

# HOUSING AND LAND RIGHTS NETWORK

## Habitat International Coalition



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رابطة أبناء جبال النوبة العالمية - السودان  
بالقاهرة

المركز السوداني لحقوق الإنسان The Sudanese Human Rights Monitor

مبادرة السلام الاجتماعي لدارفور لحقوق الأرض والسكن

Social Peace Initiative for Darfur for Housing and Land Rights

### Stakeholder Submission to the Universal Periodic Review of the Republic of Sudan

Transmitted by Habitat International Coalition, NGO in Consultative Status with United Nations ECOSOC (Special Status, 1993), in cooperation with The Sudanese Human Rights Monitor, Social Peace Initiative for Darfur Housing and Land Rights and Nuba Mountains International Association Sudan.

#### Introduction

The violation of human rights related to land use and administration, especially since the adoption of the 1970 Unregistered Lands Act and the 1984 Civil Transaction Act, has emerged as a **root cause** of conflicts reflecting the contradictions between the customary land-tenure systems and the statutory title-based system, most evident in areas such as Nuba Mountains, Blue Nile and Darfur. CERD observations already in 1994 have noted a seamless pattern,<sup>1</sup> also resulting in the dismemberment of the former state in 2011.

The Darfur Land Commission, required by the Darfur Peace Agreement, has operated formally since 2007 and has provided information and policy recommendations to improve land governance. However, under considerable fiscal and technical-capacity constraints and lack of coordination with other government institutions, and failure to operationalize the reparation framework defined by the UN General Assembly<sup>2</sup> have hampered operations. GoS has yet to establish the commissions promised at national and South Kordofan and Blue Nile state levels.<sup>3</sup>

Within this UPR period , Sudan has joined the five African countries most targeted by foreign investors and the transnational corporations seeking land acquisition for profit.<sup>4</sup> Land privatization, displacement, violent conflict, corruption and foreign investment now occlude overtly to either violate or implement a bundle of ESC rights, fomenting conflict, or instituting peace.

## Natural Resources and Megaprojects

While ostensibly serving national-development goals, Sudan's mega-dam construction has institutionalized a pattern of human rights violations and displacement of communities, depriving them of their livelihoods. The construction of northern Sudan's Merowe Dam surpasses world records in displacing over 60,000 people from their fertile and productive lands (2006–09). The affected people still protest their displacement and demand resettlement along the banks of the new reservoir.<sup>5</sup>

Already in November 2002, violence erupted in the Hamadāb area after the Merowe Dam authorities—then under Ministry of Irrigation and Water Resources—refused recognition or negotiation with the affected communities' elected representatives. Further unrest followed dam authorities' attempts at socio-economic surveys against the communities' wishes.

In April 2006, dam authorities' Special Forces fired on a peaceful village meeting to discuss the planned survey, killing three people and injuring 47. The shootings led to negotiations between the Amri and a ministerial committee.<sup>6</sup> The parties reached a compromise in early May, whereby GoS agreed to consider the communities' grievances, while the affected people resolved to allow the socio-economic survey to take place.<sup>7</sup>

In August 2006, central government authorities forced over 2,740 families (13,700 people)<sup>8</sup> to abandon their 1,130 homes and their lands upstream of the Merowe Dam under construction. In advance of the planned date for operating the dam, the Merowe's Dam Implementation Unit (DIU), a GoS agency newly under the direct supervision of the President of Sudan, abruptly flooded the Amri community's villages.<sup>9</sup> At least 12,000 head of livestock (worth about US\$ 1.2 million) and roughly US\$ 5 million in crops and fodder were destroyed.

Despite its pioneering environmental impact assessments (EIAs) prior to development projects and amply available Sudanese expertise,<sup>10</sup> GoS never has required EIAs or social assessments for any mega-dam projects and avoided consultations with affected local communities facing massive evictions and livelihood destruction.<sup>11</sup>

After GoS forces killed four and injured 20 people protesting the Kajbar Dam, UN Special Rapporteurs on adequate housing and on Sudan twice urged full compliance with international human rights standards and application of the UN *Basic Principles and guidelines on development-based evictions and displacement*.<sup>12</sup> In 2011, GoS started to build the Dal and Kajbar Dams, on the Nile's second and third cataracts, contracting a Chinese company for at US\$ 705 million over five years. The projects will submerge 90 villages and displace more than 20,000 people. Kajbar Dam will submerge 500 archeological sites, including ancient Nubia.<sup>13</sup>

In 2013, the Seteet DIU grabbed 1,618.7 ha. of land belonging to 350 farmers. Meanwhile, local pastoralists also face an existential threat, losing their grazing areas to the inundation, with no safeguards for alternative pasture for 1,600,000 livestock.<sup>14</sup> Despite commitments to the contrary, the DIU began flooding the lands without remedy for the affected people's losses.<sup>15</sup> At the further deprivation of local farmers, the DIU will reserve irrigated land for foreign investors', further reducing grazing lands. Safeguard agreements under current investment legislation in case the domestic or

foreign investors failure to implement promises to provide local jobs and/or facilities are not enforced.<sup>16</sup>

In other gross violations, in 2015, the DIU forcibly displaced 150,000 people from the Upper Atbara and Seteet Dam site, between Kassala and Gedarif states. Without free, prior and informed consent (FPIC) or consultation, the DIU reportedly first displaced 500 families in Wad al-Hilu last February, and then displaced another 10,000 families in March 2015.<sup>17</sup>

### **The Human Right to an Adequate Standard of Living**

In the period under review, the national incidence of poverty has risen from 40%, in 2004, to 46.5%, in 2009.<sup>18</sup> This **retrogression** has ranked Sudan as number 30 among countries with high proportions of impoverished populations (living below the US\$1-a-day poverty line).<sup>19</sup>

The 80% majority of Sudanese live off the land and natural resources, which indicator becomes especially relevant where rural people are “deprived of its own means of subsistence.”<sup>20</sup> Meanwhile, income-replacing subsistence from the land is also foreclosed to dispossessed citizens.

Sudan’s MDG performance demonstrates great inequalities with respect to gender (MDG 3), and rural and urban living conditions (MDG 7) at national, regional and sub-regional levels.<sup>21</sup> The significant disparity among regions has contributed to growing inequalities and unbalanced development in Sudan since the state’s last UPR.<sup>22</sup>

### **Conflict**

In this review period, the political and military developments necessitating the secession of South Sudan have caused, in turn, the loss of more than 75% of the country’s former oil reserves and more than 50% of the revenues for the pre-2011 North.<sup>23</sup>

Conflict within the Nuba Mountains is emblematic of the GoS policies applied since 2000. This conflict is fought less over ethnicity than over livelihoods and the existing communities’ need for land to sustain them. The conflicts are raging between agro-pastoralist and nomads, and nomads and farmers versus large-scale mechanized farms. The underlying causes are related to land resources and the violation of customary tenure by government and state-sponsored agents. These underlying factors of the continuous violation of human rights are many, but can be summarized as:

- Competition over natural resources (land, pasture, water & oil)
- Land Policies (disconnect between government policies and customary land laws)
- In-equitable resource distribution (specifically land and oil revenues).

