

SUDAN REDD+ PROGRAMME

Resettlement Policy Framework

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ABBREVIATIONS AND ACRONYMS

AP	Action Plan
CSOs	Civil Society Organizations
ESMF	Environmental and Social Management Framework
ESS	Environmental and Social Standards
FAO	Food and Agriculture Organization
FCPF	Forest Carbon Partnership Facility
FGRM	Feedback and Grievance Redress Mechanism
FNC	Forest National Corporation
FRL	Forest Reference Levels
GHGs	Green House Gases
GRM	Grievance Redress Mechanism
HCENR	Higher Council for Environment and Natural Resources
IPPF	Indigenous Peoples Planning Framework
PAP	Project Affected Peoples
NDCs	Nationally Determined Contributions
NFMS	National Forest Monitoring System
NRS	National REDD+ Strategy
NRSC	National REDD+ Multi-sector Advisory Committee
OP	Operational Policy
PA	Protected Areas
PF	Process Framework
R-PP	Readiness Preparation Proposal
RAP	Resettlement Action Plan
REDD+	Reducing Emission from Deforestation and Forest Degradation
RPF	Resettlement Policy Framework
SESA	Strategic Environmental and Social Assessment
TAC	Technical Multi-sector Advisory Committee
UNDP	United Nations Development Programme
UNEP	United Nations Environmental Programme
UNFCCC	United Nations Framework Convention on Climate Change
WB	World Bank
WCGA	Wildlife Conservation General Administration

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1. INTRODUCTION

In 1993, the Republic of Sudan signed and ratified the Statement of Forest Principles and Agenda 21 following the United Nations Framework Convention on Climate Change (UNFCCC) and started its participation in one out of many initiatives focussing on climate change mitigation and adaptation. As a result of this process, an implementation instrument was decided upon to mitigate and adapt to climate change: Reducing Emission from Deforestation and Forest Degradation (REDD+).

REDD+ is an instrument that is implemented nationally through a REDD+ national programme. As part of Sudan's National REDD+ Programme, its in-country emission sources and sinks of greenhouse gases (GHGs) are estimated and the underlying dynamics are established. Sudan began its programme implementing the REDD+ Readiness phase. The Government of Sudan, through the Forest National Corporation (FNC), started to initiate the REDD+ in Sudan in collaboration with the United Nations Environmental Programme (UNEP), the United Nations Development Programme (UNDP) and the Food and Agriculture Organization (FAO) in 2009. Since then, the preparation of a Readiness Preparation Proposal (R-PP) has started with a highly consultative process. Sudan was selected as a REDD+ country participant in the Forest Carbon Partnership Facility (FCPF) of the World Bank (WB) in 2012.

Sudan's R-PP states that Sudan is aimed to achieve REDD+ Readiness by the end of 2017, now extended to 2021. The R-PP presents all activities that the Government of Sudan envisages in order to achieve REDD+ Readiness. The REDD+ Readiness Programme was launched in September 2015 and includes the following interventions:

- development of a National REDD+ Strategy (NRS) and Action Plan (AP).
- stakeholder's consultation and participation.
- support for REDD+ readiness management and institutional arrangements.
- capacity building.
- development of Forest Reference Levels (FRL).
- development of a National Forest Monitoring System (NFMS).
- social and environmental safeguards analysis.

For a Country to become "Ready for REDD+", it is required to develop a national REDD+ strategy (NRS) that ensures effective consultation and participation of all stakeholders including government institutions, civil society organizations (CSOs), private sector, academic and research institutions as well as local communities, in particular indigenous peoples, forest-dependent communities and vulnerable groups. The NRS for Sudan is currently under completion. Since its launch, Sudan's REDD+ programme has made significant progress in meeting the readiness objectives as specified in the R-PP. As part of the social and environmental safeguards component, Sudan is undertaking a Strategic Environmental and Social Assessment (SESA) and, more specifically, its contribution to a robust safeguard information systems and national strategy.

The SESA is a process that consists of integrating environmental and social concerns during the formulation of the NRS and during its subsequent implementation. It is a process that assesses the potential impacts from national REDD+ programs and policies, formulates alternatives and develops mitigation strategies. It is aimed at ensuring that the programmes and activities implemented under the REDD+ strategy do not cause adverse social and environmental impacts and where possible, result in social and environmental benefits. The main outputs of Sudan's SESA process are a REDD+ strategy that is environmentally and socially sustainable and a set of frameworks for ensuring that projects implemented under the strategy are environmentally and socially sustainable, and inclusive. This also includes an Environmental and Social Management Framework (ESMF), a Resettlement Policy Framework (RPF), a Process Framework (PF) and an Indigenous Peoples Planning Framework (IPPF). These outputs were generated in an integrated manner with regard to other REDD+ component and sub-component studies, including the formulation of the strategic options of Sudan's NRS.

The process was informed by other studies and analyses that have already been completed or are currently in process (e.g., Sudan Sustainable Management of Natural Resources Project – SSMNRP documents and assessments, United Nations Environmental Programme – UNEP and Sudan First State of Environment and Outlook 2020 Report). These outputs ensure consultation and participation and offer an opportunity for civil society to influence the reforms required for reducing deforestation and degradation in Sudan. In this case, the FNC has requested the development of an RPF. Generally speaking, the RPF is developed when the likely nature or magnitude of the land acquisition or restrictions on land use related to a project with potential to cause physical and/or economic displacement and resettlement is unknown during project preparation (these concepts are explained further in the next section). It is important to note that this framework was developed in parallel with the ESMF, PF, IPPF and enriched with information from the SESA. With specific reference to the PF, there are instances of cross-referencing and some information relative to both, has been used in both, this is also due to the fact that they are both instruments resulting from the same WB Environmental and Social Framework (ESF) standard number 5 (Land Acquisition Restrictions on Land Use and Involuntary Resettlement).

1.1 A background to involuntary resettlement and the RPF

Project-related land acquisition, or restrictions on land use, may cause physical displacement (e.g., relocation, loss of residential land or loss of shelter), economic displacement (e.g., loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. The term “resettlement” refers to these impacts and can be defined as voluntary (not attributable to eminent domain or other forms of land acquisition backed by powers of the state i.e. where the communities choose to leave their claim) and involuntary (when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement). Here, it is in particular the latter that is referred to, i.e. forced resettlement and restriction to access of resources by authorities, when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement¹.

Indeed, economic development is widely viewed as an inevitable step towards modernization and economic growth in developing countries; however, for those who are displaced, the end result is most often loss of livelihood and impoverishment². Based on the experience during the implementation of many development projects, in developing countries above all, involuntary resettlement takes place due to development opportunities. Such developments can leave lasting negative economic, social and environmental impacts. In general, it affects the poorest people, with little claim to the land being acquired (forcefully or otherwise).

This effect can be in direct form (e.g., physical removal of local communities) or indirect (e.g., cultural claim to specific areas of land). Once such communities are displaced, they need to be placed in other areas, and indeed, this can also have both negative direct (e.g., physical unacceptance of displaced communities within new communities due to competition for resources) and indirect (e.g., again lack of cultural and traditional claim to new areas, unacceptance of new traditional authorities)³ outcomes. This results overall in reduced social capital. Involuntary resettlement can cause long-lasting and permanent damage through negative social (including cultural and traditional) capital and restricted access to tangible and intangible assets that the displaced communities lay claim to. Sudan is no stranger to displaced peoples⁴ and has been subject to, and continues to have, situations of internal displacement

Box 1: Case study - The Case of New Halfa Agricultural Scheme

Background

The New Halfa agricultural scheme started as the largest known planned resettlement project in Sudan at the time, as a consequence of the construction of the Aswan High dam that caused the inundation of the historical town of Wadi Halfa under Lake Nasser (Ahmad & Abu Sin 1990; Laxen 2007). The New Halfa scheme was partly funded by Egypt as compensation, as it was important for Egypt to secure the construction of the Aswan High Dam (Laxen 2007). Out of six alternative sites for the relocation of the Nubians, the location of Khasm el Girba was eventually selected, as the Khasm el Girba dam was completed in 1964 to support irrigated agriculture (NHAPC 2011). The project was established between 1964 and 1969 and in 1964 the transfer of the majority of the Nubians took place (Dafalla 1975; Sørbo 1985).

Expert analysis

In many cases the displaced people have little or no say in deciding over the displacement, and although the projects usually have a plan for resettling the displaced people, it is mostly created without consulting the affected people. As has been proven in many global instances, some displacement, even for the sake of development, may be inevitable. However, the negative consequences of displacement could be mitigated or even avoided. This needs a thorough social impact assessment and the consultation of the people affected as well as a comprehensive resettlement plan. As in the case of the Nubians in Egypt and Sudan, the resettlement caused an irreversible experience of social rejection from the government and bitterness about the lack of respect and protection for their traditional land, culture and livelihoods. Thus, the displacement and the resettlement that follows gives the impression that – for the nation – the utilization of natural resources outweighs the integrity and continuity of its people’s sustainable livelihoods and traditions (Current African Issues 59 Resettled for Development. The Case of New Halfa Agricultural Scheme, Sudan, Marianna Wallin NORDISKA AFRIKA INSTITUTET, UPPSALA 2014.

¹ <http://documents.worldbank.org/curated/en/294331530217033360/ESF-Guidance-Note-5-Land-Acquisition-Restrictions-on-Land-Use-and-Involuntary-Resettlement-English.pdf>

² Drydyk, J. (2007). Unequal Benefits: The Ethics of Development-Induced Displacement. *Georgetown Journal of International Affairs*, 8(1): 105-113. <https://www.jstor.org/stable/43134152?seq=1>

³ Vanclay, F. (2017) Project-induced displacement and resettlement: from impoverishment risks to an opportunity for development? *Impact Assessment and Project Appraisal*, 35(1): 3-21, DOI: 10.1080/14615517.2017.127867

as a result of both voluntary and involuntary resettlement practices. With this in mind, and the ongoing development of the evolving implementation preparation of Sudan's NRS and draft emissions reductions programme (ERP), this RPF shall clarify resettlement principles, organizational arrangements, and design criteria to be applied to the future and draft subprojects or project components to be prepared during project implementation. *Once the subproject or individual project components are defined and the necessary information becomes available, such a framework will be expanded into a specific plan proportionate to potential risks and impacts (Environmental and Social Standard – ESS5)*⁵. The development of this policy ensures the correct safeguards are put in place to mitigate, limit and address the consequences of resettlement-associated risks. Two examples of cases of displaced peoples during development projects in Sudan are given in boxes one and two below.

Box 2: Case study – the Merowe Dam and Conflict

Background

The Merowe Dam is a large dam near Merowe town in northern Sudan, about 350 km (220 mi) north of the capital Khartoum. Its dimensions make it the largest contemporary hydropower project in Africa. It is situated on the river Nile, close to and inundating the 4th Cataract where the river divides into multiple smaller branches with large islands in between. Merowe is a city about 40 km (25 mi) downstream from the construction site at Hamdab. The main purpose for building the dam was the generation of electricity.

Between 30,000 to 50,000 people were affected by the construction of the Merowe Dam and its reservoir from 2006 to 2009 (<https://www.mdpi.com/2077-0472/10/6/227>), mainly belonging to the Manasir, Hamadab and Amri tribes. They lived in small farming villages along the banks of the Nile and on the islands in the cataract. The whole region was relatively isolated, without paved roads or other infrastructure, and the communities were largely self-sufficient. Except for beans and millet the farmers grew vegetables, both for their own consumption and for trading at the weekly regional markets. However, their main source of income—and their most valuable possession—were the groves of date palms growing in the fertile silt on the river banks.

The compensation was done based on *“The law of resettlement and compensation for those affected by the construction of the Meroe Dam -2002” translated law from Arabic to English. The most important compensation procedure area follow; Inspection and division of lands and their description: (1) Arable land (registered or unregistered); (2) Non-Arable lands (registered or unregistered); (3) Type of trees and assets on the land: (A) Palm trees, (B) fruit trees, (C) other trees, (D) Buildings, (E) Other things that are constantly connected to the Earth, (F) Mining and quarrying rights, (G) Any other rights or benefits. (4) The compensation is financial, and plots of land may be allocated to the affected person in other regions.”*

During relocation of the Manasir from Dar al-Manasir ahead of the flooding, their villages were destroyed, and compensated palm trees were burned. The inhabitants of the region to be flooded were forcibly displaced along a timeline corresponding to their land's proximity to the dam site: the people of Hamadab to Al-Multaga in 2003, the people of Amri to Wadi Muqaddam in 2007, and the Manasir to Al-Mokabrab and Al-Fidah in 2008. At the resettlement sites, farmers received plots of land relative in size to their former possessions, in addition to financial compensation for lost assets—houses and date palms. However, a majority preferred to stay near to their old grounds as possible and have thus built at the shores of the new lake.

Expert analysis

As is common in large-scale development projects, the reaction of those affected by the Merowe Dam shifted from hopeful reception to outright rejection. This shift in response was the result of the failure of government of Sudan to engage these communities in a bona fide multi-stakeholder process as called for by the guidelines developed by the World Commission on Dams (WCD) and other international standards.

