional staff:**

To cover partially salaries of professional staff involved in the operation. This will include (i) a Senior Land Policy Advisor for a three months mission in the year to support land policy framework development, (ii) the Land Project Manager for 12 months to undertake coordination of project implementation and creating/maintaining linkages with government institutions, UN agencies and NGO partners and (iii) Senior Emergency and Rehabilitation Coordinator for three months with oversight responsibility and linkage with UN country management.

#### **Consultants:**

One National Legal Consultant's cost will be covered for five months.

#### **Training:**

To cover the cost related to workshops in alternative resolution of disputes, land and natural resource policy development and land and property rights information dissemination to stakeholders.

#### **Travel:**

Travel provisions include international and local travel for consultants and staff, daily subsistence allowance.

#### **Expendable procurement:**

Consumables like stationery, printing cost and other office supply will be covered.

#### **Contracts**

This budget line is to cover Letters of Agreement with partners for the implementation of project activities.

#### **Technical support services:**

This line is to cover costs for the reporting services and assistance by the relevant technical unit at HQs.

#### **General operating expenses:**

This includes overall office running costs, vehicle maintenance and upkeep, office rental, internal transportation costs, and any other miscellaneous costs (communications, security,

etc) and the Minimum Operating Security Standards (MOSS) related cost for the operation in southern Sudan.

#### **4.4 Management and Operational Support Arrangements**

##### **4.4.1 Management and administrative support within the project**

Coordination and implementation of the project activities will be the responsibility of a Land Tenure Project Team which is part of the Emergency and Rehabilitation Coordination Unit (ERCU) in Juba. The team will be comprised of personnel with different expertise and playing complementary roles. A summary of the roles and responsibilities of project team is summarized below but detailed in Annex 4.

- Senior Land Policy Advisor: to provide guidance, technical support, overall technical supervision of the project, and ensures synergies with similar FAO project in other countries;
- Land Project Manager: will be responsible for providing technical and operational assistance for effective project implementation, supporting development of national capacity on land tenure matters and creating linkages with government institutions;
- National Legal Consultant: will facilitate assessments on access to land for returnees; conduct training in arbitration, mediation and act as the link between the MOLACD and the SSLC and the land tenure project.
- National Natural Resource Consultant: will participate in assessments and facilitating workshops and will be the link with the Ministries

Project implementation will be implemented collaboration with government counterparts and NGO partners. In particular, FAO envisages working with other UN agencies, local and international NGOs and CBOs. The implementing agencies will be contracted through Letters of Agreements (LoAs) which will set forth the terms of agreement for the production of specified outputs that contribute to the achievements of specific objectives through the supply of services and/or other work product(s). Criteria for selecting implementing partners will include operational presence in the target area, knowledge of the local context, involvement in early reintegration and recovery activities and interest and experience of working around land, natural resources and food security.

##### **4.4.2 Management and operational support to the project**

The project will be implemented by the Emergency Rehabilitation Coordination Unit (ERCU) based in Juba. Headquarters will provide management and operational support to the project as follows:

- Emergency and Rehabilitation Division (TCE): The Division is the budget holder provides administrative, managerial and implementation backstopping support. The Senior Emergency and Rehabilitation Coordinator hold delegated authority for procurement and the ECU in Juba has autonomy on financial matters.
- Procurement Services Division (AFSP): The Division provides guidance on procurement activities and timely acquisition of goods, works or services to ensure the effective and efficient use of resources, in a competitive and transparent manner.

## **SECTION 5 OVERSIGHT, MONITORING, MANAGEMENT INFORMATION AND REPORTING**

### **5.1 Oversight and Reviews**

Project review will be based on the logical framework (Annex 2) and activity timeline or work plan (Annex 3).

## **5.2 Monitoring and Knowledge Sharing**

The land tenure project team to be supported by the FAO M&E Officer will be responsible for the overall monitoring and reporting on project performance. The Land Project Manager will ensure performance monitoring of partners contracted to directly implement project activities. Measurable monitoring indicators in the logical framework will be the basis for performance monitoring and reporting.