Encroachment and appropriation of former rangelands by the government-sponsored mechanized schemes has left a legacy of displacement for local communities, further reducing the available grazing land for the many pastoralists and agropastoralists. The resulting animosity between the sedentary agro-pastoralist and the nomads—primarily ethnic Arabs—has transformed disputes into ostensible ethnic conflicts. Meanwhile, legislative and policy developments increasingly have favored domestic and foreign direct investment at the expense of local livelihoods.<sup>24</sup>

Some absentee landlords (e.g., Jellaba landlords, senior government officials, military officers) have benefited from the large-scale government schemes.<sup>25</sup> The absence of alternative sources of livelihoods for the local communities' has impoverished them and heightened tension over available land and water resources, as in the Nuba Mountains.<sup>26</sup>

This headlong pursuit of mechanized farming precipitated conflict also in Blue Nile State. However, implementation deviated from earlier GoS lessons from mechanized farming that rapidly degraded prime land.<sup>27</sup>

Since 2011 and South Sudan's independence, GoS has implemented International Monterey Fund-recommended applying austerity measures (e.g., fuel-subsidy cuts) and facilitated foreign investment in the agricultural sector to compensate for the loss of petroleum revenues. That has led to policies enabling land grabs and fomenting conflict at the expense of Sudanese small-holder farmers, and in the interest of foreign investors by "lifting the judiciary's oversight over land sales, reforming land relations, and allowing foreign investors to grab as much land as possible."<sup>28</sup>

### **Land Grabbing, Impoverishment and ESCRs**

In the last two decades, GoS has not sought to improve the traditional agricultural sector, but focused on irrigated and rain-fed mechanized agricultural schemes to expand cash crops at the expense of the food crops. This has been through using state power to confiscate small farmers' and the indigenous communities' lands to favor agricultural investment. That policy has deprived the traditional farmers and pastoralists from using the land for subsistence (crops) and ensuring the recuperation of soil fertility from drought and desertification.<sup>29</sup>

The IMF's Interim Poverty Reduction Strategy (IPRS) has evolved into a core national strategic instrument for long-term planning, budgeting and strategizing. The IPRS Paper builds on the various sectoral and national plans prepared by GoS to reduce poverty, and the interim strategy is anchored to four inter-related pillars<sup>30</sup> for development of natural resources, foremost being land. The IPRSP cites Sudan's obligations under ICESCR, while also addressing property rights.<sup>31</sup> It acknowledges the importance of land and its related conflicts, while asserting that traditional land management is "an obstacle to investments in the land and the commercialization and growth of agriculture."<sup>32</sup>

Besides the negative impacts on process (C&P) rights for lack of transparency in expanding large-scale commercial farmland, government practices have violated a bundle of local communities' ESCRs by displacing them from their land, causing grave consequences for human rights to adequate housing, decent work, food, water, health and participation in culture, in addition to ecological damage.<sup>33</sup> (See **Human Rights to Water and Food**, Annex II.)

By 2009, 404,686 ha transferred to U.S. firms, and 809,371.45 ha to Saudi Arabian firms.<sup>34</sup> Saudi Arabia, Qatar, United Arab Emirates (UAE), Egypt and South Korea have been the principal sources of land investments in Sudan, taking 1.5 million ha of agricultural lands.<sup>35</sup> This has coincided with dire standard-of-living consequences, whereas 80% of Sudanese livelihoods depend directly on natural resources for cultivation and livestock.<sup>36</sup>

In 2012, GoS Ministries of Agriculture and Finance leased Saudi Arabian investors for 809,371 ha of farmland near Port Sudan (Red Sea) for 50 years. The deal accompanied unique privileges and tax

exemptions as a “free zone,” producing and selling food to the Saudi company.<sup>37</sup> UAE investors have leased 100,000 hectares of farmland under similar terms.<sup>38</sup>

In March 2013, Sudan’s president approved the National Investment Encouragement Act to replace the Investment Encouragement Act 1999, as amended in 2007. The new law provided more privileges to foreign investors and legalized land grabbing.<sup>39</sup> The new Land Investment Law (2013), drafted by Supreme Council for Investment’s Mustafa Osman, sought to improve the foreign investment climate through greater incentives and investment guarantees, tax and customs exemptions, while liberalizing foreign land ownership, which was not permitted under the previous act.<sup>40</sup>

In 2013, the GoS also allocated 809,371.3 ha to private Egyptian investors in northern Sudan.<sup>41</sup> Qatari investors now own about 106,000 ha of agricultural Nile riverbank, while South Korean investors have leased 161,874.26 ha for 33 years in al-Jazira project at US\$ 1 for each 0.404686 ha.<sup>42</sup>

On 15 February 2013, the Sennar state authorities confiscated 167,945 ha from the small farmers without consultation or compensation in favor of a Saudi company for export of cereal production.<sup>43</sup> Also, in 30 of March 2013, the authority of White Nile State issued decision to confiscate 72,843 ha owned by traditional farmers for an unregistered private-investment company, without consultation or compensation for their lands. The land constituted the only source of livelihood for the community of Aba Island.<sup>44</sup> In July 2015, the Northern State’s Ministry of Agricultural confiscated 400 acres (161.9 hectares) of agricultural land from 80 families in Allar village, Merowe locality, to sell to Turkish and Saudi investors expected to cultivate nontraditional export crops. The Ministry dispossessed the community on the pretext that their lands were fallow, while local farmers complained that the government had failed to install the promised irrigation infrastructure. This loss of land, local production and transformation of the local agricultural system will affect gravely the community’s already-precarious economic viability.<sup>45</sup>

Global land acquisitions typically target liberalizing and conflict-ridden countries, like Sudan, with weak cadastral records and systems of formal rural land tenure. Private and foreign investors characteristically neglect the infrastructure and supporting institutions, where local communities often are displaced and their livelihood wiped out without vaguely promised benefits such as job creation and development.<sup>46</sup> (See **Al-Jazira Project** and **Extraterritorial Human Rights Obligations** in Annex.)

Historically, land tenure insecurity has resulted from the imposition of formal law that does not recognize rights to unregistered land. GoS considers unregistered land to be state land and, in practice, is used for government decision makers to transfer to private commercial interests, the military, land speculators and other political elites—often on nepotistic criteria—without regard for customary rights.

Local companies with ties to the NCP and international companies with Islamic-oriented company connections have won most government contracts for major agricultural investment and/or construction and infrastructure projects (e.g., Merowe Dam, roads, and bridges).<sup>47</sup> Such contracting processes evade proper procurement procedures; even the subcontracts with local companies typically are those connected to the NCP.

## **Economic Rights to Livelihood**

Inflation in the formal market quite aside, the consequences have foreclosed livelihoods for the affected indigenous people, while introducing unprecedented inter-ethnic conflicts.<sup>48</sup> Displaced populations then become subjects of the international community's relief and/or development interventions, which typically distort local prices, as well as production and consumption patterns, at great expense to donors and development agencies.