This failure, however, did not happen because Sudan government rejected established international norms relevant to dam construction. In order to achieve these goals, participation of affected people is seen as key and good faith negotiations are essential. The WCD guidelines also emphasize the need for robust and effective legal and dispute mechanism resolutions to manage conflict, which were totally absent in the case of the Merowe Dam.

Source of analysis: Norms, Mobilization and Conflict: The Merowe Dam as a Case Study. 2019. Nada Ali, R. Dempsey Willis, A. El Moghraby, M. J. Hashim. This is an Accepted Manuscript of an article published by Cambridge University Press in Transnational Environmental Law on 18 July 2019, available online: <https://www.cambridge.org/core/journals/transnational-environmental-law/article/norms-mobilization-and-conflict-the-merowe-dam-as-a-case-study/4719D577AF28C4651C22FA2D0CE38195>

⁴ <https://www.refworld.org/country,,UNHCR,,SDN,,573ad3274,0.html>

⁵ World Bank Operational Policy on Involuntary Resettlement OP/BP 4.12 Environmental and Social Standard 5 on Involuntary Resettlement



2. THE SUDAN, THE RPF AND REDD+

2.1 Country overview

A more in-depth description on Sudan baseline information is given in the SESA report. For more specific information on the national parks and background on different land use patterns in Sudan with regard to all natural resources and its distribution can be found in the PF. More information on the indigenous peoples in Sudan can be found in the IPPF.

The following text describes some key general information useful to frame the national context for the RPF. Located in North Eastern Africa, the Sudan is bound by Egypt, the Red Sea, Eretria, Ethiopia, Republic of South Sudan, Central African Republic, Chad and Libya, with an estimated surface area total of 1.882 million km². Sudan has an estimated 2019 population of 42.81 million. About 30% of the population lives in urban areas and 63% in rural areas. The remaining 7% of the population lives according to a nomadic lifestyle. The majority of the population depends on the country's natural resources for their livelihoods. It is estimated that agriculture (e.g. crops, livestock and forestry) contributes for 35-40% of the gross domestic product (with livestock accounting for 50% of the production) and employs more than 80% of the total population. Traditional farming accounts for 60-70% of the agricultural output and is largely subsistence production based on shifting cultivation and livestock-rearing.

After the secession of South Sudan in 2011, the protected areas in Sudan were reduced to 9 national parks, 2 game reserves and 3 game/bird sanctuaries (Abdelhameed et al, 2008). The country has two marine protected areas: Sanganeb Marine National Park and Dugonab Bay and Mukkavar Island Marine National Park. Both were declared as world heritage sites (United Nations Education, Science and Culture Organization – UNESCO, 2018). There are also three biosphere reserves that are part of the UNESCO World Network of Biosphere Reserves: Dinder (declared by UNESCO in 1979), Radom (1982) and Jebel Al Dair (2016) (Wildlife Conservation General Administration 2018). National Parks have been established between 1935 and recent years, although most of them have been gazetted in 1980s. All Game Reserves and Sanctuaries date back to 1939. A small portion of Sudan's land is taken up by oil fields and by organized and artisanal gold mining.

The population is a combination of indigenous Nilo-Saharan speaking Africans and descendants of migrants from the Arabian Peninsula. The main ethnic groups are Sudanese Arabs (70%), Fur, Beja, Nuba and Fallata. Due to the process of Arabisation, common throughout the rest of the Arab world today, Arab culture predominates in Sudan. The greater majority of the population of Sudan adheres to Islam as a religion. Official language is Arabic. English is widely used together with several local dialects in northern Sudan, South Kordofan, Kassala, Darfur and Red Sea states. The distribution of the population of Sudan is concentrated along the river Nile and its tributaries and around agricultural and forest areas.

2.2 The RPF in Sudan's REDD+ programme

The RPF is an elaboration of all policies and procedures that will be utilized to inform and mitigate negative social impacts that can arise during involuntary resettlement. RPF is also indicated by the WB as a tool to ensure that involuntary resettlement, where necessary, incorporates the correct consultation and engagement planning throughout the resettlement process. The framework includes an elaboration of mitigation resettlement and compensation principles, the actions and organizational requirements whose objectives are to ensure the needs of the displaced people affected during REDD+ project implementation are dealt with. This includes compensation and financing of displaced individuals/communities of land being developed by project developers.

This framework includes the objectives, principles, organizational measures, compensation and grievance redress and monitoring, and evaluation mechanisms to deal with any REDD+ project displacement and resettlement. All objectives, principles, organizational measures and compensation and grievance redress mechanisms will conform with Sudanese laws and the WB standard on involuntary resettlement (ESS5). In the case where resettlement is unavoidable, a Resettlement Action Plan (RAP) should be activated. The RPF provides the basis for preparing the RAP for REDD+ projects developed under the Sudan REDD+ programme.

2.3 Proposed REDD+ projects and sub-programmes in Sudan

While currently no voluntary carbon market forest investment projects exist in Sudan, the current state of development of Sudan's national REDD+ programme will soon lead to moving from the "readiness" into the "implementation" stage. As part of the first proposed draft NRS of Sudan's REDD+ programme, 3 sub-programme areas were proposed. The 3 ERP to be developed and implemented for the first draft of the NRS include:

- The ERP for the gum Arabic belt (the gum Arabic belt REDD+ Programme).
- The ERP for the Montane watershed ecosystems (the montane Watershed REDD+ Programme).

- The sustainable forest management ERP in the Blue Nile riverian ecosystem (the Blue Nile, Sinner and Gezira states REDD+ Programme).

More recently, the FNC, with an external consultant, is preparing an ERP in Blue Nile, Sinnar and Gedarif States, the ERP and draft report are of the same name “ERP of Blue Nile, Sinnar and Gedarif States”. Sudan planned to start piloting the implementation of REDD+ activities in the South East region, which comprises 3 states (subnational administrative units) namely, Blue Nile, Sinnar and Gedarif States. This region covers an area of about 7.2% (134,918 km²) of the country total area and about 11% of the total forest land of Sudan (Africover 2012).

As described in the December 2020 version of the NRS, the structure of the ERP consists of an overall (regional) programme with three (jurisdictions) state-level sub-programme projects/units. The state level sub-programmes projects/units will reflect the specific nature of the land use and drivers of deforestation and forest degradation in each state, however, the general circumstances in the three states are very similar. The state level sub-programmes projects/units will be located in selected forest circles in each state. Most of the activities’ implementation will be centred in the Dahara forests, as these are the most affected by deforestation and forest degradation as compared to the riverain (Sunt forests) and this is where most if not all the deforestation and degradation effects are occurring. The selection of forests that are considered as potential locations for the ERP, in each state was based on stakeholder consultation.

Both of the above examples involved consultations with relevant stakeholders and representatives of stakeholder groups. Should any projects and/or programmes of the areas or sub-areas from the above proposals, or indeed from any other areas, move into a planning an implementation stage with a risk of involuntary displacement, this RPF should be activated and a census and screening of project affected peoples (PAPs) in these areas should be carried out (for more information on PAPs see sub-section 7.1). Should any new projects and/or programmes be designed, potential PAPs should be identified and included early on in the design process in consultations in line with the consultation approach outlined for the SESA and ESMF of the REDD+ programme of Sudan. Screening will be carried out based on the screening process defined in the ESMF as part of the Sudan REDD+ programme for Sudan.

2.4 Resettlement in the NRS Options for REDD+ in Sudan

In the absence of specific REDD+ projects and sub-programmes in Sudan, it is impossible at this time to estimate displacement impacts and estimated numbers and categories of displaced persons. Thus, resettlement issues were assessed against the NRS options during SESA consultations. This was done in a two-step approach. The first step during the SESA consultation surveys, the NRS options were assessed with different stakeholder categories for any potential resettlement issues, and the second step by sending surveys to REDD+ focal points in different states requesting information on whether or not instances or knowledge of instances of resettlement were occurring in their states. As part of the first step, the strategy options and their actions were assessed against the relevant ESS for resettlement issues. Table 2 presents the main outcomes of this assessment. The actions were assessed for impacts and risks and based on the results of the consultations, and different levels of risk and impact were considered (high, low, etc). This detailed analysis can be found in the SESA report.

Table 1. NRS activities that could result in restriction of rights or involuntary resettlement

Standard and objectives	Relevance for the REDD+ strategy options
ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.	<p>ESS5 is aimed at avoiding or mitigating involuntary resettlement and restrictions on land use. The potential for involuntary resettlement and restrictions on land use is to be identified at the screening stage during project planning. If identified during screening, the ESIA must assess alternatives, avoidance and mitigating measures and may trigger a requirement implementation of the considerations of an RPF. Activities proposed in the NRS that could result in restriction of rights or involuntary resettlement with potential to trigger ESS5 are:</p> <ul style="list-style-type: none"> • Agroforestry within deforested and degraded areas • Implement a national forest plantation policy • Restore degraded landscapes • Land use institutionalisation • Agroforestry and Agric inputs • Moratorium on land conversion • Sustainable management of range • Rangeland mapping and assessment • Integration of arable farming with livestock production/husbandry • Cultivated fodder production • Increase fodder production outside forests • Reforestation programmes (oil/mining)

2.5 SESA Consultations and the RPF

Throughout the SESA consultation process, resettlement issues and potential areas for concern of such, also in relation to the proposed NRS options, were assessed. Group discussions, interviews and personal observations with 1,552 stakeholders during the period extended from April to May 2018 and from October to November in 2020 took place to assess the social and environmental impacts of the NRS options. The consultations were conducted with 13 different categories of stakeholders including representatives of state ministers, directors general, legislative councils, FNC, staff of different ministries, NGOs, native administrations (NAs), farmers union, Gum Arabic Producer Associations (GAPAs), women unions, businessmen federations, livestock raisers, and traders. The outcome of these consultations is reported in the SESA report. The information from the SESA was analysed in the context of resettlement and complemented with information and expert input and feedback from each of the REDD+ focal points, with questions specific to restriction to access of resources (see Appendix 1). The following sections present the areas for preliminary concern when assessing the NRS options and preparing for a REDD+ project and/or sub-programme implementation based on these observations.

2.5.1 Stakeholder NRS Options concerns assessed during SESA relative to the RPF

As per step one, this section reports the assessed concerns from SESA stakeholders and local experts on resettlement to new locations relative to the strategy options listed above and their actions. The main concerns are as follows:

- Alternative fuel/energy sources to fuelwood might not be available in many rural areas;
- Firewood and charcoal are deep-rooted in traditions and changing people's attitudes might be challenging and time-demanding;
- Lack of infrastructure in rural areas to accommodate LPG depots;
- Risk of fire due to traditional buildings;
- Employment opportunities in firewood collection for women are reduced if replaced with other fuel sources (e.g. gas);
- Regulation of grazing and restrictions on access to forest may impact livelihoods (e.g., employment, income and assets) and traditional access rights. This might finally result in conflicts;
- Land tenure issues or conflicts may arise when opening livestock corridors or creating water points (governance risks);
- Poor coordination among forest policies/institutions and other sectors (e.g., mining).

2.5.2 Potential cases of resettlement identified during REDD+ focal point surveys

As per step two, in addition to the SESA consultations, which took place online and in presence (see details in SESA report), information requests in the form of questionnaires were sent out to the REDD+ focal points in each of the states to obtain supplementary information adding to the robustness of the information received from the consultations. In Table 3, the potential situations that arose during surveys with REDD+ focal points are listed.

Table 2. Potential resettlement concerns from surveys with REDD+ state focal points

Stakeholder group	Location	Concerns raised warranting possible future resettlement action
Nomadic pastoralists	Gezira; West Darfur	Moving nomadic pastoralists out of forests: <ul style="list-style-type: none"> • Yes, there are pastoral paths (livestock corridors) within the pasture land, rain-fed and traditional agriculture - There are 21 livestock corridors in the state of Gezira (8 in Gezira East locality; 6 in Elmanafei locality; 7 in Umm Al-Qura locality, namely: Jabal Elgalaa, Kobri Siffir). • Yes, there are many pastoral paths (livestock corridors) and water points to regulate grazing and fire lines
Vulnerable groups (Tea makers – women)	Khartoum	Urban forest destruction and thus livelihood lost for tea makers (social benefits of trees to tea makers)
Small farmers & pastoralists	Northern	Displacement, Meroe dam, and some were compensated.
Forest adjacent communities	River Nile	<ul style="list-style-type: none"> • Recently, the issue of compensation has arisen in previously reserved lands. • Others claim ownership of some or parts of forestlands. • The villages expanded, entered and trickle into the lands of some forests. • The several surveys and the preparation of maps took out and introduced some lands, causing many complications in the state's forests.