## **5.3 Communication and Visibility**

FAO will ensure that key stakeholders and interested parties are informed about the progress of the project. To ensure visibility the FAO logo and other necessary information will be printed and will appear on the cover of all the reports and technical documents as well as on other information materials (leaflets, posters, press briefings with FAO/donor experts.) and promotional material (press releases and announcements, etc.) to be produced from this project. The visibility plan will be supported by the wider global development communication and awareness activities. Additionally, visibility efforts will include (i) identification of project events with banners and signs highlighting donor involvement, including logo identification of donors; and (ii) development of web stories to be put on the FAO website or on the LANDPROSUDAN blog.

## **5.4 Reporting Schedule**

The project will produce the following reports:

- (i) Monthly updates which will feed into internal reporting and monitoring system.
- (ii) Interim report to be produced halfway through the project implementation period prepared as per FAO interim reporting format
- (iii) Final report will be prepared in accordance with FAO trust fund procedures. This report will contain a complete review of activities undertaken, progress towards achieving the specific objectives of the project major results obtained, problems encountered and impact on the beneficiaries. A section on recommendations and lessons learned, presenting guiding principles for future interventions, will be included.

Reports of training, field missions, guidelines and other written materials prepared with the support of the project will be made available to key stakeholders.

## Annex 1

## Budget

Budget Items	Unit cost	Budget	
		m/m	Total
<b>Professional Personnel</b>			<b>264,000</b>
Land Tenure Coordinator	18,000	8	144,000
Technical Assistance (Senior Land Policy Advisor)	20,000	3	60,000
Senior Emergency and Rehabilitation Coordinator	20,000	3	60,000
<b>Consultants</b>			<b>108,000</b>
International Resource Conflicts Consultant	16000	3	48,000
National Legal Consultant	2,500	12	30,000
National Natural Resource Consultant	2,500	12	30,000
<b>Admin &amp; Finance Support Staff</b>			<b>31,200</b>
Accounts Assistant	1200	12	14,400
Driver	700	12	8,400
Driver	700	12	8,400
<b>Technical Support Services</b>			<b>20,000</b>
Technical support service			10,000
Evaluation			5,000
Reporting			5,000
<b>Contracts</b>			<b>111,600</b>
Letters of Agreement with implementing partner	20000	1	111,600
<b>Duty travel</b>			<b>60,000</b>
International, Internal Travels and DSA			60,000
<b>Expendable Equipments</b>			<b>30,000</b>
Training materials and other consumables			30,000
<b>Non Expendable Equipment</b>			<b>45,000</b>
Computers, printers, communication and survey equipment			45,000
<b>Training</b>			<b>96,000</b>
Training/workshops	12000	8	96,000
<b>General Operating Costs</b>			<b>65,800</b>
Misc. Operational Costs (fuel, vehicle running costs & repairs, transport, telecommunication, FAO cost-share medical plan etc)			73,160
<b>Subtotal</b>			<b>831,600</b>
<b>Indirect Operating Cost (10%)</b>			<b>83,160</b>
<b>Grant Total</b>			<b>914,760</b>

**Annex 2      Logical Framework**

Narrative Summary	Indicators/Targets	Data Sources	Assumptions
<p><b>Overall Objective</b></p> <p>Contribute to wellbeing and better household food security of conflict affected households through improved access to land and tenure security</p>	<ul style="list-style-type: none"> <li>• 30% reduction in malnutrition among &lt; 5 years old</li> </ul>	<ul style="list-style-type: none"> <li>• Nutrition survey reports</li> </ul>	<p>Government policies promote people’s productivity and create income generating opportunities.</p>
<p><b>Outcome</b></p> <p>Households of returnees, IDPs and vulnerable population have access to land for settlement and production and resource conflicts mitigated in high return areas of Northern Bahr el Ghazal, Jonglei and Eastern Equatoria.</p>	<ul style="list-style-type: none"> <li>• 70% of targeted returnees have access to land</li> <li>• Incidence of violent resource conflicts reduced by xx%.</li> <li>• xx% of traditional institutions are managing land disputes at community levels</li> </ul>	<ul style="list-style-type: none"> <li>• Assessment reports</li> <li>• Monthly project briefs</li> <li>• FAO monitoring and evaluation reports</li> <li>• Implementing Partners reports</li> </ul>	<p>Security is sustained under the CPA.</p> <p>Gender equity and women empowerment promoted through government policies and practices.</p> <p>Transparent and all inclusive policy dialogue and formulation process is undertaken</p>
<p><b>Outputs</b></p> <p>1. 10,000 households of returnees, IDPs and vulnerable population have access to land for settlement and production.</p> <p>2. Traditional and civil administrators are informed about local land and resource conflicts and are playing</p>	<ul style="list-style-type: none"> <li>• xx% of women’s headed households have access to land</li> <li>• Number of beneficiaries with access to land for settlement and production</li> <li>• Number of trainings conducted</li> <li>• At least 80 traditional and civic leaders acquire knowledge in land disputes and skills in conflict resolution</li> </ul>	<ul style="list-style-type: none"> <li>• Assessment reports</li> <li>• Monthly project briefs</li> </ul>	<p>Communities are willing to use grassroots institutions as first stage in resolving land disputes.</p>