At the root of many such confiscations and failure to implement CPA commitments related to land is an outdated Land Confiscation Law (1930), authorizing the President of the Republic or his representative to confiscate lands (with compensation). This authorization subordinates customary rights. Meanwhile, Sudan's states (*wilayāt*) maintain local legislation regulating land acquisition.<sup>49</sup>

## **Human Right to Adequate Housing: From Displacement to Slum**

Clashes between government forces and armed rebel groups continue across Darfur. Last year alone, the conflict killed over 2,000. Since the Darfur armed conflict began in 2003, it has displaced close to 2.5 million people. More than 100,000 live in the Zamzam Camp, on the outskirts of North Darfur's capital, al-Fashir.<sup>50</sup> While 90,000 IDPs live in Kalma Camp, South Darfur, 368,290 more Darfur refugees reside in Chad. Some 1.4 million Darfur displaced are children under 18; 500,000 children under 5 are suffering the basic needs of food and water.<sup>51</sup>

Over 450,000 people fled their Darfur homes in 2014. The conflict added at least 100,000 IDPs in 2015.<sup>52</sup> Most of the newly displaced moved into camps already hosting over 2 million IDPs, increasing demands for under-resourced basic services in urban concentrations where IDPs typically seek refuge.<sup>53</sup>

In urban areas near the borders, military personnel have taken advantage of their positions—under immunity laws—to occupy residences or construct buildings on land that owners vacated, fleeing violence.<sup>54</sup> The land grabbers are unwilling to restore the land upon owners' return, or have claimed ownership rights and sold the plots to others, complicating restitution of property and inflating land and property prices. In Darfur, various groups have taken advantage of years of conflict and unsettled land rights claims. In Darfur's west and southwest, nomadic Arabs (e.g., Mahariya and Missiriya) have appropriated lands that non-Arab sedentary groups (e.g., Masalits and Furs) have occupied for centuries.<sup>55</sup>

The Dal, Kajbar and Merowe hydro-dam-affected families sometimes are compensated by resettlement into so-called "ideal villages." However, these villages have been anything but ideal for their distance from traditional lands, water sources, roads and means of sustenance: pastures and agricultural lands.<sup>56</sup>

Hundreds of Sudanese protested in the City of al-Damir on 20 November 2011, demanding the government do more to help villagers whose homes were flooded by the Merowe Dam. Some 12,000 still remain homeless, about 9,000 of them living in the open.<sup>57</sup>

Throughout the review period, GoS has not sufficiently prioritized the human right to adequate housing. It has not adopted defined policies, sufficiently developed national or regional physical

plans, or programs to implement its obligation to respect, protect and fulfill the human right to adequate housing of its people [GC4, para. 12].

Most public housing projects implemented in Sudan have concentrated in the capital, Khartoum, and neglected and/or effectively have obstructed rural development by force in the other regions across Sudan. GoS has not allocated adequate resources for housing or urban planning.<sup>58</sup>

GoS has pursued international companies and foreign investors in housing for Khartoum. Many land brokers and speculators since have entered and controlled the property market, leading to a skyrocketing increase in the rent of housing.

One symptom is the inflated housing costs even more sharply after the independence of South Sudan, by 80% to 120%. Khartoum, a typical sanctuary for persons uprooted by conflict or dispossession, has become increasingly difficult for displaced persons and marginalized groups to pursue a livelihood.<sup>59</sup>

UN agencies operate in Sudan, but mostly address symptoms. The human rights component of the integrated approach is not sufficiently present among the UN agencies.<sup>60</sup> However, the greater duty resides with the state party.

### **Squatter Settlements and Forced Eviction<sup>61</sup> around Khartoum**

Land tenure disputes, especially competing claims without documentation, represent 90% of land problems before the Khartoum courts.<sup>62</sup> This reflects an urgent need for housing and land policy reform after decades of continual flight from rural underdevelopment and turmoil to the capital since the 1990s.

Moreover, IDPs are suffering the lack of adequate housing, basic services and medical care, while the State of Khartoum and GoS are dealing with the IDPs camps through a narrow optic of security and social threats to the demographic and ethnic balance in Khartoum. The authorities relate to them as obstacles to urban-development projects.

Among the segregation-and-discrimination practices is the general denial of IDPs' access to land, whereas the GoS Engineering Ministry has granted usufruct plots for housing only for IDPs from South Sudan who had registered before 1996. After the new foreign land-investment policy, the first waves of allotted IDP plots accrued commercial value. Authorities in the State of Khartoum, in turn, have implemented several forced evictions and demolished thousands of IDPs homes under so-called urban-development projects. Those gross violations then led to bloody confrontations in South Khartoum camps Mabo, Jabal Awliya' and Soba, and in Dar El-Salam Camp, west of Omdurman:

In December 2004, authorities destroyed houses and other buildings in Shikan settlement, relocating approximately 12,000 people to an unserviced area some 50 kilometres north of Khartoum, known as al-Fātih III. On 16 and 17 August 2005, authorities again forcibly evicted 700 families from Shikan relocating them in notoriously uninhabitable al-Fātih III.<sup>63</sup>

In May 2005, the Khartoum State Police forcibly evicted some 700 Soba families and demolished 3,000 homes, killing 30 persons resisting the eviction in southeast Khartoum to a new and

uninhabitable al-Fātih resettlement site 50 kilometers away.<sup>64</sup> The evicted persons were some 20,000 IDPs from Darfur and Nuba Mountains.

In August 2006, the authorities forcibly evicted 3,200 families (around 12,000 persons) at 20-year-old Dar Essalam Camp, housing mainly IDPs from Darfur, despite an MoU between the affected persons and the al-Kamlīn Locality toward a resettlement plan, pending an agreement on an adequate alternative site. At around 04:00 on 16 August 2006, armed police and special forces with tanks and machine-gun-mounted vehicles used tear gas against the residents, randomly demolishing houses with bulldozers and killing four people (three children), injuring many others and detained 13 members of the Dar Essalam Popular Committee for six days. Police handcuffed and beat some residents with plastic hoses and confiscated the residents' belongings. On 17 August, with the entire area in rubble, security personnel prevented international observers from speaking to the residents. GoS authorities brought in heavy trucks to transport the affected persons and their belongings to a polluted industrial zone 5 km southwest of Dar Essalam, a resettlement site that the residents previously rejected.

In 2013, the security forces raided and demolished 1,000 homes without prior notice and displaced more than 5,000 IDPs from Nuba Mountains and Blue Nile in Fashoda, west Omdurman. The demolition also resulted in the killing of a woman and her baby.<sup>65</sup>

### **Land and the Human Right to Participate in Culture**

The 10-year-old Interim National Constitution's Article 1 asserts that the state is "a democratic, decentralized, multicultural, multilingual, multiracial, multiethnic, and multireligious country where such diversities co-exist." Article 3 states that "The Sudan is an all embracing homeland where religions and cultures are sources of strength, harmony and inspiration." Article 4(c) embodies the same theory: "the cultural and social diversity of the Sudanese people is the foundation of national cohesion and shall not be used for causing division..." Article 13 commits the institutions of the state to recognize, encourage and protect diverse cultures.

The Constitution's section on "Ethnic and Cultural Communities" (Article 47) extends rights to enjoy, practice and develop cultures, including languages. However, this provision is very abstract and does not suggest the material dimensions and requisites to fulfill that constitutional promise, including the preservation of people's cultural and productive links with traditional and ancestral lands.