2.5.3 Key-stakeholders' recommendations assessed during SESA relative to the RPF

Finally, it is worth mentioning that, in addition to this, during the SESA consultations, key-stakeholders' were also asked for their recommendations to potential resettlement to new locations and their impacts (based on NRS Options). These are listed below:

- Development of a tree planting programme to provide fuelwood, building materials, shelterbelt benefits and other environmental services, and to offset tree clearance due to oil, mining, as well as infrastructure and urban development.
- While mitigating deforestation and forest degradation effects, planting trees can also provide alternative livelihood opportunities, for example by supporting gum trade in the gum Arabic belt.
- Promotion of/training on efficient use of fuel (e.g., by promoting energy efficient cooking stoves) and promotion of alternative fuel/energy sources (e.g., gas and solar energy) can help reducing the level of deforestation and forest degradation.
- FNC should be strengthened to become able to implement REDD+ strategies. Strengthening relies not only on the institutions' resources and the capacity of their staff but also on the level of importance the central government attributes to them.
- Better coordination and linkages among forest policies/institutions and policies/institutions regarding other sectors that might have impacts on forest resources (e.g. grazing, agriculture, mining).
- Review forest policy and pay special consideration to forest and non-wood products as source of livelihood.
- Forest policy should clearly resolve the conflict over the division of the national wealth and secure the products flow to all who need them.
- Restore and strengthen the powers of the NA as a means of restoring the traditional rights of local communities

2.5.4 Other potential areas of conflict identified

The following additional areas were identified during the review of the literature as potential areas for future monitoring (also as Sudan moves through the current period of transition). These are loosely defined as potential areas that can affect the implementation of this RPF due to their influence in causing/contributing to eventual future situations forced resettlement:

1. Conflict of state authorities for conversion of riverine forests into horticultural orchards. As indicated by Hassan and Taj (2017), in the context of the main forest drivers (energy consumption and massive removal of forests for rain-fed mechanized agriculture), two main problems can be identified: (i) demands and request from State Governments and Federal Investment Authorities for utilization of fertile lands for horticultural production particularly bananas and mangoes. For example, Sennar state is undertaking a program to increase the export returns for horticultural crops overlooking the ecological value of the riverine forests; and (ii) claims and aspiration from State Governments and Federal Investment Authorities for utilization of urban forests for recreation. The conflict between the Federal Government and State Governments over the sharing of responsibility for and revenue from forests.

2. FNC is a parastatal service-oriented and autonomous corporate body. The corporation is directly accountable to the Minister of Agriculture & Natural Resources and managed by a Management Board. In order to create more linkages with other governmental institutions involved in managing forest resources, a board of directors in which representatives of other institutions are members (including forestry education and research) heads the FNC. At State level, the FNC is entrusted with administrative and technical control over forestry activities within the State, and is also responsible for the difficult task of Federal-State relationships in the management of the forestry sector, an issue that needs balanced and careful handling. The FNC at state level coordinates with the FNC at federal level on technical issues but has a high degree of administrative autonomy over forest issues, including finance, resources and personnel management. Kerkoff (2017) noted that there are frequent conflicts between the state and federal levels over responsibilities for management of the various categories of forest ownership.

3. Initiation of forest, natural resources & wildlife police to enforce the Forests and Renewable Natural Resources Act (2002), experienced many complications and conflicts due to the civil nature of the FNC compared to the military nature of police. Introducing the reconciliation mechanism by the Act in case of forest crimes in most cases increase violations, corruptions and conflicts between users in the forest sector.

- 4.** The Local Government Act (2003) has been established to structure and provide functions of local government within the federal system. The Act emphasizes a decentralized system of governance. The Locality, according to the act, is an autonomous body with its main function being provision of services and development of the locality. The Act has directly affected the environmental legal and policy framework at different governance levels. Despite that, distribution of power and conflict of interest on natural resources (including forests) utilization, management and conservation are always there between localities and capitals of states, and also between states and federal levels.
- 5.** On the legislative side, despite the issuance of Resolution 40 at the beginning of 1997, most states did not implement the legislation and go on to create the functional structures for implementing their mandate in regard to forests. This has resulted in many contradictions and conflicts in practices that focus mostly on the collection of forest revenues, directly or indirectly. FNC officials at the regional and local level are exposed to incessant pressures from the state's authorities. After a number of recent conflicts between the states and FNC over forest resources, a series of consultations and conferences were held, and memorandums of understanding agreed to reduce conflicts.
- 6.** One of the main purposes of issuing the 1932 policy (see Table 4) was to resolve the conflict in managing the forests between the central forest department and the provincial authorities. The department was entrusted with the provision of fuelwood to government departments, the towns of Khartoum, Port Sudan, Wad Medani and Gezira area, while the provincial governments were to cater for the needs of the rest of the country. Each authority was to create its own forests to meet its needs within a sound environmental plan.
- 7.** The provinces failed in the reservation process and extracted their forest resources to generate revenue to finance more services that are demanding and put back little or nothing to restore these forests.
- 8.** Another important institutional constraint is the land tenure system. Land allocation was the responsibility of various authorities and in the absence of a land use map the designation of lands to forestry depended entirely on the personal initiative and diligence of the resident forester.
- 9.** An additional potential area of conflict would be the extent of delegation of responsibilities to the regions and lower levels. FNC was established to remedy some of the problems arising from the decentralization policy implemented earlier. While there is an urgent need to adopt a concerted national approach, this also has to take into account regional and local priorities and facilitate the involvement of local people. Unless the potential areas of conflict are identified and a system of resolving these worked out, FNC officials at the regional and local level will be exposed to tremendous pressures. Forest administration was completely decentralized in 1971 after the enactment of Local Government Act, where the authority over forests was delegated to the local councils. In 1985, the decentralization period was evaluated and as a result, forestry was centralized. The Forests National Corporation Act of 1989 placed the authority over forests under the different categories owning the forests but reserved technical supervision over all forests to be under the FNC. FNC, however, sees decentralization in the context of enabling local communities and the private sector to own and manage the forest resources sustainably. This argument is supported by the successful examples of individual, communal woodlots and private plantations that are established under FNC guidance and the very bad experience of delegation of power over forest resources to local councils come across in the seventies and eighties of the last century. It argues that the state governments lack the physical capacity and the conceptual capability to manage the forest resources, at least at this stage. The failure of the state governments to provide financial and institutional support for the development of the range and pasture sector, which witnessed serious deterioration since its complete decentralization in 1994, is a case in hand⁷.

⁷ Elmahi A. G and Abdel Magid T. D (2002) The Role of the Private Sector, Civil Society and NGOs in the Formulation and Implementation of National Forest Policies and National Forest Programmes in Sudan, Prepared as a contribution of the Sudan Forests National Corporation to the Regional Workshop held by FAO/RNE in Khartoum 26-27 January 2002.



**3.
LEGAL AND POLICY
FRAMEWORK FOR REDD+
RPF IN SUDAN**

During the development of the SESA and ESMF for Sudan's National REDD+ Programme, an extensive assessment of the national policy and legal framework was conducted based on a two-step methodological approach, including (i) an extensive document/literature review covering policy and law documents, as well as existing reports and studies; (ii) an expert assessment via SESA team and external expert input.

A total number of past and existing 70 policies and laws relevant to REDD+, covering some 16 different topics/sectors, were considered and analyzed against the WB ES Fund their Environmental and Social Standards (ESS). This analysis was complimented by a further review of literature and policy and law assessment specifically for the RPF with key experts. The WB ESSs are also the reference standards used for the development of this RPF:

- ESS1: Assessment and Management of Environmental and Social Risks and Impacts
- ESS2: Labor and Working Conditions
- ESS3: Resource Efficiency and Pollution Prevention and Management
- ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement
- ESS6: Biodiversity Conservation and Sustainable Management of Living Natural Resources
- ESS7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities
- ESS8: Cultural Heritage
- ESS9: Financial Intermediaries
- ESS10: Stakeholder Engagement and Information Disclosure

For each standard, gaps have been identified for the national policies and laws, and recommendations to fill the gap have been developed. The complete policy and legal assessment can be found in the SESA report which has been developed in parallel to the RPF, however, the specific policies and regulation with regard to resettlement from land due to potential implementation of REDD+ projects/sub-programmes are reported in Table 4. In addition to this, an assessment of the capacity of Sudan's environmental and social governance systems to implement the WB ESS during implementation of the REDD+ strategy was also carried out. The results of this assessment for what regards ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, the reference standard for the development of this RPF, have been extracted and presented in Table 2. The following sub-sections present the legal and administrative frameworks applicable to Sudan's REDD+ RPF.

3.1 Background to legal and policy framework on access restriction and resettlement in Sudan

In Sudan, a country divided into 18 states, there are three levels of authority: national, state and locality levels. Regulation and power over decision making in public land use changes and property rights and land tenure are divided among these various levels. The regulations and policies related to forced exclusion and restriction to access of natural resources are presented and summarised in Table 4.

While there is no specific legislation that deals with land use (Tolentino, 1994⁸), legislation relating to tenure and land use is scattered among the Land Settlement and Registration Act (1925); the Unregistered Land Act (1970); the Town Village Planning Act (1961); the Acquisition Act (1930); the Civil Transaction Act (1984); the Constructive Planning and Land Disposition Act (1994); and the Mechanized Farming Public Corporation Regulations (1975).

The Land Settlement and Registration Act of 1925 provides for registration of ownership, rights and interests over land such as occupation, passage, cultivation, grazing of livestock, and harvesting of tree and water resources. After the Unregistered Land Act was passed in 1970, the government assumed ownership of all forest, undeveloped or unregistered land. Unfortunately, the act did not make provisions for the Islamic principle of manfaa (usufruct) that, under long established systems gave people the right to use and benefit from land that they did not own (El Mahdi 1981, Magzoub, 1999 In: El siddig, 2004)⁹.

In addition, the 2013 Investment Encouragement Act gave the High Council for Investment the authority to, among other things, prepare investment plans with the relevant ministries and states; approve investment requests; and allocate state

⁸ Amado S. Tolentino (1994), Environmental Legislations and Institutions in the Sudan.

⁹ Elmahi A. G and Abdel Magid T. D (2002) The Role of the Private Sector, Civil Society and NGOs in the formulation and Implementation of National Forest Policies and National Forest Programmes in Sudan, prepared as a contribution of the Sudan Forests National Corporation to the Regional Workshop held by FAO/RNE in Khartoum 26-27 January 2002.

El Siddig, E. A. (2001) Community Based Natural Resources Management in Sudan. IGAD, IUCN Regional Community Based Natural Resources Management Planning Workshop Nairobi, Kenya 2-4 April 2001.

land for investment, in coordination with the appropriate ministries and states. The Act also gave the Council the power to make decisions on the designation and allocation of land for investment without consulting other parties. Controversially, it denies local communities the right to have their say, and because of this and the unresolved questions of land tenure in the country the Act is seen as being a potential driver of conflict.

According to Taha (2016), the modern laws have enabled elites to purchase rural land at relatively low prices, with profound negative implications on small farmers and pastoral communities. The Unregistered Land Act, a de facto nationalization of land by the state, denies any formal legitimacy or judicial status to customary property rights and implies the cancellation of all rights relating to water, land and grazing by pastoralists, as well as the denial of any future income related to such rights. This applies to the whole dry lands of Sudan. The land legal framework establishes procedures for facilitating access to land for private investment, including by foreign investors, in ways that did not take into consideration the interests of the traditional holders. The Land Act prohibits foreigners from purchasing land but allows foreigners to be leased land for up to 99 years. The Land Act states that citizens and foreigners can obtain access to land for investment purposes and allows for states to prepare land-use plans that delineate zones. The government powers include matters related to urban development, planning and housing, electricity generation, waste management, consumer safety and protection, water resources other than interstate waters and regulation of land tenure and rights on land.

More recently, Article 43 (2) of the Interim Constitution of 2005 gave the national government the right to expropriate land for development purposes and to compensate the owners. There are also a number of articles related to natural resource management, protection of cultural heritage sites and respect of traditional and customary regulations related to land ownership. The Interim Constitution also specified land issues which are under national powers (federal level) and those under the control of states as well as joint powers (concurrent powers) shared by federal and states. The states manage lands which are not under national control. These include management, lease and utilization of lands belonging to states, town and rural planning and agricultural lands within the state boundaries. The Interim Constitution radically changed the relative powers of the different actors and stakeholders in the field of land by transferring large parts of the powers from the national to the state level. This requires introduction of reforms and changes to the present land laws to conform to the articles of the Constitution. The land commissions to be established at national and state level are expected to play important roles in organizing land ownership, resolving disputes and setting arbitration procedures¹⁰. More recently, most of these parts of the Interim Constitution of 2005 were retained in the new Charter of 2019, still evolving.

One important part of this evolution towards the new Charter, and some of the most relevant and prominent points in the Peace Agreement between the transitional government and the Revolutionary Front are the approval of a federal system of government based on eight regions. According to the agreement, the regions have real authorities and powers. Rights among citizens should be based on citizenship and will be guaranteed in the 2019 Charter. A Governance and Administration Conference will be held within 6 months from the signing of the Peace Agreement. Its mission is to set boundaries between these regions, federal levels of government, regional governance structure and local government powers. With regard to the division of resources between the centre and the states, there will be a commission to allocate revenues.