<p>active roles in resolving these conflicts.</p> <p>3. Consensus on policy framework towards a comprehensive land policy developed through national dialogue.</p>	<ul style="list-style-type: none"> <li>• 120 leaders acquire knowledge on land and property rights</li> </ul>		
<p><b>Activities</b></p> <p>1.1 Assessments on return and re-integration situation of refugees, IDPs and demobilised combatants to determine issues of access to land, land claims and land disputes and mechanisms for disputes resolution in Aweil North County in NBEG, Bor County in Jongeli and Magwi County in Eastern Equatoria State.</p> <p>1.2 Assessing competing land claims, by who and develop guidelines for disputes resolution</p> <p>1.3 Disseminating information generated to stakeholders including the Return &amp; Reintegration, Food Security &amp; Livelihoods and Protection Working Groups of the UN and other stakeholders.</p> <p>1.4 Develop guidelines and best practices for dealing with access to land and natural resources, restitution of rights and land/property disputes resolution.</p> <p>2.1 Conduct land resource conflict</p>	<ul style="list-style-type: none"> <li>• At least two assessment teams formed and three states assessed</li> <li>• Number of locations visited</li> <li>• Guidelines on land tenure arrangements and conflict resolution developed.</li> <li>• Number of meetings held to disseminate information from state assessments.</li> <li>• Number of participants in workshops</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly project briefs.</li> <li>• Assessment reports</li> <li>• Workshop reports</li> <li>• Training reports</li> <li>• Letters of Agreement</li> </ul>	<p>NGO partners timely identified and signed Letters of Agreement with FAO.</p> <p>Local authorities provide support for timely start of project activities.</p> <p>Funds are released in time and are adequate for completion of activities.</p> <p>Security situation is stable and project locations are accessible during implementation phase.</p>

<p>mappings in Northern Bahr el Ghazal, Jongolie and Eastern Equatoria states and develop information guidelines for training and other interventions.</p> <p>2.2 Mapping of traditional institutions in terms of their roles and capacity in land and resource conflicts resolution and use the information to update alternative dispute resolution (ADR) workshop module.</p> <p>2.3 capacity building of 150 civil and traditional leaders in land disputes resolution through workshops in five locations and developing guidelines and best practices for dealing with issues identified with respect to access to land and natural resources and resolution of land disputes and disseminating to local authorities in the target areas.</p> <p>2.4 Facilitate dialogues for at least two communities in each target state to reach build consensus for access and use of resources in their territories.</p> <p>3.1 Conduct national workshop on land policy development for at least 120 participants.</p> <p>3.2 Conduct at least three workshops on community land rights and land use</p>	<ul style="list-style-type: none"> <li>• Reports on conflict and traditional institutions mapping</li>   <li>• Workshop reports</li>   <li>• Number of community dialogue held</li>   <li>• One national workshop held</li> </ul>		
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<p>in for 90 participants comprising of representatives of local authorities, traditional leaders, representatives of IDPs/pastoralist, civil society and women leaders.</p> <p>3.3 Provide technical assistance to land policy development process and community dialogue on the land ownership question.</p>	<p>Number of experts providing technical assistance.</p>		
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**Annex 3**