The Constitution contains no provision expressly referring to intellectual property rights. However, Article 43 recognizes and guarantees the "Right to Own Property," which could be interpreted as extending to intellectual property rights.

Since 2004, the CPA has required Sudan's development of laws to incorporate customary laws and practices, local heritage and international trends and practices. Meanwhile, customary land tenure systems are gradually breaking down, while dispossessing their traditional owners.<sup>66</sup>

The self-identified indigenous Nuba Mountains peoples in Sudan's South Kordofan State claim their communal land rights as a cultural attribute of peoples excluded from development opportunities by the postcolonial Sudanese state, which intervenes on and seizes their territory under the pretext of "national development." The Nuba Mountains case epitomizes the state's practices of dispossession

and alienation of indigenous peoples from their lands and natural resources, in particular, and the general development policies of exclusionary consolidation of land and productive assets in the hands of the political elite. The Nuba Mountains also embody the interplay between physical and cultural survival.

The indigenous Nubians (Northern State) have identified with their distinct territory and culture for millennia and bear the right to FPIC.<sup>67</sup> Many of the Nubians of northern Sudan are convinced that the current hydroelectric projects are part of an ongoing scheme to erase their culture. A prominent Nubian environmental scientist has noted that “By flooding the last of the remaining Nubian lands...the Nubians are reduced to a group of people with no sense of memory, no past and no future to look for.”<sup>68</sup>

In the case of Dal Dam, five major archaeological sites will be flooded, in addition to the 5–10 thousand people to be displaced. The Merowe Dam, completed in 2008, already has flooded an ancient Kushite region that locals claim to have contained a minimum of 2,500 archaeological sites that were never fully excavated.<sup>69</sup>

All of these mega-projects invoke the extraterritorial human rights obligations (ETOs) of Sudan and its development partners. (For a discussion of applicable ETOs, see Annex III.)

### **Recommendations:**

In light of the patterns of GoS policies and practices affecting land and land tenure, the authors of this report propose the following recommendations to the Republic of Sudan:

- Immediately halt the practices of demolishing and forcibly evicting IDP camps and squatter settlements.
- Cease the practice of forced relocation.
- Adopt a policy of urban renewal incorporating the human right to adequate housing, including the application of CESCR General Comments No. 4 and No. 7.
- Apply the principle of free, prior and informed consent to communities affected by dam and infrastructure construction, prioritizing their resettlement and rehabilitation along the banks of the new reservoirs, access to natural resources and the benefits of infrastructure development.
- Apply CESCR General Comment No. 15 on the right to water, and particularly paragraphs 41–44 concerning the state party’s obligation to regulate “third parties.”
- Prioritize housing in public policy within relevant state institutions by developing, adopting and implementing defined policies, national and regional planning, and programs in a participatory manner to implement the state party’s obligation to respect, protect and fulfill the human right to adequate housing of all.
- Enact rent regulations that strike a balance among the landlord’s interest, affordability and security of tenure.
- Regulate the activities of land brokers and speculators to ensure equitable management of land and property markets, avoiding exorbitant increases in cost of adequate housing.

- Pursue a balanced approach to rural and urban development, allocating sufficient resources to prioritize infrastructure and basic services to underserved regions of the country.
- Require military personnel and other agents of state and government institutions who have acquired land and real estate without the consent of their former owners to ensure their restitution, return, rehabilitation, compensation, guarantees of nonrepetition and satisfaction.
- Cooperate with local, regional and international partners to devise and implement interventions that combine the principles and objectives of humanitarian assistance, sustainable development and human rights in a common and complementary approach consistent with global best practice.
- Consider integrating the *CFS Voluntary Guidelines on Responsible Governance of Tenure of Land, Forests and Fisheries* into policy guidance for relevant institutions in all spheres of government.
- Consider developing policy, plans and mechanisms for respecting and protecting indigenous and traditional land and natural resource tenure for diverse communities.
- Ensure protection and equitable treatment of small farmers in land administration, finance and management of agricultural inputs.
- Operationalize the proposed land commissions in each region to redress illicit practices, disputes and conflict that have dispossessed communities of their lands and other means of subsistence.
- Reforms legislation and practices in accordance with international human rights instruments, in accordance with Article 27 of the Interim National Constitution.
- Establish, through broad and effective stakeholder consultation, equitable, clear and widely published criteria for “national interest” and “public purpose” projects and acts, including fair compensation and, where appropriate, reparations, for those natural and legal persons affected by losses, costs and damages arising from land and property acquisitions.
- Take immediate and effective measures to prevent, criminalize and redress forced eviction as a gross violation of human rights, in particular the human right to adequate housing, and apply the corresponding criteria for reparation of victims.
- Reform police, security and other law-enforcement bodies and functions consistent with human rights criteria, in particular, economic, social and cultural rights.
- Revoke immunity laws for state agents, regardless of their official status or function.
- Exercise extraterritorial obligations to respect, protect and, where possible, fulfill human rights in transactions with external parties in domestic or cross-border trade and investments.
- Exercise extraterritorial obligations to respect, protect and, where possible, fulfill human rights in negotiation with and participation in multilateral institutions and forums concerned with investment, trade and/or development.

## Annex I

### Al-Jazīra Project

To wit, the agricultural al-Jazīra Project covers 2 million feddans (roughly 80,937 hectares) of land between the Blue and White Nile Rivers and employs 130,000 farmers. It is the oldest of all of Sudan's major agricultural schemes and the clearest example government policies and practices that grossly violated economic, social and cultural rights of impoverished people by dispossessing them of their lands.<sup>70</sup>

In 2005, the legislated and presidentially approved amendments to the al-Jazīra Land Law (1927) regulating al-Jazīra Project newly enabled privatizing the small farmers' land by opening it to investment speculation. The 2005 privatization legalized private ownership in the area of the project at the expense of traditional inhabitants, displacing 128,000 family farmers and their families. Meanwhile, the new legislation empowered the banks and companies linked with the ruling NCP to control and benefit from the proceeds of the corresponding public companies.<sup>71</sup> The government still forcibly leased land from its owners at 1927 rates; 40 years after the lease had expired. The government even ceased those payments since the early 1980s.<sup>72</sup>

These practices and the negative impacts of the privatization of communal and traditionally held lands have led to several protests by people affected by land and property loss. Some court petitions seeking restitution from past decades still await the court's decision.

The review period also has seen the emergence of important norms specifying good practice and implementation of human rights related to land and displacement, which serve as tools for the state party to apply consistent with its obligations.<sup>73</sup> In particular, the CFS *Framework for Action for Food Security and Nutrition in Protracted Crises* explicitly recognizes the "coordination of policies and actions taken in the fields of humanitarian assistance, development and human rights" as an overriding principle to ensure the integration and complementarity of the three approaches into a long-needed single, integrated strategy in national and international, preventive and remedial interventions in cases of actual and potential crisis.<sup>74</sup>

## Annex II

### Human Rights to Water and Food

In pursuit of economic growth, GoS initiated structural adjustment policies already in 1990, without any direct IMF or World Bank intervention.<sup>75</sup> Privatization was a feature of the present government's Economic Salvation Program (1990–1993), ostensibly intended to increase efficiency and release the financial burden of the government, which suffered from severe budget shortages.