The Agreement includes security protocols, the land issue, transitional justice, compensation, grievances, and the development of the nomads and herders' sector, the division of wealth, the sharing of power, the displaced and the refugees. Current grievance redress is further explained in sub-section 8.2, and some examples of potential conflicts in Sudan reported in sub-section 2.5.4.

Legal and policy framework for ESS5 in Sudan

Bearing in mind the extensive work already done in the legal and policy assessment for the ESMF and SESA reports, Table 4 below presents a summary of the policies that are directly relevant to restriction of access to natural resources. Within that table, where applicable, the policies are summarised into international, national and local/traditional. More information on local institutions is presented in sub-section 8.2, on grievance redress.

¹⁰ The Republic of Sudan Resettlement Policy Framework (RPF) for SUDAN SOCIAL SAFETY NET PROJECT, 2015

Table 3. Specific regulations related to restriction to access of natural resources in Sudan

Regulation name	Year passed / integrated	Description	Gaps with ESS 5	Recommendations to meet ESS 5
Sudan national policy and law				
Land Settlement and Registration Ordinance	1925	Provides rules to determine rights on land and other rights attached to it and ensure land registration	Controversial act that led to some conflict not recognising some informal or traditional institutions and customary land use, ownership and rights.	Application of PF, specifically in relation to eligibility, consultation, compensation and eventual grievance redress of PAPs with informal and traditional ownership and use rights.
The Land Acquisition Act	1930	Gives the government the power to appropriate lands for development purposes. It also states detail formalities of acquisition and rules governing assessment and payment of compensation	Controversial act that led to some conflict not recognising some informal or traditional institutions and customary land use, ownership and rights.	While there are details on payment of compensation, it is important to give this act more visibility during discussions on mitigating measures of adverse impacts in terms of eventual compensation due to restriction to resources of PAPs.
Provincial Forest Act	1932	Protects an area in the Gezira Province as provincial forest reserve from being interfered with on the same principle as applied to the central forest reserve. The 1932 Provincial Forests Act was amended in 1948, whereby governors' powers of the act were mandated to local governments. These powers were as follows: managing provincial reserved forests, issuing licenses to deal with reserved areas, protection of trees for special purposes.	Important act considering that its mandate is for protecting a specific forest reserve. Restricts traditional and informal use and rights of natural resources within the forest.	Application and consideration of this PF to ensure inclusive and participatory mitigation and compensation measures due to access restriction.
The unregistered Land Act	1970	Act allowing the government to assume ownership of all forest, undeveloped or unregistered land. In effect, the 1970 Unregistered Land Act served to nationalize all unregistered land in the country and, in doing so, established the concept of land as a commodity that could then be further privatized and transferred to individual ownership.	Act did not make provisions for the Islamic principle of man-faa (usufruct) that, under long established systems gave people the right to use and benefit from land that they did not own. It denies local communities the right to have their say, and because of this and the unresolved questions of land tenure in the country. The Act is seen as being a potential driver of conflict. The impacts of the Act were disproportionately borne by pastoralist communities. As the Act did not recognize customary land arrangements, groups of pastoralists were left marginalized from their traditional homelands, and practically prevented from user access rights to water and land for grazing (UNEP, 2012, Environmental Governance in Sudan).	Key act to consider, Application of PF to ensure local communities and institutions considerations and rights are correctly met and adequately consulted with as outlined in this document to ensure also previous grievances can be considered depending on severity.

Regulation name	Year passed / integrated	Description	Gaps with ESS 5	Recommendations to meet ESS 5
Sudan national policy and law				
The Civil Transactions Act	1984	Regulates the different matters related to civil transactions with respect to titles on land, means of land acquisition, easement rights and conditions to be observed by land users	Does not consider traditional and informal ownership and land use rights.	Application of PF, specifically in relation to eligibility, consultation, compensation and eventual grievance redress of PAPs with informal and traditional ownership and use rights.
National Parks and Protected Areas Act	1986	Act specific to the protection and delineation of natural parks and protected areas in Sudan.	Restricts access and use of natural parks and protected areas. Doesn't consider traditional and informal uses and rights completely.	Application of PF, specifically in relation to eligibility, consultation, compensation and eventual grievance redress of PAPs with informal and traditional ownership and use rights.
Urban Planning and Land Disposal Act	1994	Regulates designation of lands for different purposes and urban planning. With respect to land expropriation for public purposes, mentioned in Section 13 of the Act	There are indications given on resettlement and restriction to access of built-up areas for planning activities, and compensation, however, these indications are specific to affected peoples with formal claim to land.	Informal and traditional rights and institutions must be recognised in planning and implementation. Application of PF.
Forests and Renewable Natural Resources Act	2002	Provides the framework for the management and protection of forests and renewable natural resources encompassing pasture and range as well as the framework governing the managerial system of the forestry sector. The Act spelled out the National Forests Corporation's objectives in intensifying afforestation activities, developing production of different types of gums, NWFPs.	Important act considering that its mandate is for protecting forests specifically. It prohibits settlements in Forest reserves although in practice there are many settlements in forests. Implementation of the law could result in involuntary resettlement. While the act encourages popular participation and presents a good model for sustainable management, it should give more emphasis to traditional and informal use and rights of natural resources within the forest.	Complete the revision of the Forests Act to provide for: (i) fair treatment for forest dwellers; (ii) joint forest management with communities; (iii) participatory planning and disclosure of plans; and (iv) criteria and indicators for SFM. Consider further inclusive and consultation engagement activities from early stages in project implementation where situations of potential restriction to access of natural resources are present.
Environmental Protection Act Environmental Health Act National Public Health Act	2001, 2009, 2008, 2020	This Act aims to: a) protect the environment. b) provide guidance for the development and improvement of the environment as well as guide the use of natural resources. c) make a connection between environmental protection and development activities. d) assure and confirm responsibilities of the competent Authorities for the protection of the environment. e) activate the role of the competent Authority in environment protection.	Important acts for the process framework as they are specific to protection of natural areas, however, they do not consider the informal and traditional institutions and rights enough.	Application and consideration of PF measures set out in this document where acts are enforced, and informal and traditional institutions are not considered or recognised.

Regulation name	Year passed / integrated	Description	Gaps with ESS 5	Recommendations to meet ESS 5
Sudan national policy and law				
The Environmental Health Act	2009	Contains detail provisions for the protection of water and air from pollution and assigns defined administrative responsibilities to District Councils with respect to preservation of environmental health in general.	Not as applicable to protected areas. More specific to certain practices like intensive agricultural practices in natural areas, and urban areas. Does not consider traditional and informal use and rights on protected land and natural resources	Application and consideration of PF where instances of restricted access do occur.
Investment Encouragement Act	2013	Gives the High Council for Investment the authority to prepare investment plans with the relevant ministries and states; approve investment requests; and allocate state land for investment, in coordination with the appropriate ministries and states.	Does not consider or recognise traditional use and ownership of protected land and natural resources	Application and consideration of measures outlined in this PF, also during planning of investments. Important that grievance redress mechanisms and compensation and mitigation measures are considered, when land is used for investment purposes.
The Rangelands and Forages Resources Development (Rationalization) Act	2015	Act administering and defining formal use and ownership of rangelands and pastures. The Rangelands set out in sub-section (1), shall be limited to the naturally vegetated lands suitable for grazing, and being used therefor and recognized between the pastoralists.	Does not consider or recognise traditional use and ownership of protected land and natural resources	Application and consideration of measures outlined in this PF, also during planning of investments. Important that grievance redress mechanisms and compensation and mitigation measures are considered, when land is used for investment purposes.
Transitional constitution	2019	Article 43 (2) of the Transitional Constitution gives the National Government the right to expropriate land for development purposes and compensate the owners. There are a number of articles related to natural resource management, pollution control, and protection of cultural heritage sites and respect of traditional and customary regulations related to land ownership. The Transitional Constitution also specifies lands that are under National powers (Federal level) and those under the control of states as well as joint powers (concurrent powers) shared by the Federal and States institutions.	The Agreement includes security protocols, the land issue, transitional justice, compensation, grievances, and the development of the nomads and herders' sector, the division of wealth, the sharing of power, the displaced and the refugees.	Despite the advances in inclusion of customary land tenure and ownership rights, compensation, grievances etc, bringing Sudan closer to the requirements of ESS5, included in the transitional constitution, application of all indications set out in this PF is advised.
Customary laws				
Pastoralism	n/a	Land used for pasture and for traditional cultivation is communally owned under customary land laws.	National policy on pastoralism is not clearly stated. A number of policy measures have been implemented that impact on involuntary resettlement such as attempts at nomad settlement (all of which failed), and demarcation of livestock routes to protect the interests of nomadic pastoralists.	Need to consider pastoralist land use and pastoralists in PF implementation.

Regulation name	Year passed / integrated	Description	Gaps with ESS 5	Recommendations to meet ESS 5
Customary laws				
Access to land and rights under customary law	n/a	Access to land and rights to resources are protected under customary law. The main feature of customary law is that it guarantees every tribal group and village resident access to resources on the principle of “No harm inflicted; no antagonism created” (la darer wa la dirar) (Esen 2017). In other words, you have the right to access and use land, pasture and water provided you do not cause loss or harm to life and property. Such rights are accepted because they are a democratic way to allow people access to land whether they are a tribal resident, a passer-by or a member of a migratory group. This is especially beneficial to the poorest groups, who find representation through their sheikhs or the Nazir (or Emir) of the tribe. Local government administrations are closely tied to these traditional structures, unlike state government departments which are only accessible to wealthy or urban groups.	Land tenure is one of the most complex current issues to be addressed. The policy, legal and institutional framework to deal with land is inadequate and leads to conflict. However, the customary system provides good protection for the rights of communities and for resolving disputes and conflicts.	Given that local government administrations are closely tied to these traditional structures, unlike state government departments which are only accessible to wealthy or urban groups, it is important to include them in consultations during PF implementation (all activities) and as members of administration authorities.
Relevant international policy on restriction to access of natural resources				
WB ESS 5 on In-voluntary Resettlement	2017	Both policies give guidance on defining the context and setting up frameworks for inclusive and consultative resettlement practices	-	All formal and informal legal frameworks and institutions need to adhere to indications in ESS 5 for restrictions to access of natural resources regarding implementing REDD+
United Nations HCR Resettlement Handbook	2011	Guidelines for defining and managing resettlement effectively	n/a	Should be considered during PF implementation

Sudan lacks clear and comprehensive frameworks for land administration and management, specifically in relation to traditional and customary land use and rights. Also evident from the above, land use policies are not clearly defined but are interpreted from a series of long-term national development plans and strategies such as the Quarter Century Strategy 2007-2031; National Action Plan to Combat Desertification 2006; and the Interim Poverty Reduction Strategy I-PRSP, 2010.

The legal framework for land use is complicated by the existence of customary as well as statutory laws but the interface between the two is confused. Thus, consideration of RPF processes during all REDD+ project and sub-programmes in Sudan is advised.

4. SUDAN'S RPF AND ITS GUIDING PRINCIPLES

With regard to the guiding policies in the previous section, and more specifically, the ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, the RPF for Sudan's REDD+ Programme will incorporate a number of guiding principles as outlined below. Above all, the resettlement processes, if they occur, need to be conducted in a way that protects the rights and livelihoods of the displaced persons. The following will be the major guiding principles and regulatory framework under which the process of involuntary resettlement in REDD+ Sudan will be applied.

1. From the outset, ensure that involuntary resettlement, land acquisition and access restriction is avoided or, where it is necessary, is minimized, by exploring all viable alternatives.
2. When such involuntary resettlement, land acquisition and access restriction is unavoidable, resettlement and compensation procedures are developed and put in practice, supported also by providing adequate resources, according to the WB ESS5 on Involuntary Resettlement.
3. Where people are displaced involuntarily, or otherwise affected in an adverse way by the implementation of REDD+ projects in Sudan, they should be compensated accordingly either through financial support or replacement employment and any assistance necessary for accomplishing this.

4.1 Objectives of the RPF

As per the ESS5, the main objectives of the standard are to:

- Avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- Avoid forced eviction.
- Improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- Conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Therefore, to be in line with ESS5, this RPF for the Sudan REDD+ National Programme defines the following specific objectives to:

1. Ensure an inclusive identification of all project affected peoples throughout the implementation process.
2. Ensure that livelihoods of project affected peoples through forced resettlement or displacement are "no worse-off if not better off" or, and the social and environmental sustainability of the project/s are/is maintained.
3. Achieve 1 and 2 above and outline all the specific procedures and components that contribute to minimizing or mitigating the potentially adverse effects of forced resettlement and displacement, including the outline for the RAP.