**Work Plan**

OUTPUTS / ACTIVITIES	MONTHS											
	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Output 1 Access to land for production and settlement</b>												
1.1 Assessments on return and re-integration situation of refugees, IDPs and demobilised combatants												
1.2 Assessing competing land claims, by who and develop guidelines for disputes resolution												
1.3 Information sharing on land issues with other stakeholders.												
1.4 Developing guidelines and best practices for dealing with access to land and natural resources, restitution of rights and land/property disputes resolution.												
<b>Output 2 Conflicts transformation</b>												
2.1 Land and resource conflict mappings in Northern Bahr el												

Ghazal, Jongolie and Eastern Equatoria states and develop information guidelines for training and other interventions.												
2.2 Mapping of traditional institutions in terms of their roles and capacity in land and resource conflicts resolution and use the information to update alternative dispute resolution (ADR) workshop module.												
2.3 Workshops for 150 civil and traditional leaders in land disputes resolution through workshops in five locations and developing guidelines and best practices for dealing with issues identified.												
2.4 Facilitate dialogues for at least two communities in each target state to reach build consensus for access and use of resources in their territories.												
<b>Output 3 Upstream land policy development</b>												
3.1 Conduct national workshop on land policy development for at least 120 participants.												
3.2 Workshops on community land rights and land use for 90 participants comprising of representatives of local authorities, traditional leaders, representatives of IDPs/pastoralist, civil society and women leaders.												
3.3 Provide technical assistance to land policy development process and community dialogue on the land ownership question.												

## Annex 4

## Terms of Reference

### 4.1 Terms of Reference Senior Emergency & Rehabilitation Coordinator (1)

Under the general supervision of the Chief, Special Emergency Programmes Service (TCES), and in close cooperation with the FAO Representative, under the technical guidance of the technical services concerned and in close cooperation with the relevant government authorities, the Senior Emergency and Rehabilitation Coordinator will undertake the following duties:

- ensure through the UN Country Team, close collaboration and coordination with other UN agencies and partners (NGOs, national institutions and Donor's community, etc.) involved in relief, emergency and rehabilitation activities;
- identify policy implications and monitor relevant policy environment issues for the implementation of FAO's agricultural relief and rehabilitation strategy;
- formulate and implement strategies for meeting the emergency assistance needs in consultation with national experts, donors, UN agencies and other organizations in the country;
- maintain close contacts and collaboration with the GoSS Ministries of Agriculture and Forestry, and Animal Resources and Fisheries.
- liaise with donors and represent FAO in interagency coordination meetings related to emergency/rehabilitation activities and report the outcome of such meetings with recommendation on actions to be taken;
- coordinate timely dissemination of information on the impact of the crisis on the agricultural sector to the donor community, UN Agencies, NGOs, national institutions and all partners involved in relief and early rehabilitation activities;
- monitor the financial management and accounting of emergency projects and promote mobilization of funds;
- perform other related duties and activities upon instructions from the Chief, Special Emergency Programmes Service (TCES)

**Reporting:** The Senior Emergency and Rehabilitation Coordinator is in charge of:

- preparing the monthly reports under standard format as requested by TCES;
- transmit reports of all projects under his responsibility;
- update country briefs on a regular basis.

**Qualifications:** The Emergency and Rehabilitation Coordinator will have at least five years field experience and be familiar with implementation of emergency and rehabilitation projects and the Sudan context.

**Duty Station:** Juba with frequent field visits to the various states in South Sudan.

**Duration:** 3 months (on cost-shared basis with other ongoing emergency projects)

### 4.2 Terms of Reference - Senior Land Policy Advisor (1)

Under the general supervision of the Chief, Special Emergency Programmes Service (TCES) of FAO, under the general guidance of the FAO Representative and the operational support of the Senior Emergency and Rehabilitation Coordinator, and under technical supervision of the Land Tenure and Management (NRLA) and Legal Office (LEGN), the Senior Land Policy Advisor will be in charge of the overall strategy of the Land programme in the Sudan. He will carry out the following tasks:

- Further strengthen the land tenure structure to plan, monitor and provide technical assistance as required for the interventions in the specific sector implemented by FAO in South Sudan;
- Ensure through the UN Country Team, close collaboration and co-ordination with other UN agencies and partners involved in institutional building, community recovery and development activities ;
- Ensure adequate updating of the actual South Sudan Land policy and land tenure projects outputs to FAO, the donor, and helping in disseminating the information to UN Agencies, NGOs, national institutions and all partners involved in programmes of institutional building and local governance;