Since 2001, the Khartoum State Water Corporation (KSWC) began outsourcing the governmental functions of the water-supply system, including water fee collection, infrastructure construction and water treatment plant operation. The privatization was formalized in the 2007 Country Strategy on Integrated Water Resources Management and the 2010 Water and Sanitation Policy, which determined that the “private sector shall be encouraged and facilitated for active involvement in the provision of water supply and sanitation services.”<sup>76</sup>

Instead of enhancing the efficiency of governmental water supply in Khartoum, the unregulated privatization has led to an increase in corrupt practices and mismanagement of the water supply. In the Sudan case, instead of privatization accompanying a retreat of the state from service delivery, or the advance of the market, privatization of Khartoum water management actually was “governmentalized.” Some analysts have labelled this the “governmental-private-continuum.”<sup>77</sup> In the case of Khartoum's human right to water, the relationships between the “public” and the “private” have been blurred and continuously reshuffled amid political, economic and clientele dynamics.

Service delivery in the developing world often produces obvious inequalities in access to water.<sup>78</sup> The political ecology of water in Sudan is no exception. However, the case of Sudan, with its lack of institutional checks against corruption, has enabled a set of well-connected people illegally to acquire natural resources and property rights. Accumulating such resources and economic power has increased so that this leadership is able to block subsequent competition and redistributive reforms.

While, the Food security is defined in Sudan as “the availability of enough food to secure the minimum nutritional requirements of every individual.” National food security is considered to be “the guarantee of a particular extent of food at the national level to meet the minimum nutritional requirements of the individual for a specific period, or to meet emergency food shortages during a certain period, estimated at three years.”<sup>79</sup> We should imply a nutrition criterion in that definition to meet the human rights minimum.

As an indicator of Sudan's performance in implementing the human right to adequate food is the outcome monitored under *Millennium Development Goals, Target 1.C: “Halve, between 1990 and 2015, the proportion of people who suffer from hunger.”* Progress reports indicate that Sudan remains far “off track for meeting the MDG1 target.” Various surveys show Sudan at 32%, 33%, 43% and 35% toward achieving this MDG.<sup>80</sup> In 2013, Sudan was classified among the ten worst performing countries in combatting hunger.<sup>81</sup>

As noted above, the incidence of poverty in Sudan has remained at 46.5%. This means that almost one out of every two people in Sudan lacks the means to purchase the value of a minimum food and non-food bundle. However, the food poverty index is higher in rural areas (55%) than urban areas (28%). Poverty levels also differ significantly from state to state: ranging from a quarter of the population in Khartoum to more than two-thirds of the population in Northern Darfur. The poverty gap ratio is reported at 16.2%, and the poverty severity index stands at 7.8%. That indicates the depth and severity of poverty, especially in North Sudan, where about 44.8% of the population consume below the food poverty line of 69 Sudanese pounds (US\$ 11.21) per month.<sup>83</sup>

**Table 5: Acute Malnutrition Rates for Children in Sudan<sup>87</sup>**

Blue Nile	19 %
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Nutrition in Sudan is poor, characterized by high levels of underweight and chronic malnutrition, as well as persistently elevated levels of acute malnutrition. Nationally, nearly one third (32.2%) of children under the age of five years is moderately or severely underweight.

**Table 3: Chronic Malnutrition among Children in Darfur**

Central Darfur	45 %
East Darfur	40 %
North Darfur	35 %
West Darfur	35 %
South Darfur	26 %

In Sudan, 6.6 million people need humanitarian aid; 1.2 million children under the age of five suffer from acute malnutrition, including 550 thousand children suffering from severe acute malnutrition. In North Darfur, 28% of children suffered acute malnutrition in 2013, almost twice the UN’s 15% “emergency” level. The World Health Organization cut-off point for “high prevalence” of chronic malnutrition is 30%, and for “very high” prevalence equal to or greater than 40%.

Source: S3m Survey 2013.<sup>82</sup>

The World Health Organization has set the emergency threshold for acute malnutrition at any rate equal to, or greater than 15%. However, this threshold figure drops to a 10% threshold in areas of armed conflict such as Darfur, Nuba Mountains or Blue Nile.<sup>84</sup> An expectations survey conducted in 2014 revealed malnutrition rates for Sudan up to 16%.<sup>85</sup>

**Table 4: Total Number and Degrees of Malnourished Children**

Total malnourished annually	2,010,939
Moderate	1,455,735
<b>Severe</b>	555,203
Global total	2,010,939

The situation of food and nutrition persistently has reached high levels of chronic malnutrition, with 44.8% of the population below the food poverty line, and with food poverty higher in rural areas (55%, as compared with 28% in urban areas).<sup>86</sup>

Source: S3m Survey 2013.

In 2014, the ongoing violence in Darfur, South Kordofan and Blue Nile, as well as the influx of refugees from South Sudan, has contributed to a significant deterioration of the humanitarian situation. In South Kordofan and Blue Nile, hundreds of thousands of people in opposition-held areas have been cut off from humanitarian assistance as a result of GoS operations against the SPLM-N.

Conflict has exacerbated malnutrition and food insecurity, but some of the highest malnutrition rates to appear in Sudan’s relatively peaceful east. More than 5 million people were food insecure during the 2014 pre-harvest lean season, including in those areas.<sup>88</sup>

East Darfur	15 %
Kassala	15 %
North Darfur	28 %
Red Sea State	20 %
South Darfur	18 %
South Darfur	13 %
South Kordofan	10 %

Source: S3m Survey 2013.

Chronic malnutrition among children is widespread and pervasive, as suggested in the accompanying Table 4. However, these 2013 data do not reflect the parallel malnutrition that has developed since the 2011 violence began in South Kordofan and Blue Nile.

The number of children in Sudan who did not have enough to eat in 2013 was 2,010,939.<sup>89</sup> Although the humanitarian crisis in Sudan may no longer be in the spotlight, about 3.5 million children still face critical humanitarian needs due to a same combination of factors evident at the time of the UPR’s first round: natural-resource dispossession and armed conflict, but also robbing the poor, social control by way of indebtedness and low investment in basic social services.<sup>90</sup>

The number of children with **severe acute malnutrition** (SAM) depends on the region. Highly populated states with a lower prevalence still carry a very high burden of children with SAM. Most of the children with SAM are found in North Darfur, South Darfur, Gezira, Kassala, Khartoum and Red Sea states. These five states carry 51% of the total SAM burden in Sudan. Two of these states, Khartoum and Gezira, have no Community Management of Acute Malnutrition (CMAM) program.