4.2 Avoiding involuntary displacement

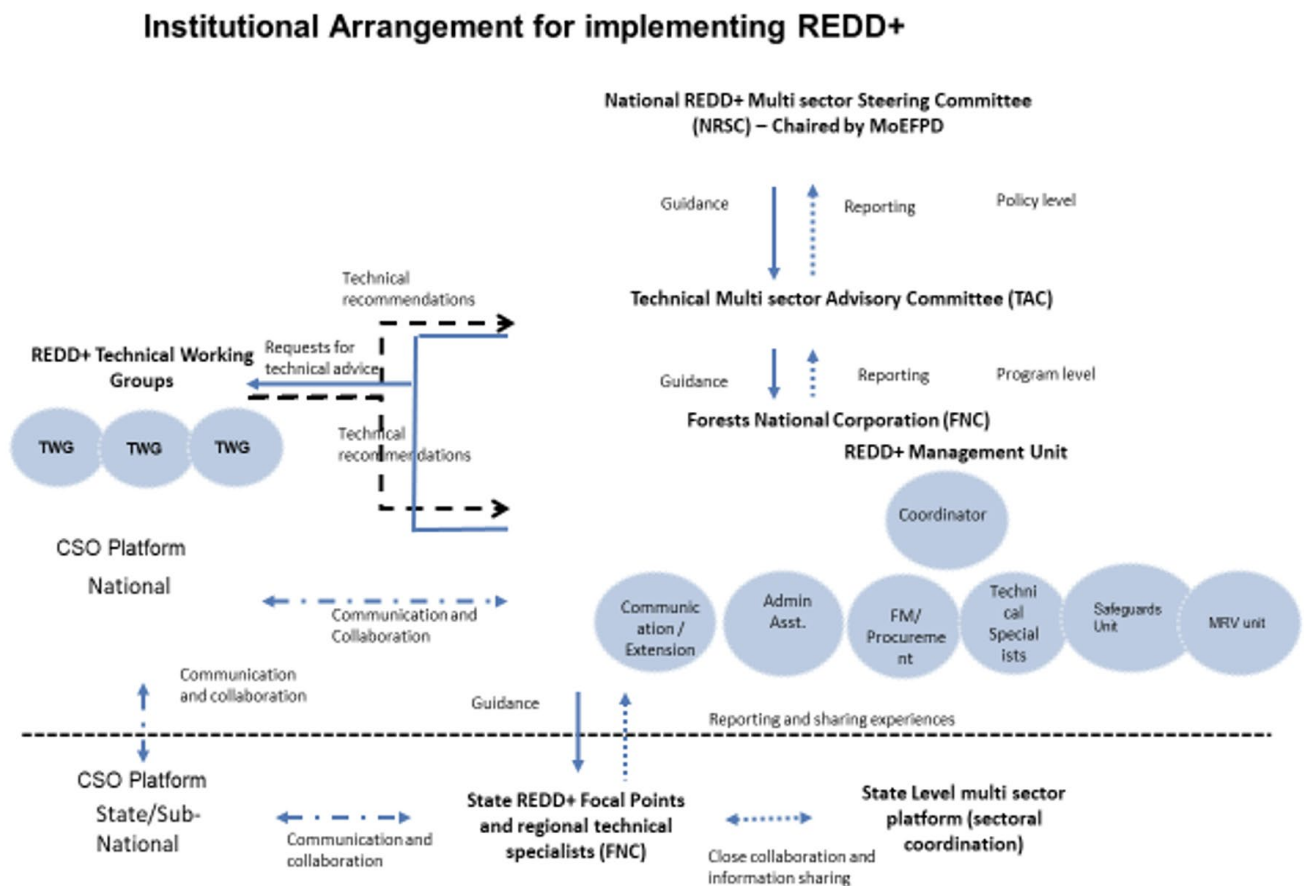
Before involuntary displacement even takes place, it is necessary to understand how it can be first avoided. Therefore, it is an important aim of this document to first seek to avoid such displacement. In recent years, REDD+ has gained much criticism in relation to involuntary displacement and compensation by cash or not at all. To align the RPF with the WB ESS5, the REDD+ Program of Sudan will reduce the risk of displacement through the following design procedures:

- Exploring alternatives to REDD+ Project implementation to avoid displacement; the project can be restructured or implemented in another zone, this is especially the case for locations containing permanent buildings (homes/religious buildings).
- Ensuring all traditional and other cultural access rights are respected and maintained (religious and/or foraging/wild food collection/dependence).
- Ensure that when displacement takes place, the RAP and compensation scheme is followed (RAP outline presented in Appendix 1).
- That the REDD+ project to be implemented incurs the costs of improving degraded forest stocks.

4.3 Institutional Arrangements of REDD+ and the RPF in Sudan

Institutional arrangements for consultation, coordination in supporting application of this RPF will follow those described in the ESMF (Figure 1 – and see ESMF for complete descriptions).

Figure 1. Key institutions and institutional arrangements for implementing REDD+ in the Sudan



4.4 RPF, and RAP Implementation Administration Authorities

Should forced displacement or resettlement occur due to implementation of a REDD+ project or sub-programme, and when a RAP is required, the State Project Implementation Unit (SPIU) in cooperation with the state and national REDD+ management units, are responsible for creating an Implementation Administration Authority (IAA). These will be the relevant arrangements and representative authorities that ensure coherence between the RPF, and subsequent application of the RAP in an inclusive and effective way. It is important that during the creation of this IAA, lessons learned from previous experience are also consulted (see Box 1 and 2) for case studies. A senior official with safeguards expertise within the SPIU agency must have the experience and responsibility for coherence between RPF processes and application of the RAP its activation, preparation and planning, and sufficient authority to coordinate activities of various agencies or ministries should they be called upon¹¹. In some cases, this may require the contracting of some activities to third parties with more experience in these matters. For the purposes of REDD+, the proposed structure of the IAA for dealing with forced displacement and resettlement, project affected peoples and their property rights and compensation could include (but are not limited to):

- Local indigenous peoples' representatives (including third party non-government organizations - NGOs representing IPs).
- Local sheikh and ajaweed.
- Sub-locality level: Omda and ajaweed.

¹¹ Involuntary Resettlement Sourcebook Planning and Implementation in Development Projects, The World Bank, 2004

- Tribal: Nazir.
- Local REDD+ forest authority authority.
- REDD+ state and national project/sub-programme management unit authority.
- Representative of Sudan Higher Council for Environment and Natural Resources (HCENR).
- Representative of Sudanese National Human Rights Commission.

With this in mind, this RPF outlines the structure for the specific Implementation Administration Authorities (IAA) for the Resettlement Action Plan, the actual IAA will ensure the correct execution of the RAPs and following other key activities that need to be put in place for the project.

Activities to be undertaken fall into two categories:

Pre-implementation activities:

- Population census to identify the PAPs.
- Inventory of PAP's assets and losses due to project (also the traditional, cultural and other "intangible assets" must be documented).
- Elaboration of mapping to ensure the correct data is (also property) is measured.
- Valuation of assets.
- Preparation of compensation plan.
- Implementation budget.

Implementation activities:

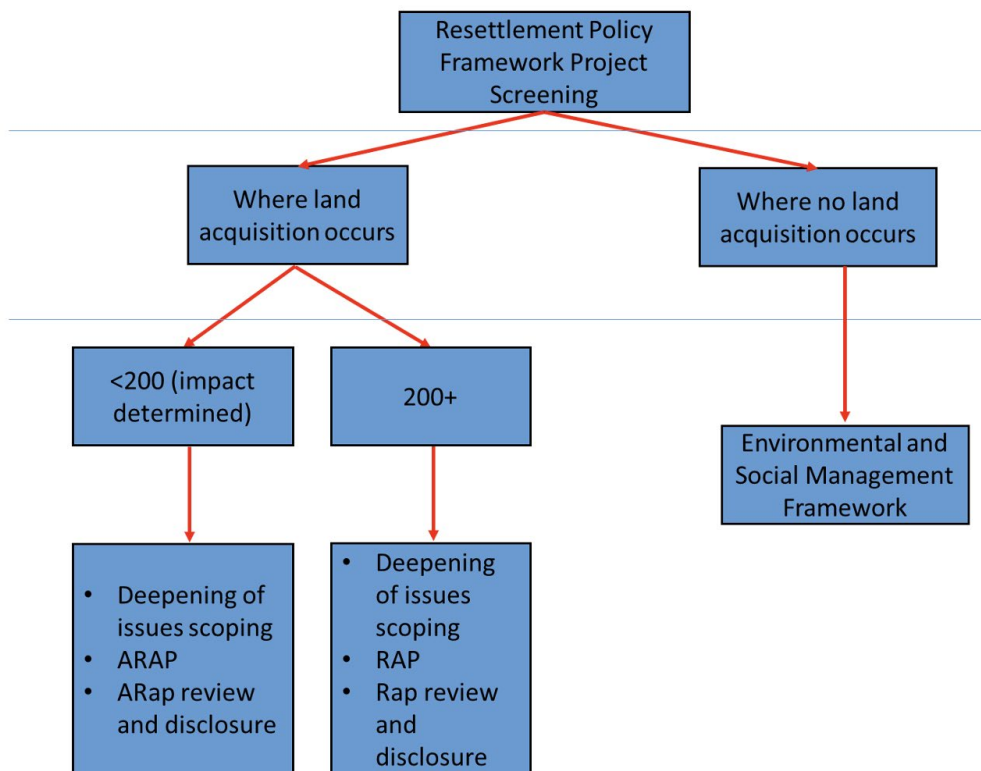
- Consult with PAPs.
- Registration and documentation of new areas with associated institutions.
- Communicate new land areas to all stakeholders (use REDD+ Sudan Communication Strategy).
- Negotiate and agree with any complaints, providing compensation where needed (according to the grievance redress mechanism).
- Follow grievance redress action plan.



5.
**THE PROCESS OF
RESETTLEMENT PLANNING**

The WB ESS5 describes resettlement planning as including *early screening, scoping of key issues, the choice of resettlement instrument, and the information required to prepare the resettlement component or subcomponent. The scope and level of detail of the resettlement instruments vary with the magnitude and complexity of resettlement. In line with the WB ESS5, the affected people during displacement have been divided into two groups; where impacts on the entire displaced population are minor, fewer than 200 people are displaced, an abbreviated resettlement action plan (ARAP) may be agreed (not the focus for REDD+ in Sudan and so also this RPF), where this number goes above 200 and full resettlement action plan must be prepared (see Figure 2).*

Figure 2. RAP/ARAP Process



5.1 The resettlement action plan

Given that at the time of development of this RPF, no specific REDD+ projects and/or sub-programmes had been implemented in Sudan, and the examples defined in section 2.3 of this RPF are currently the proposed REDD+ programmes, this RPF is intended to guide the preparation of RAPs during eventual implementation of subprojects where needed. The scope and level of detail covered by a resettlement plan will depend on the type of project and circumstances, aided by the definition of the baseline scenario. The minimum requirements for the resettlement plan will be to restore the affected people’s lives back to the same conditions prior the displacement. Indeed, it is important here that the resettlement plan sufficiently covers the affected livelihoods safeguarding them from adverse impacts like social exclusion, for example, as would surely be caused by implementation of a REDD+ project and/or sub-programme in Sudan. For this reason, the resettlement plan should develop and suggest clear indicators that identify the potential risks and consequent impacts to the economic conditions and social well-being of affected people and communities.

The RAP will be prepared and carried out by the SPIU and approved by the IAA, in cooperation with the State and National REDD+ Project Management Unit and the HCENR, and any relevant NGOs and consultancies involved in its preparation. It will also be prepared and carried out in consultation with representatives of all other affected parties, particularly in relation to the cut-off date for eligibility, disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance and time frames.

Minimum procedures and contents for preparation of RAPs are summarised Appendix 1 and outline the minimum elements to be included. The RAP must guarantee the aforementioned minimum requirements considering the policy and legal requirements, screening and identifying all the affected persons, their property and means of access to resources and to determine types of assistance needed bearing in mind the resettlement principles outlined in section 4. The RAP

must identify compensation for loss of agricultural land, compensation for houses, loss of employment, business and allowances for moving or any other losses that may happen as the result of the project. In determining the extent of impacts on affected persons, the Valuation Committee and administration authorities as outlined in section (7.3.1) will be responsible for planning, coordinating and monitoring compensation and relocation activities and settle any grievances. With this in mind, and in line with ESS5, the RAP should include, at a minimum, the elements outlined in Appendix 1.

For any RAP that is implemented, monitoring and evaluation will be carried out by SPIU and checked by the RPF administration authorities to ensure its effective implementation. This has the overall objective of providing the proponent and administration authorities with the feedback to ensure smooth execution and address problems in a timely manner. The monitoring plan should elaborate on the responsibilities, the methodology and the schedule for monitoring and reporting and should have the principal focus of:

- Ensuring all PAPs are involved in the preparation of the RAP including voicing opinions on values of assets (explained further in compensation section 7.2).
- Compensation is activated accordingly and to the defined schedule in the RAP (explained further in compensation section 7.2).
- Funds are allocated and spent correctly on the corresponding compensation request (explained further in compensation section 7.2).
- That the grievance redress plan is followed correctly and completely (explained further in GRM sub-section 8.2).