- Facilitate the participation of local authorities, CBOs into the National policy and law development process
- Provide direct support to the Policy Development process
- Oversee and advise the Project Coordinator and the Field Personnel in the application of the strategies.
- Assess constraints and opportunities for actions at local and central government in relation to land and natural resources;
- Preparation jointly with the projects manager of projects profiles and documents for donor funding and donor reporting;

### **Qualifications**

- An advanced degree in agriculture, land and/or natural resources management, law, socio-anthropology, or related science;
- At least ten years of experience in land tenure policy /natural resources management, law or related technical field;
- Good knowledge of the FAO rules and regulations, inclusive the procedures of the Emergency Service;
- Good communication, writing and presentation skills; excellent skills to promote team work;
- Working language English.

The holder of this position must display qualities of maturity, initiative, drive and commitment to the task at hand, and have a strong sense of responsibility to adhere to the overall objectives and spirit of the land program. (S)he must be able to manage and be part of a multi-disciplinary and inter-sector project, and develop and support relationships between colleagues and partners from the public and private sector. (S)he must be able to constructively appraise and support the work of others, and to work under demanding conditions and pressure. Courtesy, tact and an ability to establish and maintain effective working relationships with people of different national and cultural backgrounds is essential.

Duty Station: Juba with field visits

Duration: Three months

### **4.3 Land Project Manager (1)**

Under the general supervision of the Chief, Special Emergency Programmes Service (TCES) of FAO, under the general guidance of the FAO Representative and under the operational support of the Senior Emergency and Rehabilitation Coordinator, in close collaboration with the Senior Land Policy Advisor, and under technical supervision of the Land Tenure and Management (NRLA), the Land Project Manager will carry out the following tasks:

- S/he will prepare and implement detailed annual work plans and budgets, including targets to be met, resources to be allocated, in close consultation with project staff, SLP staff and supervisory units;
- Take up the task of major focal point on land issues in southern Sudan and ensure that FAO is represented in relevant fora, meetings, working groups, coordination mechanisms;
- Ensure that best practices on land management, as developed by FAO for post conflict areas, are respected by the implementing and collaborating partners; provide continuous advocacy for these practices to all instances who may have an interest in the project activities, especially the key national public institutions;
- Ensure appropriate management and administrative support to the project;
- Be overall responsible for the timely purchase of equipment, rehabilitation of premises if appropriate;
- Establish and maintain contacts with all national partners that are involved in the implementation of the project activities; act as a liaison officer between the public institutions dealing with land and FAO;
- Network and collaborate with other agencies involved in land tenure and management activities and projects in North Sudan; ensure close liaison with key UN agencies such as UNDP, UNHCR, UN Habitat, and major international and national NGOs; promote and sustain continued dialogue

among all partners to ensure that the FAO land activities and methods used are well known and findings, results and recommendations disseminated;

- In close cooperation with the Senior SLP Advisor, provide the necessary advocacy work to ensure that FAO proposals for future activities obtain timely funding; maintain regular contacts with donors;
- Be responsible in a timely fashion for all reporting that falls under the direct responsibility of the incumbent; on ensure that all reporting requirements are in line with FAO rules and procedures;

#### **Qualifications**

- An advanced degree in agriculture, land and/or natural resources management, law, socio-anthropology, or related science;
- Five years of experience in land/natural resources management, law or related technical field;
- Five years of experience in project management and operation;
- Excellent managerial, operational and co-ordination skills;
- Good knowledge of the FAO rules and regulations, inclusive the procedures of the Emergency Service;
- Good communication, writing and presentation skills; excellent skills to promote team work;
- Working language English;

The holder of this position must display qualities of maturity, initiative, drive and commitment to the task at hand, and have a strong sense of responsibility to adhere to the overall objectives and spirit of the land program. (S)he must be able to manage and be part of a multi-disciplinary and inter-sector project, and develop and support relationships between colleagues and partners from the public and private sector. (S)he must be able to constructively appraise and support the work of others, and to work under demanding conditions and pressure. Courtesy, tact and an ability to establish and maintain effective working relationships with people of different national and cultural backgrounds is essential.