In January 2015, UNICEF reported that malnutrition of children in Sudan had reached alarming rates, especially coinciding with high national infant mortality rates (83:1,000 births). Sudan is the fourth worst country in the world in severe wasting among children (5%). Meanwhile a 2% indicator of acute malnutrition is considered SAM in developing countries, where, even in hospitals, 20–30% of children who suffer from wasting die.<sup>91</sup> The number of wasted children in 2011 (moderate and severe) was 817,000.<sup>92</sup>

The United Nations Food and Agriculture Organisation (FAO) also has lowered its current forecast for grain production in Sudan in the current season by as much as 70%, and FAO warned of a further deterioration in Sudan’s food security in the event of failure to provide urgent support to farmers and herdsman in the country. Currently, about 3.3 million people suffer from food insecurity, which number is likely to rise to 4 million within 2015. In some regions of Sudan, food security is expected to deteriorate to emergency levels, leading to deepening levels of malnutrition for more than 4 million people suffering from food shortages in various parts of the country.<sup>93</sup>

In January 2013, the Sudanese Agriculture Minister Abdel Halim Ismail admitted that GoS faced a challenge to repair wrongheaded economic policies that have weakened productivity and indigenous agriculture. He acknowledged that the country is living a real crisis due to a lack of knowledge-based planning.<sup>94</sup>

A combination of factors, added to drought in Darfur and elsewhere, makes Sudan particularly food insecure in the review period. The production of cereals such as rice, wheat and maize is expected further to decline up to 50% over the next 35 years in some locations due to the impacts of climate change. This scenario is particularly significant for Sudan, where high levels of poverty, displacement, political violence and conflict already prevail.<sup>95</sup>

### **Agricultural Finance Policies and Food Affordability and Accessibility**

Since 1991–92, the Agricultural Bank has been predetermining the price of crops as a basis for financing farmers. When the price rises beyond the minimum predetermined price, the bank does not pass on the returns to the farmer, but maximizes profit for itself. Meanwhile, when crop prices fall below the Bank's predetermined rate, the Bank does not prorate the farmers' repayment terms to relieve their debt burden commensurate with the market. Consequently, large numbers of insolvent farmers face imprisonment for failure to fulfill a civil contract with the Agricultural Bank for reasons beyond their control and under conditions that set them up never to gain.

This practice is contrary to the Agricultural Bank's ostensible mission to support agricultural development. Meanwhile, Islamic ESCR principles prohibit transactions based on *mahāqala* and *mazābana* [المحاكمة والمزابنة] (speculating in commodity pricing before the harvest). They are rarely just. However, such practice of the Agricultural Bank institutionally skews the market to the perpetual disadvantage of the farmer.

An example of the unfair practices of the state's Agricultural Bank price fixing is the more than 1,000 farmers languishing inside jail cells as a result of this method of Agricultural Bank intervention in the market. Another related example finds the Agricultural Bank prefinancing farmers to cultivate white sesame at a fixed rate of 10,000 Sudanese pounds (US \$ 1,539) per ton, while the actual world price for the same crop ranges between US \$2,850 and \$2,900 per ton.<sup>96</sup> Such state-driven underpricing of farmers' produce is inconsistent with the continuous rise in the average price of all grains over the past five years.<sup>97</sup> It is inconsistent also with the principles of implementing the human right to food [GC12, para. 26] and with the obligation to ensure an adequate standard of living and the continuous improvement of living conditions [Article 11].

## Annex III

### Extraterritorial ESCR obligations

These infrastructure and agricultural-investment projects invoke the extraterritorial obligations (ETOs) of the host state, Republic of Sudan, as well as ETOs of states hosting development partners within their jurisdiction. For example, the now-completed Merowe Dam is a GoS project principally funded the China Export Import Bank, the Arab Fund for Economic and Social Development, and the development funds of Saudi Arabia, Kuwait, Abu Dhabi, and the Sultanate of Oman. The project is being executed by extraterritorial companies, including Harbin (China), Alstom (France), Lahmeyer International (Germany) and ABB (Switzerland).<sup>98</sup>

Reportedly, GoS is seeking funding for the Kajbar and Dal Dams from China Exim Bank, the Chinese government's export credit agency, which was the lead financier of the Merowe Dam. Lahmeyer International, a German engineering company, which also was involved in the Merowe Dam and has been debarred from receiving World Bank contracts because of a corruption scandal, has conducted an environmental impact assessment (EIA) for the Kajbar Dam.<sup>99</sup>

Development partner China voted in favor for the UN Declaration on the Rights of Indigenous People. The Chinese company Sinohydro, the principal Kajbar Dam contractor over five years, and its domicile state should respect and implement the principles of the Declaration by recognizing historic land rights and ensuring effective consultation with, and FPIC of the affected indigenous people.<sup>100</sup>The ETOs apply to the People's Republic of China to respect, protect and—depending on the level of “decisive influence”—fulfill its extraterritorial ESCR obligations.<sup>101</sup>Both states parties, Sudan and China, bear the obligation to ensure that Chinese companies operating in Sudan comply with all relevant international standards affecting ESC rights.<sup>102</sup>

This same example reveals the great extent to which bilateral arrangements are relevant to treaty monitoring, especially between and among states parties to the human rights treaties. These ETOs also pertain to Sudan's dam and agricultural investment partners, including other states: Switzerland, Germany, France, Kuwait, Oman, Saudi Arabia and UAE.