Below is a preliminary monitoring table applicable for the RAP but based on objectives for the RPF comprising the strategic objectives, outcome, output, and a list of performance indicators for measuring the RPF effectiveness. This table is to show the institutions involved in restricting access to resources to project affected peoples some of the consideration and approaches to monitoring and should be enriched further when the specific project and sub-programme sites have been identified.

Table 4. Preliminary monitoring considerations with indicative performance indicators

OBJECTIVES	OUTCOME	OUTPUTS	PERFORMANCE INDICATORS*
Objective 1. Ensure an inclusive identification of all project affected peoples throughout the implementation process.	That all eligible project affected peoples have been identified	<ul style="list-style-type: none"> · Stakeholder consultation plans with project affected peoples · Comprehensive and complete lists of all project affected peoples · Project affected peoples report 	<ul style="list-style-type: none"> Positive feedback from PAP interviews and satisfaction feedback forms Meeting notes and reports A functioning grievance redress mechanism
Objective 2. Ensure that livelihoods of project affected peoples through access restriction to natural resources are improved, or at least restored and the sustainability of the project is maintained.	That all eligible projected affected peoples identified are satisfied with compensation mechanisms	Compensation of eligible project affected peoples report (this will include specific information on valuation of (traditional) property lost, compensation applied and information on valuation of new/improved restored (traditional) property and assets	<ul style="list-style-type: none"> Evidence of compensation (receipts, forms, land/property entitlements etc) Positive feedback from PAP interviews and satisfaction feedback forms
Objective 3. Achieve objective 1 and 2, activate outline in this PF, all the specific procedures and components that contribute to minimizing, or mitigating the potentially adverse effects of restrictions of access to natural resources.	That all the actors in the administration authority are aware of all the specific procedures and components that contribute to minimizing, or mitigating the potentially adverse effects of restrictions of access to natural resources	<p>A complete and finalised process framework for the specific project or sub-programme based on this framework outlining:</p> <ul style="list-style-type: none"> · A definition of the project affected peoples and their eligibility · An evaluation of the value of property owned by project affected peoples · The compensation plan · A strategy for participation and consultation · The mechanism for grievance redress · The budget 	<ul style="list-style-type: none"> Activation of the administration authority for PAPs Communication of this framework and its components to each of the actors involved Establishment of a process framework action plan



6. MECHANISMS AND FRAMEWORK FOR CONSULTATION

SPIUs should consider stakeholder engagement and consultation planning based on ESS10 early in project planning. Informed and inclusive consultation during application of the RAP will facilitate decision-making processes related to resettlement and livelihood restoration and will include options and alternatives from which affected persons may choose (see Box 1 for example of why inclusive, participatory and community-centred consultation is needed).

Consultations will be open, community-based and participation will be focussed on the affected communities and individuals (considering that they will be an essential element of the land acquisition, compensation, and in the resettlement process). Complementary to the community-based participation, the consultations will employ a range of awareness-raising, adapted and integrated methods to ensure thorough inclusiveness, such as innovative participatory approaches including meetings, workshops, interactive media, programs and publicity messages and direct interviews will be used to consult on issues. The consultation processes will be undertaken by the SPIU staff responsible for the implementation of the REDD+ project and/or sub-programme and guided by the administration authorities and valuation committee.

Throughout the process, and particularly during screening, all stakeholders will be adequately consulted and involved. The SPIU shall disclose all information relevant to the project and potential resettlement or grievance issues to allow stakeholders to understand the risks and impacts of the project, and potential opportunities. SPIUs shall do this from as early a stage as possible (even before WB proceeds to project appraisal).

Disclosure of relevant information through free, prior and informed consent (FPIC) will be applied from the outset and meaningful participation of affected communities and persons will take place during the consideration of all stages of project design and applied to all components outline in this RPF, including in alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and eventual relocation process.

Additional provisions apply to consultations with displaced Indigenous Peoples and more vulnerable groups, such as women. Indeed, *consultation process should ensure that women's perspectives are obtained, and their interests factored into all aspects of resettlement planning and implementation.*

Meaningful consultation will be continuously documented and disclosed by the SPIU and will be defined by ESS10, aiming to be a two-way process:

- Begins as early as possible in project planning.
- Encourages stakeholder feedback to inform project design and engagement by stakeholders in the identification and mitigation of environmental and social risks and impacts.
- Is a continuous and iterative process (also feeding into monitoring activities).
- Applies FPIC and disclosure of all information.
- Considers, responds and integrates feedback.
- Supports active and inclusive engagement with project-affected parties.
- Is free of external manipulation, interference, coercion, discrimination, and intimidation.

A resettlement consultation plan shall be considered for the development of the RAP, this will be integrated into the project stakeholder engagement plan (as required by ESS10). Information from the socio-economic census and identification of affected parties will feed into this. As with the RAP, this will be developed and coordinated by the SPIU and RPF's IAA for matters that involve valuation and compensation, the valuation committee shall participate. Development of the RAP will also include all affected parties, particularly in relation to the cut-off date for eligibility, disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance and timeframes.

To understand the need for a RAP and its aforementioned components, screening will be carried out as part of the ESIA screening for the ESMF to determine more accurately (building on some of the census and baseline information) where, if they exist, are land or areas that may result in environmental and social impacts, such as involuntary resettlement. The aim of screening is to identify the types and nature of potential resettlement-related impacts for PAPs to better provide adequate measures to address these impacts. Screening will be an iterative process and will take place during each consultation to ensure adequate monitoring during implementation phases of REDD+ projects and/or sub-programmes in Sudan. Screening shall be carried out as early as possible and will follow a detailed checklist based on the aforementioned information and relative to the specific project being developed. In addition to this, the PAPs will be:

- Informed (through Free Prior and Informed Consent, FPIC) of their resettlement rights including compensation available.
- Included in all relevant consultation processes.
- Provided prompt and effective compensation at full replacement value of any losses incurred due to current/future resettlement based on the information received through the consultations and screening activities.



**7.
ORGANIZATION PROCEDURE
FOR DELIVERY OF
COMPENSATION**

As discussed in previous sections, from the outset, the WB intends that the borrower has explored all viable alternative project designs to avoid physical displacement of these groups. When it is not feasible to avoid such displacement, preference is given to land-based resettlement strategies for these groups; these land-based strategies are designed in consultation with affected people for loss of traditional, physical assets, revenue, and income resulting from economic displacement or physical relocation whether these losses are temporary or permanent.

In general, where Sudan law does not have an existing framework, the SPIU should elaborate clear methods for the valuation of all assets affected by the project. It is important that these methods incorporate stakeholder consultation with a minimum number of representatives of the affected communities. This is carried out to understand the appropriateness of the requested compensation. The type of compensation strategy becomes extremely important as it may have to apply sets of values to intangible assets, as they are often left unconsidered but provide livelihoods to local people who are at risk of being displaced.

In this regard, it is important to include the affected peoples in understanding and assessing (including identification and scope) of the impact of the restrictions on access to land, to therefore also allocate the correct compensation. However, care must be taken as not all PAPs will be eligible for the same kind/amount of compensation due to land restriction and so the first step in compensation is to understand the eligibility status of affected PAPs as explained in the following section.

7.1 Eligibility criteria of displaced persons

Considering that the RPF is to provide assurance that risk mitigation and compensation for potential involuntarily displaced people is applied through the RAP and according to ESS5 and the previously outlined design procedures, and that such people should also be supported in their application and eligibility for compensation. Where this compensation is necessary, it must be applied also with the aim of returning displaced people to, at least, their pre-displacement standards.

The following lists those categories of project affected and displaced people who would be eligible for compensation based on the ESS5:

- a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country)¹².
- b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan.
- c) those who have no recognizable legal right or claim to the land they are occupying.

In the case of where discovery of economically or physically displaced persons who are without legally recognizable claims to land, depending on the case, the SPIU will, through consultative methods described previously, provide:

- Arrangements to allow them to obtain adequate housing with security of tenure.
- Compensate them for the loss of assets other than land, such as dwellings and other improvements to the land.
- Relocation assistance in lieu of compensation for land sufficient for them to restore their standards of living at an adequate alternative site lost.
- Assistance in lieu of land compensation sufficient to provide such persons with an opportunity to re-establish livelihoods elsewhere.

Displaced persons of abusive and illegal occupation of public land arises, then no compensation will be offered for the illegally occupied land, however displaced persons will be eligible for compensation of the immovable assets and potential losses of livelihood and traditional and cultural values.

The WB's ESF confirms that persons and buildings who continue to occupy project-affected areas after a defined cut-off date will not be eligible for compensation. This is the same for any persons/constructions/land uses found to be translocating within the project areas after the cut-off date and will not receive any compensation.

For Sudan, persons who are covered under (a) and (b) are eligible for a compensation payment. However, for what regards persons covered under (c), some differences exist between the Sudan legal/policy framework and ESS5. Indeed,

¹² See section on resettlement regulation and policy assessment

for Sudan's legal framework, these persons would not be eligible for compensation payment or other forms of assistance. Whereas according to the World Bank's policy, the persons covered under (c) should be provided *resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in the policy*, if they occupy the project area prior to a cut-off date established. For REDD+ in Sudan, these PAPs should also be compensated and will be assessed by administration authorities on a case-by-case basis for due compensation.

Eligible PAPs will be identified during first screening as part of the ESIA of the ESMF. It is imperative that local and traditional leaders and key-community people are consulted during this process to ensure the traditional claim to land, and resources is well-defined. This will include a relevant and thorough check for legal documentation, which is to support the claims of those holding legal rights to any project land and natural resources. Such consultation will feed into the RAP and help identify the alternatives for the displaced and restricted PAPs, for example:

- New sustainable resource access to resources outside the project area, without having negative effects and considering impacts on people and resources in these alternative areas.
- Resource sharing where some access to land/resource is permitted, or where allocation to new land/resources has been defined.
- Alternative resource access (in energy – electricity - and food, for example).
- With regard to the alternatives mentioned before, the following are some general eligibility criteria used to identify PAPs:
 - Possession and provision of existing documentation relative to legal rights to the property.
 - Support by local and traditional community leaders, where relevant.
 - Support by community as to having the claim to land/resources claimed.
 - Other evidence of loss of livelihood due to project implementation.
 - Attendance during all/any relevant consultations to support the claim and ensure the claim is supported by others.
 - Presence of PAP and resource/land claim during on-the-ground assessment.

Once PAPs are identified, the REDD+ SPIU and administration authorities will inform them ahead of time about the resettlement actions to be implemented, about their future livelihoods (if livelihoods are affected) and pay compensation as appropriate and provide technical support for restoring livelihoods. When PAPs are unaware of their eligibility criteria (as from general criteria above), they will be made aware of this to facilitate their identification and confirmation within an eventual RAP.

Eligibility in rural vs. urban environments

Even though most REDD+ projects will have an impact on forest-dependent and surrounding rural communities and their land-uses, it is not only rural communities that will be affected by the impacts of involuntary displacement during the implementation of REDD+ projects in Sudan. Indeed, many of the livelihoods associated with the land-use typology of these rural communities are most likely to trade/do business with urban areas, in trade of forest goods like honey, wood for timber, charcoal, agroforestry crops and animals.

Impacts can be direct or indirect and will be classified as such. For example, a direct impact can be where REDD+ projects (afforestation/reforestation) improve forest carbon stock and biodiversity, reducing carbon emissions. The indirect impact can come from the reduction of fuelwood or charcoal as well as building material supply once the local people have been displaced and need to find other sources of wood resources for energy and construction.

To deal with the indirect effect on urban environments, where such impacts exist, they will also be eligible for compensation of whatever loss of resources/additional costs incurred.

7.2 Compensation

Many problems materialize with displacement – such as drastic changes in livelihoods, loss of autonomy, indigenou-ness, traditions and established community networks. It is generally known that displacement causes disruption and loss of assets both within the community and for individuals, and leads to a greater likelihood of impoverishment and reduced access to rights entitlement (Mor-varidi 2008)¹³.

According to ESS5, people affected by forced resettlement, the new condition should be that they should be “no worse-off if not better off” in the post resettlement periods. *When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods.* Indeed, this is the case of land management for livelihoods whether it is for forestry, agriculture, farming, wild products etc, the greater impact can be on the future sustainability of the livelihoods of the people. Ideally, when this occurs, the preferred form of livelihood restoration will be land-for-land provision instead of giving cash-for-land.

Therefore, livelihood restoration in this context refers to the exclusion from forest areas, which affects the long-term sustainability of the people and communities being displaced. When translated to each context-specific case, an eventual RAP takes into account the long-term sustainability. Livelihood restoration will also include a follow up monitoring during the rehabilitation process, once again adapted in the RAP and to the local context-specific case, which can include, but is not limited to the following issues:

- Agricultural and forestry livelihood actions (wild and other non-wood forest products, cultivation of crops and rearing of animals/livestock);
- Access to financial support in the form of micro-finance options made available to nascent businesses and other small and medium enterprises (SMEs) regardless of the sector if it can be proved that the founding of the SME is proven to be as a result of the resettlement;
- Innovative and inclusive forms of capacity building, skill development and training activities.