Duty Station: Juba with field visits

Duration: 12 months

#### **4.4 Terms of reference - National Legal Consultant (1)**

Under the general supervision of the FAO Representative in Sudan and the Senior Emergency and Rehabilitation Coordinator for southern Sudan; and under the technical supervision of the Senior Land Policy Advisor and the Land Project Manager in southern Sudan, the incumbent will carry out the following duties:

##### **Key responsibilities:**

- Support the project day-to-day activities through assistance to the communities and the implementing partners in assessing needs of intervention for the formulation of the community development plan; working closely with the CBOs network and village associations to raise awareness on land rights, tenure security and resource conflicts resolution issues.
- Participate in assessment of mechanisms for (i) access to land and natural resources, (ii) restitution of rights and (iii) land/property disputes; support the elaboration of proposals for improving the assessed mechanisms including special emphasis on the rights of women, support in the development of guidelines and best practices to deal with these issues; develop gender sensitive approach to land rights and ownership under customary land management regimes in consultation with traditional and civil leaders and community members.
- Liaise with the Southern Sudan Land Commission and the Ministry of Legal Affairs and Constitutional Development at GOSS level and other relevant arms of government in South Sudan with FAO on land issues such as customary land law / communal land use and ownership, land and property restitution, land and property dispute resolution, land policy and legal framework development.
- Organise and coordinate state level land and property workshops in three states jointly with UNHCR, NRC and other partners, facilitate sessions in the workshops.
- Prepare stakeholders' map and analysis of actors involved in customary land law study in South Sudan; recommend to FAO a strategy for coordinating customary land tenure issues;
- Support the Land Project Coordinator in the co-ordination of the activities revolving around the community IDPs/refugees with local and international NGOs, CBOs, communities, and

government counterparts (and the Southern Land Commission) and UN sister agencies (in particular UNMIS RRR and UNHCR);

- Prepare monthly reports on the community livelihood situation and the stage of the community recovery-development plan;
- Perform any other duty as required by the Land Project Coordinator.

**Qualification:**

- Qualification in one of the following: Law degree (highly desirable), Social Sciences, Social-Anthropology or related fields;
- Three to five years of previous working experience in Southern Sudan, with Sudan Legal Affairs or South Sudan Law Society, UN-agencies or international NGOs and/or in the context of customary laws, IDPs, community driven recovery actions;
- Experience in coordinating activities of different stakeholders and different interest groups;
- Experience in activities of advocacy towards the most vulnerable groups, with particular target on gender, children/youth and minority issues;

**Duration:** four months period with possibility of extension when funds secured

**Duty station:** Juba with field travel

**Duration:** 12 months

**4.5 Terms of Reference - National Natural Resources Consultant**

Under the general supervision of the Chief, Special Emergency Programmes Service (TCES) of FAO, under the general guidance of the FAO Representative and the day-to-day operational supervision of the Senior Emergency and Rehabilitation Coordinator, and under technical supervision of the Senior Land Policy Advisor and the Land Tenure Service (SDAA), the National Farming Systems/ Natural resources Officer will carry out the following tasks:

- Support the development and negotiation (between community members, newcomers such as refugees, private sector operators) in participatory and fully transparent fashion proposals to promote a more efficient land use in the targeted area.
- Organize meetings and workshop on information dissemination.
- Participate, as resource person in facilitating workshops
- Provide and share monthly information with the project manager based in Juba and with the other field officer based in Bor and participate in regular training and meeting organised within the programme plan;
- Support the project manager for the co-ordination of the activities revolving around the community IDPs/refugees with local and international NGOs, CBOs, communities, and government counterparts
- Perform any other duty as required.

**Qualifications**

- University degree in Natural resources managements, farming systems, rural development or related fields;
- Three to five years of previous working experience in Southern Sudan, UN-agencies or international NGOs and/or in the context of customary laws, IDPs, community driven recovery actions;
- Experience in co-ordinating activities of different stakeholders and different interest groups;
- Fluent written and spoken English and Arabic with excellent computer skills (Windows family);

**Duty station:** Juba with field visits

**Duration:** 12 months