## Endnotes:

- <sup>1</sup> In A/48/18(SUPP) paras. 100–127, 19 January 1994, CERD referred to GoS “ethnic cleansing campaigns in southern Sudan” and their impediments to “the process of national integration” (para. 103), as well as the razing of hundreds of Nuba and Fur villages, and “their inhabitants driven from the land in a vast programme of ethnic cleansing,” including “tens of thousands of people were being removed each month from Nuba mountains” (para. 107). See also CERD/C/304/Add.116 CERD/C/304/Add.116, 27 April 2001; CERD, Decision 2(66): Situation in Darfur, CERD/C/66/DAR/Dec.2, 11 March 2005.
- <sup>2</sup> “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,” A/RES/60/147, adopted without vote, 21 March 2006, at: <http://www2.ohchr.org/english/law/remedy.htm>.
- <sup>3</sup> “Sudan,” USAID Country Profile, Property Rights & Resource Governance, at: [http://pdf.usaid.gov/pdf\\_docs/PA00J7T3.pdf](http://pdf.usaid.gov/pdf_docs/PA00J7T3.pdf).
- <sup>4</sup> Lorenzo Cotula, Sonja Vermeulen, Rebeca Leonard and James Keeley, *Land Grab or Development Opportunity: Agricultural Investment and International Land Deals in Africa* (London/Rome: iied, FAO and IFAD: 2009), at: <http://www.fao.org/3/a-ak241e.pdf>.
- <sup>5</sup> Azza Dirar, Asim El-Moghaby, Mohamed Jalal, Mark Zeitoun, “Displacement and resistance induced by Merowe Dam: the Influence of International norms and justice,” International Development School, University of East Anglia, January 2015, at: <https://www.uea.ac.uk/documents/6347571/6549421/DEV+Report+and+Policy+Paper+12/e202548c-8b7b-459d-9e77-0463ff6585b0>
- <sup>6</sup> Headed by Minister of Presidential Affairs, Lieutenant General Bakri Hasan Salih.
- <sup>7</sup> Leadership Office of Hamadāb Affected People (LOHAP), “Hundreds forced to flee as Merowe Dam reservoir waters rise: No warnings given, Six more villages threatened,” *Sudan Tribune* (10 August 2006), at: <http://www.sudantribune.com/spip.php?article17017>.
- <sup>8</sup> Reportedly, half were 4,795 women and 2,055 elderly. The Amri Committee, “Forced Eviction due to Flooding, Merowe Dam, Sudan: Complaint to UN Special Rapporteur on Adequate Housing,” August 2006.
- <sup>9</sup> The villages of Shikora, al-Bana, Umm Haza, al-Batarin, Umm Kūk, al-Khizian and Garf al-Doud, al-Aragūb, al- Ghananīm, Umm Daras, Umm Sarif, al-Galīha.
- <sup>10</sup> Asim I. El Moghaby, “State of the environment,” UNEP EIA Training Resource Manual, Case Study 4, at: [http://www.unep.ch/etu/publications/11\)%2027%20to%2036.pdf](http://www.unep.ch/etu/publications/11)%2027%20to%2036.pdf).
- <sup>11</sup> Reem Abbas, “SUDAN: No Clear Studies on Impacts of Merowe Dam,” *IPS* (2 January 012), at: <http://www.ipsnews.net/2012/01/sudan-no-clear-studies-on-impacts-of-merowe-dam/>.
- <sup>12</sup> “Report of the Special Rapporteur on the right to adequate housing, Summary of communications sent and replies received from Governments and other actors,” A/HRC/4/18/Add.1, at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/126/63/PDF/G0712663.pdf?OpenElement>.
- <sup>13</sup> Peter Bosshard, “New Chinese Dam Project to Fuel Ethnic Conflict in Sudan,” *Huffington Post* (26 January 2011), at: [http://www.huffingtonpost.com/peter-bosshard/new-chinese-dam-project-t\\_b\\_811384.html](http://www.huffingtonpost.com/peter-bosshard/new-chinese-dam-project-t_b_811384.html)
- <sup>14</sup> Saleh ‘Amar, “The Dam Administration preparing to Displace 150,000 persons in East Sudan and the people are outraged” [Arabic], *al-Taghyir* (3 May 2013), at: <http://www.alrakoba.net/news-action-show-id-101950.htm>
- <sup>15</sup> Saleh ‘Amar, “The Dam Administration preparing to Displace 150,000 persons in East Sudan” [Arabic], *al-Rakūba*(6 August 2013), at: <http://www.alrakoba.net/news-action-show-id-101950.htm>. GoS has applied a custom codified at least since the English occupation of Ireland, whereby the pastoralists, by definition, have no land tenure subject to reparation, replacement or mere compensation. See Joseph Schechla, “A Covenant of Dispossession and Genocide,” in Barry Tharaud and Elizabeth Pallito, eds., *The Endangered Planet in Literature: Selected Proceedings*, 16–18 November 2005 (Istanbul: Doğuş University, 2007), pp. 328–46, at: [https://www.academia.edu/7926056/ A\\_Covenant\\_of\\_Dispossession\\_and\\_Genocide\\_New\\_Israelites\\_in\\_Colonial\\_America](https://www.academia.edu/7926056/ A_Covenant_of_Dispossession_and_Genocide_New_Israelites_in_Colonial_America) .
- <sup>16</sup> PawanHaulkory, “The Monopoly Game: Land Grab in Sudan,” *Wordpress blog* (2 December 2014), at: <http://wordpress.clarku.edu/id252-sudan/2014/12/02/the-monopoly-game-land-grab-in-sudan/>
- <sup>17</sup> “Ten Thousand Residents of Areas Adjacent to Atbara and Seteet Dam Forcibly Evicted” [Arabic], *Radio Dabanga*, (23 February 2015), at: <https://www.dabangasudan.org/ar/all-news/article/%D8%A8%D8%AF%D8%A3-%D8%A7%D9%84%D8%AA%D9%87%D8%AC%D9%8A%D8%B1-%D8%A7%D9%84%D9%82%D8%B3%D8%B1%D9%8A-%D9%84%D8%B9%D8%B4%D8%B1%D8%A7%D8%AA-%D8%A7%D9%84%D8%A7%D9%84%D8%A7%D9%81-%D9%85%D9%86-%D8%B3%D9%83%D8%A7%D9%86-%D8%A7%D9%84%D9%85%D9%86%D8%A7%D8%B7%D9%82-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D8%B0%D9%8A%D8%A9-%D9%84%D8%B3%D8%AF-%D8%B9%D8%B7%D8%A8%D8%B1%D8%A9-%D9%88%D8%B3%D8%AA%D9%8A%D8%AA>
- <sup>18</sup> Sudan Central Bureau of Statistics, *Household Survey Report* (Khartoum: 2009); The World Bank, “World Development Indicators: Sudan,” at: <http://data.worldbank.org/country/sudan>; “Sudan - Poverty headcount ratio at national poverty line,” *Knoema World Data Atlas*, at: <http://knoema.com/atlas/Sudan/Poverty-ratio-at-national-poverty-line>; UNDP, “About Sudan,” at: <http://www.undp.org/content/sudan/en/home/countryinfo.html>.
- <sup>19</sup> Index Mundi, “Sudan Fact book: *Population Below Poverty Line*” updated 30 June 2015, at: [http://www.indexmundi.com/sudan/population\\_below\\_poverty\\_line.html](http://www.indexmundi.com/sudan/population_below_poverty_line.html).

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- <sup>20</sup> ICCPR and ICESCR, Article 1.2.
- <sup>21</sup> The Millennium Declaration and adoption of the UN MDG in September 2000 implies commitment toward achievement of the eight MDG by 2015. The MDG are: (1) Eradicate extreme poverty and hunger: Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day, and halve, between 1990 and 2015, the proportion of people who suffer from hunger. (2) Achieve universal primary education: Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling. (3) Promote gender equality and empower women: Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015. (4) Reduce child mortality: Reduce by two thirds, between 1990 and 2015, the under-five mortality rate. (5) Improve maternal health: Reduce by three-quarters, between 1990 and 2015, the maternal mortality ratio. (6) Combat HIV/AIDS, malaria and other diseases. (7) Ensure environmental sustainability and (8) Develop a global partnership for development. See UND-HDR 'UN MDGs in Sudan': [http://www.sd.undp.org/mdg\\_sudan.htm](http://www.sd.undp.org/mdg_sudan.htm).
- <sup>22</sup> See tables in ILO, *Independent evaluation of the ILO's Decent Work Country Programme Strategies and Activities in North Africa 2010–13*, which included the country Sudan case study by independent national consultant Samia Satti, 184–216, at: [http://www.ilo.org/wcmsp5/groups/public/---ed\\_mas/---eval/documents/publication/wcms\\_316825.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_316825.pdf).
- <sup>23</sup> For further information, see Samia Satti Othman Mohamed Nour, "Assessment of the Impact of Oil: Opportunities and Challenges for Economic Development in Sudan," *African Review of Economics and Finance*, Vol. 2 (June 2011), at: [http://www.african-review.com/Vol.%202%20\(1\)/Vol.%202%20\(2\)/Impact%20of%20Oil%20in%20Sudan.pdf](http://www.african-review.com/Vol.%202%20(1)/Vol.%202%20(2)/Impact%20of%20Oil%20in%20Sudan.pdf).
- <sup>24</sup> Mohamed Suliman, *Resource Access, Identity and Armed conflict in the Nuba Mountains* (London: Cambridge Academic Press, 1999); and Guma Kunda Komey, "The Denied Land Rights of the Indigenous Peoples and their Endangered Livelihood and Survival: The Case of the Nuba of Sudan," *Ethnic and Racial Studies* (2008); Komey, "Communal Land Rights, Identities and Conflicts in Sudan: The Nuba Question," *The Land and Its People: Civil Society Voices Address the Crisis over Natural Resources in the Middle East/North Africa* (Cairo: HIC-HLRN, 2015), pp. 167–78, at: <http://www.hlrn.org/img/publications/BigMasterFinal.pdf>.
- <sup>25</sup> Mohamed Suliman, "The Nuba Mountains of Sudan: Resource Access, Conflict and Identity," in Daniel Buckles, ed., *Cultivating Peace: Conflict and Collaboration in Natural Resource Management* (Ottawa and Washington: International Development Research Centre, World Bank Institute, 1999), pp. 205–20; Mohamed Suliman, Civil war in the Sudan: from ethnic to ecological conflict," *The Ecologist* Vol 23, No. 3 (1993), at:
- <sup>26</sup> "Sudan: Rich farms, conflict and climate change," Integrated Regional Information Networks (IRIN), 22 May 2008, at: <http://www.refworld.org/docid/4836929b26.html>; Judith Large and El-Lazim Suleiman El-Basha, "A Bitter Harvest and Grounds for Reform: The Nuba Mountains, Conflicted Land and Transitional Sudan" Berghof Peace Support Working Paper July 2010, pp. 7–8, at: [http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Other\\_Resources/SUD\\_Bitter\\_Harvest\\_and\\_Grounds\\_for\\_Reform.pdf](http://www.berghof-foundation.org/fileadmin/redaktion/Publications/Other_Resources/SUD_Bitter_Harvest_and_Grounds_for_Reform.pdf).
- <sup>27</sup> Therefore, the original plan had called for half the plots of land to be set aside for lease to private tenants, while the other half was to be left fallow, as grass. After four years, the farmers were to exchange the formerly leased land with adjacent fallow plots to allow the soil to recover. UNEP, "Post-Conflict Environmental Assessment" (Nairobi: UNEP, 2007), at: [http://apps.unep.org/publications/index.php?option=com\\_pub&task=download&file=000781\\_en](http://apps.unep.org/publications/index.php?option=com_pub&task=download&file=000781_en).
- <sup>28</sup> Raven Rakia, "IMF's Involvement Fuels Sudan's Continued Unrest," *Truthout* (25 March 2014), at: <http://www.truth-out.org/news/item/22668-imfs-involvement-fuels-sudans-continued-unrest>.
- <sup>29</sup> Farah Hassan Adam, "The Agricultural in Sudan Between the Survival and ruin, an Study for preparing the fifth conference of the Sudanese Communism Party," [Arabic], *Al-Hewar Almotamden*, (1 October 2006), at: <http://www.ahewar.org/debat/show.art.asp?aid=76908>
- <sup>30</sup> Namely, (i) strengthening governance and the institutional capacity of the public sector; (ii) reintegrating internally displaced persons (IDPs) and other displaced populations; (iii) developing human resources; and (iv) promoting economic growth and employment creation. See IMF, "Sudan Interim Poverty Reduction Strategy Paper," IMF Country Report No. 13/318(October 2013), at: <https://www.imf.org/external/pubs/ft/scr/2013/cr13318.pdf>.
- <sup>31</sup> *Ibid.*, pp. 22 and 25.
- <sup>32</sup> *Ibid.*, p. 25, para. 69.
- <sup>33</sup> Jane Harrigan, *The Political Economy of Arab Food Sovereignty* (New York: Palgrave Macmillan, 2014), at: <https://books.google.com.eg/books?id=t8ZCBAAQBAJ&pg=PA137&lpg=PA137&dq=Arab+land+investment+Sudan&source=bl&ots=Ws771-vt0-&sig=3JlyjbSOKUD8Qb8z6mUkSwHbJ3A&hl=en&sa=X&ved=0CD4Q6AEwBWovChMI-5HDnKmPxiwVQZyCh3ctgvG#v=onepage&q&f=false>
- <sup>34</sup> Rakia, op. cit.
- <sup>35</sup> For details, Cecillie Friis, Anette Reenberg, "Land Grab in Africa, Emerging Land System Drivers in Teleconnected World," *Global Land Project*, Rep No.1 (2010), at: [http://www.i NDP.unu.edu/docs/Publications/GLP/GLP\\_report\\_01.pdf](http://www.i NDP.unu.edu/docs/Publications/GLP/GLP_report_01.pdf).
- <sup>36</sup> Allam Ahmed, Adem Ahmed, "Inconsistency of Food security information in Sudan," *International Journal of Technology Management*, Vol.45, No.1/2,(January 2009), at: [http://www.researchgate.net/publication/240295700\\_Inconsistency\\_of\\_food\\_security\\_information\\_in\\_Sudan](http://www.researchgate.net/publication/240295700_Inconsistency_of_food_security_information_in_Sudan)
- <sup>37</sup> "Sudan grants Saudi Arabia two million acres for agriculture", *Middle East Monitor* (10 April 2012), at: <https://www.middleeastmonitor.com/news/africa/3613-sudan-grants-saudi-arabia-two-million-acres-for-agriculture>.
- <sup>38</sup> Partap Chatterjee, "Middle Eastern Investors Grab Sudan Farmland," *Global Policy Forum* (30 April 2012), at:

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<https://www.globalpolicy.org/world-hunger/land-ownership-and-hunger/51561-middle-eastern-investors-grab-sudan-farmland.html?itemid=id#1292>

- <sup>39</sup> See, *National Investment Encouragement Act 2013*; at <http://hlrn.org/img/documents/20130423150140234.pdf>; also *The Investment Encouragement Act 1999* (amended 2007); at: <http://hlrn.org/img/documents/20130423145338411.pdf>.
- <sup>40</sup> Ahmed Elzobier, "Land Grab in Sudan" academia.edu, not dated, at: [http://www.academia.edu/8741478/Land\\_Grab\\_in\\_Sudan](http://www.academia.edu/8741478/Land_Grab_in_Sudan).
- <sup>41</sup> Khaled Abd El-Aziz, "Egypt, Sudan Plan Joint Farming, Livestock Projects," *Reuters* (5 April 2013), at: <http://in.reuters.com/article/2013/04/05/sudan-egypt-farming-idINL5N0CS31220130405>
- <sup>42</sup> J. Millard Burr, "The Sudan for Sale: Part 2," *American Center for Democracy* (25 March 2013), at: <http://acdemocracy.org/the-sudan-for-sale/>.
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- <sup>44</sup> "More than 70 thousand hectares confiscated in the White Nile in favor of unregistered investor" [Arabic], *Hurriyat Sudan* (30 March 2013), at: <http://www.hurriyatsudan.com/?p=103333>.
- <sup>45</sup> "Sudan's Northern State expropriates farmlands in Merowe," *Dabanga* (1 July 2015), at: <https://www.dabangasudan.org/en/all-news/article/sudan-s-northern-state-expropriates-farmlands-in-merowe>
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