As previously stated, compensation should come following prior efforts to first try and restore livelihoods to similar land-use contexts through land-to-land provision.

That said, the compensation package for the involuntary resettlement of projects implemented under the Sudan REDD+ Programme will include either **loss of income** or **livelihood restoration assistance** or **relocation assistance** as appropriate. It is important to note that where cash payments are necessary, will be activated and released by the Asset Valuation Committee (see next section) and administration authorities and released after all individuals and households involved in the project will be clarified of the process and the different types of compensation as well as the basis for valuing the land and other possessions are made clear. This process should be approached in an inclusive way with all the relevant stakeholders and authorities including local cultural and community leaders.

A guiding example for compensation in this context can be taken from the example in Box 3: depending on the ownership rights of the land, payment must be made to the full value of the property and before displacement takes place, where the resettled persons have full ownership of the land in question. **Where this is not the case, application of the example in Box 3 can be applied, where a compensation of 25% to the value of the land, or in land itself will be applied.** Full value includes all in kind services and activities to recreate as similar to the previous living conditions as possible. Finally, it is important to note that in this RPF, devaluation of assets acquired will not be incorporated. The choices include in-kind (forest for forest for FNC intervention), replacement housing, land and compensation in cash. The entire compensation should take place in attendance of the affected people and the local community leaders. Where applicable, property will be compensated at replacement costs. If buildings need to be constructed, the replacement value will be released as a cash compensation for construction activities and materials and will mirror the market price of materials and labour to build a similar structure as the one left (including taxes and fees) and based on the compensation % as set out by the FNC. If the compensation is in land assets, similar land to that acquired shall be compensated. The compensation should also take into consideration the exchange rate and inflation and lower value of the Sudanese pound against the dollar. With reference to the Section 3, the following regulations are those specifically related to compensation and are to be considered both in application of this framework and in the development of the RAP;

- Land Registration and Settlement Act, 1925
- Land Acquisition Act, 1930

¹³ Social Justice and Development, Morvaridi, Behrooz, 2008.

- Unregistered Land Act, 1970
- The Civil Transactions Act, 1984
- Urban Planning and Land Disposal Act, 1994
- Central Forest Act, 1932
- Provincial Forest Act, 1932
- The Land Acquisition Act of 1930.

Box 3 - Case study: Directives of the President of the Republic for the year 2017 concerning the forests affected by the path of Kenana and Al Rahad canals in the state of Sinnar

Description:

Compensation of the FNC with an area of not less than 25% of the total area of the project land in the state of Sinnar, to be established by irrigated forests. The irrigation water provided by the project and the area shall be secured and guaranteed:

- Preserving the riverine forests and the forests of the lagoons and the valleys, which are dominated by acacia trees as reserved forests according to the certificates of registration due to their importance and lack of suitability in agricultural investment.
- Involvement of the FNC in the planning and implementation of the project to address negative impacts.
- Expansion of the forest area within the implementation measures of the two canals project
- Thus, as FNC owned the forestlands, which will be inundated by the digging of two giant canals, it will be compensated in kind.

7.3 Valuation of affected assets

As there are no existing regulations on the valuation of assets in the Sudan context, the RPF will align with the WB ESS5 provisions. Such valuation should only be carried out by independent consultants and presented for acceptance by the local registry. Where the rights to assets are unclear, the consultant should consult with local traditional leaders and understand the validity of the claim. All valuation will be based on the premise that any lost asset be valued at a replacement cost. In the following sub-sections, some important steps are listed in the process of asset valuation.

7.3.1 Asset Valuation Committee

An asset valuation committee, shall be put in place and will include, but not be limited to, the following members:

- Regional Administrator (1)
- Rural development or Agriculture office head
- Local forest and agricultural service officer
- Regional (neighbouring) administrator (2)
- Representative of PAPs (2)
- Representative from local third-party NGO that supports local communities with asset valuation capacity (1)
- Local Elderly (1)

7.3.2 Valuation Methods

Depending on the situation, valuation will be based on replacement costs of the asset, or market value, or combinations of both depending on the types of assets that are lost. The amount of compensation will be established by the independent consultant and evaluated by the valuation committee and administrations authorities (some participants can be the same). The following points elaborate on the methodology. All compensation should be made before the start of any project work. As mentioned, compensation shall be paid for the assets (loss of crops and trees existing on project/sub-programme land etc), according to compensation values that will be based on market values and will cover a cash value of the loss estimated until the new crop or tree comes to maturity. The project manager along with the valuation committee and administration authorities shall ensure that the compensation takes place.

The following rates are taken into account and used for determining the compensation value:

Rates for Loss of Crops :

- Land measurement (of crop); in square meters or hectares.
- Agricultural production in kg, per hectare or per m².

- Current market price for crop.
- Amount of compensation payment based on the type, size and quality for each type of crop production.

Rates for Loss of Trees:

- Tree species, number of trees and age.
- Market price for tree.
- Addition of extra revenue generated by trees (NWFPs etc).
- Discount rate applied.

Trees will be valued based on tree species and associated values; fruit trees versus non-fruit trees, etc. Trees producing fruit that have been lost to the land acquisition, will be compensated for each year of lost revenue, and discounted accordingly.

Rates for property:

- Area of building (rate per m2) including number of rooms and facilities available.
- Value of type and quality of the material used for the construction.
- Overall cost of construction.
- Labor cost (skilled and unskilled).
- Current market value of the house¹⁵.
- Demolishing and transportation cost.

7.3.3 Community land

There may be situations in which sub-projects will call for the acquisition of community land or other assets that belong to a community. These can include, centres, schools, or sacred sites, parks, and gardens. When this happens, the whole community will be compensated based on the land tenure system at the community level. This compensation will mirror compensation for private individuals as previously mentioned.

7.4 Entitlements

The following table presents an overview of the entitlements to be considered during compensation for the Sudan context based on literature review and SESA local experts' input. The premise will be that cash compensation is not preferred. Compensation will focus on relocation assistance and replacement of assets to the need and value of those lost, with the exception of businesses.

Table 5. Potential assets and entitlement type

Asset type	Impact	PAPs	Entitlement
Agricultural land	<% of land loses economic viability after acquisition	Landowner / Tenant	Compensation in assets or land (or in unavoidable circumstances, in cash) for affected land and lost production value equivalent to replacement value
	>% of land loses economic viability after acquisition	Landowner / Tenant	<ul style="list-style-type: none"> ● Land for land replacement preferred where feasible, or compensation of replacement assets to the same value (in unavoidable circumstances, in cash) ● Transfer of the land to PAPs shall be free of taxes, registration, and other costs. ● Relocation assistance (all re-establishment costs and allowance based on number of years needed to recover previous crop income)
		Tenant	<ul style="list-style-type: none"> ● Relocation assistance preferred (in unavoidable circumstances, in cash - all re-establishment costs and allowance based on number of years needed to recover previous crop income)

¹⁵ If this is already known, then this is what should be paid as compensation. In this case, if proceeding with the production value, i.e. the cost for reproducing the good, then the costs should be diminished via appropriate coefficients to make adjustments according to age and obsolescence of the building to be rebuilt).

Asset type	Impact	PAPs	Entitlement
Other commercial land	Land used for other commercial business activity	Landowner / business owner	<ul style="list-style-type: none"> ● Cash compensation for affected land ● Opportunity cost compensation equivalent to x% of net annual income based on tax records for previous year
		Business owner is leaseholder	<ul style="list-style-type: none"> ● Opportunity cost compensation equivalent to x% of net annual income based on tax records for previous year
	Associated affected assets that affect the income of the business	Landowner / business owner	<ul style="list-style-type: none"> ● Land for land replacement or lost assets replacement to the value of those lost according to PAP's choice also in terms of market potential with a secured tenure status. ● Transfer of the land to the PAP shall be free of taxes, registration, and other costs. ● Relocation assistance ● Opportunity cost compensation equivalent to X months net income
		Business person is lease holder	<ul style="list-style-type: none"> ● Opportunity cost compensation equivalent to x months net income ● Relocation assistance ● Assistance in re-establishing the business.
Residential land	Land used for residence partially affected, limited loss	Title holder	<ul style="list-style-type: none"> ● Land for land replacement preferred, or replacement of lost assets of affected land
		Rental/lease holder	<ul style="list-style-type: none"> ● Cash compensation equivalent to x% of lease/ rental fee for the remaining period of rental/ lease agreement
	Remaining land viable for present use.	Title holder	<ul style="list-style-type: none"> ● Land for land replacement preferred, or replacement of lost assets of affected land (in accordance with local legislation and where affected land is larger than relocation plot, cash compensation should cover the difference), should include all taxes and fees.
	Land and assets that have been used for effective structures	Rental/lease holder	<ul style="list-style-type: none"> ● Cash compensation (if unavoidable) equivalent to x months of lease/ rental fee ● Rental assistance ● Relocation assistance
Buildings and structures	Where only some structures are affected	Owner	<ul style="list-style-type: none"> ● Restoration assistance ● Relocation assistance
		Rental/lease holder	<ul style="list-style-type: none"> ● Compensation for affected assets with replacement assets
	Affected structures	Owner	<ul style="list-style-type: none"> ● Relocation assistance (rehabilitation assistance where needed)
		Rental/lease holder	<ul style="list-style-type: none"> ● Restoration ● Relocation assistance ● Assistance to help find alternative rental arrangements ● Assistance with job placement, skills training
		Squatter/ informal dweller	<ul style="list-style-type: none"> ● Right to salvage materials without deduction from compensation ● Relocation assistance, where applicable with alternative dwelling. ● Rehabilitation assistance
		Street vendor (informal without title or lease to the stall or shop)	<ul style="list-style-type: none"> ● Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year or the relocation allowance, whichever is higher. ● Relocation assistance ● Assistance to obtain alternative site to re- establish the business.
Standing crops	Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant, or squatter)	<ul style="list-style-type: none"> ● Relocation to new land and cash compensation equivalent to X times the average annual income s/he secured during the five years preceding the expropriation of the land to cover costs of relocation and setting up
Trees	Trees lost	Title holder	<ul style="list-style-type: none"> ● Compensation based on type, age and productive value of affected trees plus x% premium to cover replacement of affected assets with new assets
Temporary acquisition	Temporary acquisition	PAP (whether owner, tenant, or squatter)	<ul style="list-style-type: none"> ● Compensation for any assets affected to cover replacement of affected assets with new assets



8. MECHANISMS FOR MANAGING GRIEVANCES

According to ESS5, *the Borrower will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.*

8.1 Feedback and Grievance Redress Mechanism Framework

Feedback and Grievance Redress Mechanisms (FGRMs) are organizational systems and resources established by national and or local governments to receive and address concerns about the impact of their policies, programs and operations on stakeholders. FGRMs act as recourse for situations in which, despite proactive stakeholder engagement, some stakeholders are concerned about a project or program's potential impacts on them. They are intended to complement, not replace, formal judiciary or other forms of legal recourse, for managing grievances. It should also be recognized that not all complaints can be handled through FGRMs. For instance, grievances that allege corruption, and/or major and systematic violation of human rights are normally referred to administrative or judicial bodies for formal investigation, rather than to FGRMs for collaborative problem solving (FCPF/UN-REDD, 2015). For REDD+, the FGRMs should effectively and efficiently receive and respond to the concerns, complaints and grievances that REDD+ stakeholders and other parties may have during both the readiness and implementation phases (Fiji REDD+ FGRM, 2017). In accordance with the FCPF/UN-REDD Programme Guidance Note on FGRM for REDD+ Countries, the proposed FGRM should be:

- Legitimate – it must include clear, transparent, and sufficiently independent governance structures to ensure that no party to a particular grievance process can interfere with the fair conduct of that process.
- Accessible - must be publicized to those who may wish to access it and provide adequate assistance for aggrieved parties who may face barriers of access, including language, literacy, awareness, finance, distance, or fear of reprisal. It should be accessible to the diverse members of the community, including more vulnerable groups such as the elderly, women, youth, and the disabled.
- Predictable - it must provide a clear and known procedure, with time frames for each stage; clarity on the types of process and outcome it can, or cannot, offer; and means of monitoring the implementation of the outcome.
- Equitable - it must ensure that aggrieved parties have reasonable access to sources of information, advice, and expertise necessary to engage in a grievance redress process on fair and equitable terms.
- Rights-compatible - it must ensure that its outcomes and remedies accord with internationally recognized human rights standards.
- Transparent - it must provide sufficient transparency of process and outcome to meet concerns of public interest at stake wherever possible.

The Ministry of Agriculture and Natural Resources and the HCENR are instrumental in seeing that all complaints are redressed and that contraventions on the said principles do not occur. NGOs also play important roles, as they normally visit areas where complaints have occurred, to investigate, report and make sure of their being redressed.

8.2 Grievance Redress in Sudan's REDD+

With reference to the specific case of addressing grievances and complaints for instances of resettlement due to a REDD+ project or sub-programme implementation in Sudan, grievance redress will seek to understand the cause of the issues, while trying to address them. To do this, it proposes a structure and process for receiving and reviewing them. When REDD+ projects cause the resettlement of local communities, they can lead to environmental and social impacts that can cause big problems most importantly for the PAPs being displaced, but also for the image of REDD+ project implementation, inhibiting further progress for evolving. The Grievance Redress Mechanism (GRM) is employed to avoid such impacts being induced. In application of the approach below, it is also important to draw and build on the experiences of the past. With respect to this, the consultant highlights an example of grievance redress in forestry in Sudan to refer to in Box 4.

Box 4: Example case of good grievance redress

The case referred to the conflict between FNC and the state authorities in Kassala, the Governor issued a decree to shift the forest reserves along the gash river into Banana orchards. Many local inhabitants depend on these forests for their livelihoods, if the objectives of the forests changed to commercial horticulture, the local people will be affected. The grievance from FNC as the custodian of the forests was settled through the efforts of native administration, NGO (Plan-Sudan), representative from state authority and FNC.

8.2.1 Objective of the GRM for the RPF

The GRM is an essential part of the safeguard instruments that intends to resolve complaints on REDD+ project and sub-programme activities. It should address complainant concerns and complaints promptly, using an understandable and transparent process. This process should be gender responsive, culturally appropriate, and readily accessible to all segments of the complainant persons (including other vulnerable groups and indigenous and forest-dependent peoples). **The main objective of the GRM for the RPF is to ensure that all stakeholders within REDD+ project and sub-programme influence are aware of their rights and compensation due to situations of forced resettlement and shall have access to the mechanism free of administrative and legal charges, and concerns arising from REDD+ resettlement activity in Sudan in all phases are addressed effectively.**

8.2.2 Creating an open space for grievances

As a first step, any problems, complaints, grievances or disputes can be communicated to the resettlement administration authorities. Grievances can be submitted and must be received by whichever means of communication available to the complainant; this includes, but is not limited to, email, written letter, telephone, SMS and a suggestion/complaint box placed at the administration authorities, as appropriate. Depending on the relative severity of the grievance, the complainant should be supported by a relevant representative (non-governmental) organization. Grievances are assessed by subject-experts and project staff possessing substantial knowledge about natural resources management and conflict resolution within these organizations. If there are no organizations to represent a specific complainant, the authorities shall identify an external expert to serve as a mediator in trying to reach agreement between disputing parties. If parties are unable to reach a resolution, stakeholders can submit a formal complaint through the formal Sudan institutional structures outlined in the next section.

8.2.3 Grievance redress formal and traditional structures in Sudan

The structure in the case of Sudan is defined by adopting the existing formal (legal) and informal (traditional) institutional structures in a complimentary mechanism (the FGRM). This FGRM that will seek to receive and deal with any grievances raised by the wide range of stakeholders identified as being affected by impacts or risks through the REDD+ strategy options identified and assessed in the SESA, and eventual forest investment projects and programmes. The following sub-sections extracted and summarized from the Developing Feedback and Grievance Redress Mechanism, (FGRM) Sudan REDD+ Readiness Programme report developed in 2018 define, in a preliminary way, the different levels of contact receipt and addressing contact institutions (formal and informal) for Sudan's context.

Village and Nomadic Camp Level

Conflicts and grievances at village and nomadic camps levels throughout each locality are handled by the sheikh and ajaweed. The Omda and ajaweed perform the same at sub-locality level, while the Nazir, handles the grievances at the tribal (or nazirite), level within the locality by reference to FNC circulars/local orders. The function of the ajaweed is to listen to both the plaintiff and the defendant, try to settle the matter amicably, by correction of the damage and persuade the conflicting parties to forgive one another, as a step towards preserving the closely-knit social fabric, which binds the villagers together. No penalty is imposed, except that a small fine might sometimes be demanded from the offender, for coffee or another suitable donation for the committee, which is also the custom to support the Omda's ajaweed. The system is basically the same as the recommended model, except that the proposed FGRM, as an institution, should be supported with adequate judicial and administrative powers that would enable it to implement its decisions when necessary. Notwithstanding its new powers, the FGRM should always uphold, first and foremost, the spirit and adopt procedures of amicable settlement of the conflicts, in order to preserve the social fabric from disintegration. This is particularly important because residents of a village or nomadic camp are socially connected to one another with blood relations, marriages or other interests, which they are keen to preserve by following advice from the village or camp elders, ajaweed FGRM.

Locality Level

Local governments with administrative and political authority, supported by government departments at the locality, in collaboration with Nazir, who is linked to district court, shall constitute FGRM at the locality level. The NA, which is a critical element of the entire FGRM (see Figure 3), is elected by the local people, as described above, and endorsed by the government. It is, in fact, a low cost and efficient administrative and judiciary system based on customary laws to deal with personal matters or offences on natural resources. It is proposed that any grievances and conflicts that are not resolved at the village level, should be referred to the executive managers of the localities, and then the State FGRM and the Environmental court (see Figure 3). If the NA structures, the locality FGRM and the environment court fail to resolve a grievance or conflict, or if any aggrieved party is dissatisfied with the conduct of the structures above, they will still have the option of appeal to the formal courts/judiciary within the locality.

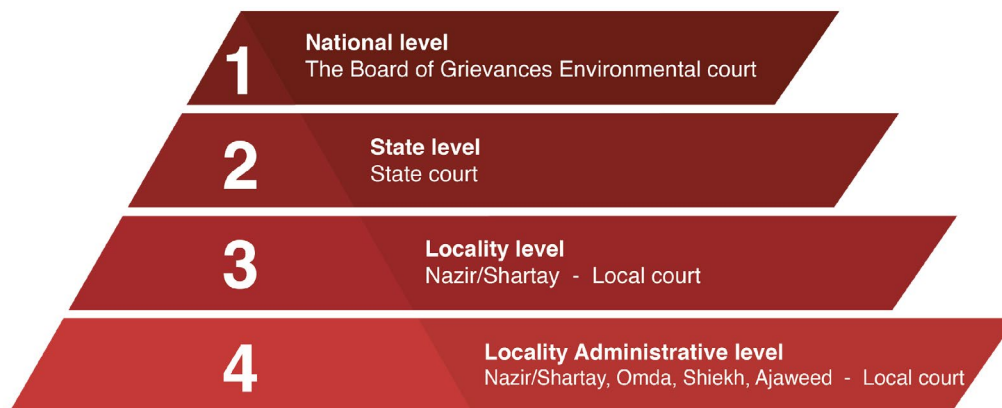
State Level

It is proposed that FGRM be formed at the state level from the executive managers of the localities, representing the governor of the state, representatives of the locality legislative councils, community development officers and natural resources departments of agriculture, forests, rangelands, wildlife, water and environment. This new institutional structure, which wields administrative and political powers, should handle the conflicts and grievances at state level, in collaboration with NA. Should the state FRGM fail to resolve the issues, the cases might be appealed to the Environmental Court at the state level (see Figure 3).

National level

The national FGRM secretariat, which is a proposed institutional structure, should be formed from FNC as chairperson, and representatives from line ministries, REDD+ coordinator, relevant trade unions and the High Court. Cases unresolved at the national level should be referred to the Court of Appeal, which will pass and enforce decisions as orders of the court. The strength of the orders stems from the authority of the Court of Appeal of regulating its own procedures, without being bound by the rules or procedures followed by the ordinary courts. Any party aggrieved by the decision of the Court of Appeal may appeal to the Supreme Court within thirty days of the issuance of the decision or order.

Figure 3. Presentation of Existing GRM Structure



9. MONITORING ARRANGEMENTS¹⁷

¹⁷ This section has been developed in line with the Process Framework for Sudan's REDD+ Programme as part of the SESA sub-component.

According to ESS5, *the borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument. Upon completion of the project, the borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have been achieved. The assessment takes into account the baseline conditions and the results of resettlement monitoring. If the assessment reveals that these objectives may not be realized, the borrower should propose follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate.*

Monitoring and evaluation will be applied in two phases as explained in the next sub-sections; internal and external monitoring.

9.1 Internal and external monitoring

Due to the differences in terms of requirements and difficulty of operations at project scale, monitoring will be divided into two stages; internal monitoring for project scale and repeated on a monthly basis, and external that tracks the progress of the internal and the mitigation of adverse social impacts and carried out twice per year.

Internal monitoring

Due to the differences in terms of scale and difficulty of operations, and the importance of requirements of the monitoring management unit in collaboration with relevant government offices, experts have the responsibility:

- Execute the monitoring and report the results to the local REDD offices;
- Identify the grievances from the monitoring results, above all grievances that have not yet been settled;
- Identify from results what compensation measures are needed;
- Internal monitoring data is based on generic indicators that include the following:
 - Measuring the impact of how disputes are dealt with;
 - How communities are improved following the implementation of the project in relation to the impacts on individuals, households and communities.

External Monitoring

The external monitoring is carried out to monitor the progress in the mitigation of adverse social impacts. It is done in conjunction with the World Bank and should include the following:

- How the processes involved in the release and application of compensation are handled;
- Reporting and feedback;

The pre- and post-analysis of whether or not the performance of the project has improved the social and environmental standards for the project area and everything within.

9.2 Internal and external evaluation

To be in line with monitoring, there will be a two-stage evaluation process, internal and external.

Internal evaluation

Internal evaluation essentially ensures that the scheduling for the monitoring reporting and the following feedback are implemented in the overall project operation plan taking into consideration the institutional arrangements.

External Evaluation

This is the final stage in monitoring and evaluation and essentially assess whether or not the compensation and livelihood restoration measures have had the desired impact on the affected communities; The external evaluation may focus on the following aspects:

- Verification of compensation and restoration have been applied in line with the process framework.
- From results of monitoring, analyse whether or not grievances and complaints have been dealt with.

9.3 Capacity Building

After an ARAP/RAP has been implemented and where stakeholder engagement, consultation and monitoring reveal that it is difficult or impossible to resettle people on land similar to what they had before, the framework encourages an additional step of capacity building and training measures in the RAP. This capacity building will have the aim of developing and strengthening the skills, abilities, processes and resources that are needed by the communities to survive, adapt, and thrive in the new areas/communities that they are displaced to.

APPENDIX 1 MINIMUM ELEMENTS OF A RESETTLEMENT ACTION PLAN

The RAP should describe the REDD+ project and/or sub-programme scope and area from a geo and socio-political and environmental perspective.

1. Descriptions of specific resettlement information combined into a resettlement programme for the project.

The first components will include the project scope and objectives of the resettlement programme. Descriptions of the potential impacts such as project components or activities that give rise to displacement, the zone of impact of such components or activities; the scope and scale of land acquisition and impacts on structures and other fixed assets; any project-imposed restrictions on use of, or access to, land or natural resources; the mechanisms established to minimize displacement. Some examples of more specific impacts can include people who come from broken up communities, who may have their homes and other buildings, agricultural land and crops, access to their land and forests for wild food, tradition and medicine removed from them.

2. Census survey and baseline socioeconomic studies. The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project.

3. Legal framework. Provide a brief review of local laws, regulations and procedures on land acquisition and resettlement. Where gaps exist between local laws and ESS5 policy, describe the ways to bridge these gaps.

4. Institutional framework. In line with the institutional arrangements and proposed administration authorities in sub-section x, the RAP will;

- include a specific analysis of the institutional framework covering:
- the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;
- an assessment of the institutional capacity of such agencies and NGOs/CSOs;
- and any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation

5. Eligibility. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

6. Valuation of and compensation for losses. The plan shall include clear information on any existing compensation guidelines provided by the state, supplementary guidelines based on international standards (WB), where the state fails to provide such guidelines, types and levels of compensation, eligibility criteria and a payment plan specifying payment times and location. It will take from the information laid out in this RPF. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.

7. Community participation. Involvement of displaced persons (including host communities, where relevant)

8. Implementation schedule. The implementation schedule is connected to the budget and also in line with the project's schedule of work activities (work plan). In addition, the schedule should also include; the time plan of the RAP; the list of field activities and when they occur (consultation, census, and survey implementation). a description of organizational responsibilities. More specifically, the implementation schedule will provide anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project

9. Costs and budget. It is up to the SPIU to estimate the costs involved for project implementation and associated displacement impacts. Above all, the resettlement action plan budget must include clear reasoning for all assumptions made in calculating compensation rates and other cost estimates and must take into account both physical and cost contingencies. Initial budgetary items have been laid out in this RPF, the RAP will go further. Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

10. Grievance redress mechanism. The SPIU must ensure that procedures are in place to allow affected people to lodge a complaint or a claim (including claims that derive from customary law and usage) without cost and with the assurance of a timely and satisfactory resolution of that complaint or claim. Grievances are best redressed through project management, local civil administration, or other channels of mediation acceptable to all parties. This RPF has set out clear RPF GRM specific to REDD+ project implementation in Sudan. The plan will build on and further describe this including affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

11. Monitoring and evaluation. Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information. And, evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

12. Arrangements for adaptive management. Based on the monitoring and evaluation the plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes.