



# **Natural Resource Management Systems & Land Tenure Issues in South Kordofan**

A Community Consultation Sessions Report  
Submitted to SOS Sahel International UK

*[final draft]*

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**Kadugli**

## **Executive Summary**

This report on a series of community consultation sessions is part of a natural resource management and land tenure programme in South Kordofan, supported by SOS Sahel UK. The report is submitted on completion of the assignment to hold consultation meetings with grassroots communities in three localities, namely Kadugli, Dallanj and Rashad.

The consultancy taskforce kindly acknowledge Mr. Ajak Deng, the officer in charge of the SOS Sahel UK Kadugli, for his invaluable support and genuine hospitality. His support stands as a great pillar for this work to move forwards. The consultancy team is also indebted to Mr. Mujahid Ali Balatoun, the team assistant from Ministry of Economy & Investment, for his useful assistance throughout the fieldwork in the three localities.

The team would like to mention the keenness of all communities to keep in touch with fruitful consultancy discussions that have paved the way to compile better information for further strategic steps to be taken by the relevant stakeholders.

Before starting the fieldwork, the consultancy team covered some cited literature on the topic of land. The team carried out open group discussions with all the communities visited in the field, in order to address the issue of land as a focal point. A total of twelve working days were spent on reviewing the literature and consulting the communities. The fieldwork is an excellent first step towards future intervention to solve natural resource-based conflict, in particular conflict over land use.

The methodology applied by the team was open group discussion with some interviews and field observations. To attain the intended results, the discussions were structured to address various themes, and were mainly oriented to find out how communities feel their way to sharing ideas, visions and opinions on the issue of land access.

This report fits within the context of SOS Sahel UK's strategic mandate to contribute to the reduction of resource-based conflict in South Kordofan. The introduction of this document refers to the specific study objectives, the methodology and the SOS Sahel UK brief. The literary underpinning is focused on previous studies in the area. The study reflects the trends of land tenure legislation in Sudan, as a basis for introducing the issue of land in the area, particularly before the signing of the CPA.

The perspective of land issues in South Kordofan is the main theme of the report. Field case studies are presented from nine different communities: three in Kadugi locality (Abu Safeefa, Kadugli NA and Ginazia returnees), three in Dallanj locality (Dallanj NA and farmers/nomads unions reps, El Fanda returnees and Habila farmers/nomads communities), and three in Rashad locality (Rashad NA leaders, farmers/nomads communities, Abasia nomads' union and the NA leaders jointly with farmers communities). The third case is separately managed with the commissioner of Rashad locality.

The overall findings of these field study cases can be summarised in the following points:

- i. All the communities raised similar points regarding land use, in that the Native Administration (NA) system is the focal institution for organising ownership of land between community members, and has the role of finding compromise over any disputes that occur in land redistribution due to law activation.
- ii. The consultation sessions showed that communities appreciate soft and flexible solutions for land use conflicts, and referring to the previous communal and tribal alliances is the best missing measure that should be focused on.
- iii. In all cases, the group discussions mentioned the recent change of people's considerations towards land as an important economic asset for the individual and for the community, such

that this tendency is almost guiding the future vision of land-use/access and rights.

- iv. There is good ground at the community level on which to work out strategic solutions to resource-based conflicts, if all partners adopt the integrated approach of natural resource management properly.
- v. The communities are recommending sound ideas for the state Land Commission, starting with the genuine role of the Native Administration leaders at grassroots level.
- vi. Some other specific findings from the community consultations are as follows:
  - (1) Agro-pastoral production constitutes the main economic activity among the targeted communities in general.
  - (2) Tribal ownership is a leading phenomenon in the grassroots land tenure system.
  - (3) The reported problems over land use and access are to be attributed, in the first place, to disputes between farmers and pastoralists, mainly over agricultural plots, water sources and sometimes land ownership.
  - (4) Other problems encountered are based on new changes in land users attitudes towards land as an economic asset (e.g. for the purposes of investment and urban housing).
  - (5) Recommendations made to the Land Commission (LC) from the communities consulted generally refer to possible interventions which can be made by the Land Commission to support the NA vision of organised land ownership.
  - (6) Land access and land rights are genuine demands to be addressed through revising land use and land tenure laws.
  - (7) The absolute ownership among the rural women is very complicated, as they are not entitled to heritage. This situation will hinder female ownership of land as we see in the findings of the women interviewed from Abu Safeefa.

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## **1. Introduction**

The starting point of this assignment is the aim of SOS Sahel International UK to contribute to the reduction of resource-based conflict in South Kordofan. Access to natural resources in general, and specifically land resources in Sudan, has become a fundamental issue amongst local communities, and one which is being addressed by many observers and authors. Various studies have tracked this issue since colonial times. Competition over natural resources has long been a source of tension and dispute between pastoralists and farmers, as well as within these groups. Confrontations and conflicts have specifically taken place in land access. Land is a central issue to all people of South Kordofan. It is the means for basic survival, a source of individual and tribal pride and a constant source of potential exploitation and conflict.

### **1.1: The Objectives of the Study**

The main objective of this study is to contribute scientific ideas to achieve a long-term as well as immediate solution to the escalating conflicts over natural resources and land access rights, through the following:

1. Support peaceful and guarded co-existence.
2. Contribute to the ongoing efforts to minimize disputes and conflicts over natural resources, as well as guaranteeing access to land for the genuine owners.
3. Promote a comprehensive strategy to counteract resource-based conflict in the region.
4. Support the Land Commission of the CPA with a scientific vision for the solutions of the outstanding issues related to resources management systems in the area.
5. Co-ordinate with the relevant institutions for technical advice, to avoid vicious circles of inequity and conflict over diminishing resources in particular land.

### **1.2: Methodology**

The study used group discussion, interview and observation to obtain the primary data. Much secondary data has also been considered, mainly the studies submitted to SOS Sahel International UK and other studies conducted in the Nuba Mountains region. But the group discussions methods were the most ample tactics used in the field cases.

To achieve the objectives mentioned above, nine meetings of group discussion have been conducted with community leaders, stakeholders, farmers, pastoralists, officials and unions. The methodology of the study, which was designed to seek community opinions on resource-based conflicts and land issue, was structured to address the following issues:

1. Knowledge of the importance of natural resources and concepts of land value among traditional people.
2. The importance of the transformations over time of human activities in the context of land utilization.
3. Perspectives of land ownership and land tenure in South Kordofan, and the boundaries of the tribes.
4. The impact of land tenure systems on land access and utilization.
5. The factors governing the recent problems of land tenure systems (legislation, economic value of land and privilege of the investors...etc.).
6. The reasons behind competition over natural resources (farming, grazing, water sources.....etc).
7. Who has the right to own land for farming, grazing, etc?
8. The perspectives on the rights and the role of state on land-use and distribution for common purposes, and how much space can be given to the state to intervene in the natural resources in the area?
9. The opinions of the community on Lands Acts, mainly (ULA, 1970 and 1984 Acts) and their impacts on land use and distribution?

10. The role of NA to organize the use of and access to natural resources, particularly land?
11. The CPA initiated the Land Commission, how can the community make use of it according to its mandate?
12. Many issues to be addressed concerning land tenure systems.

These above guidelines were the main leading questions for the field case studies.

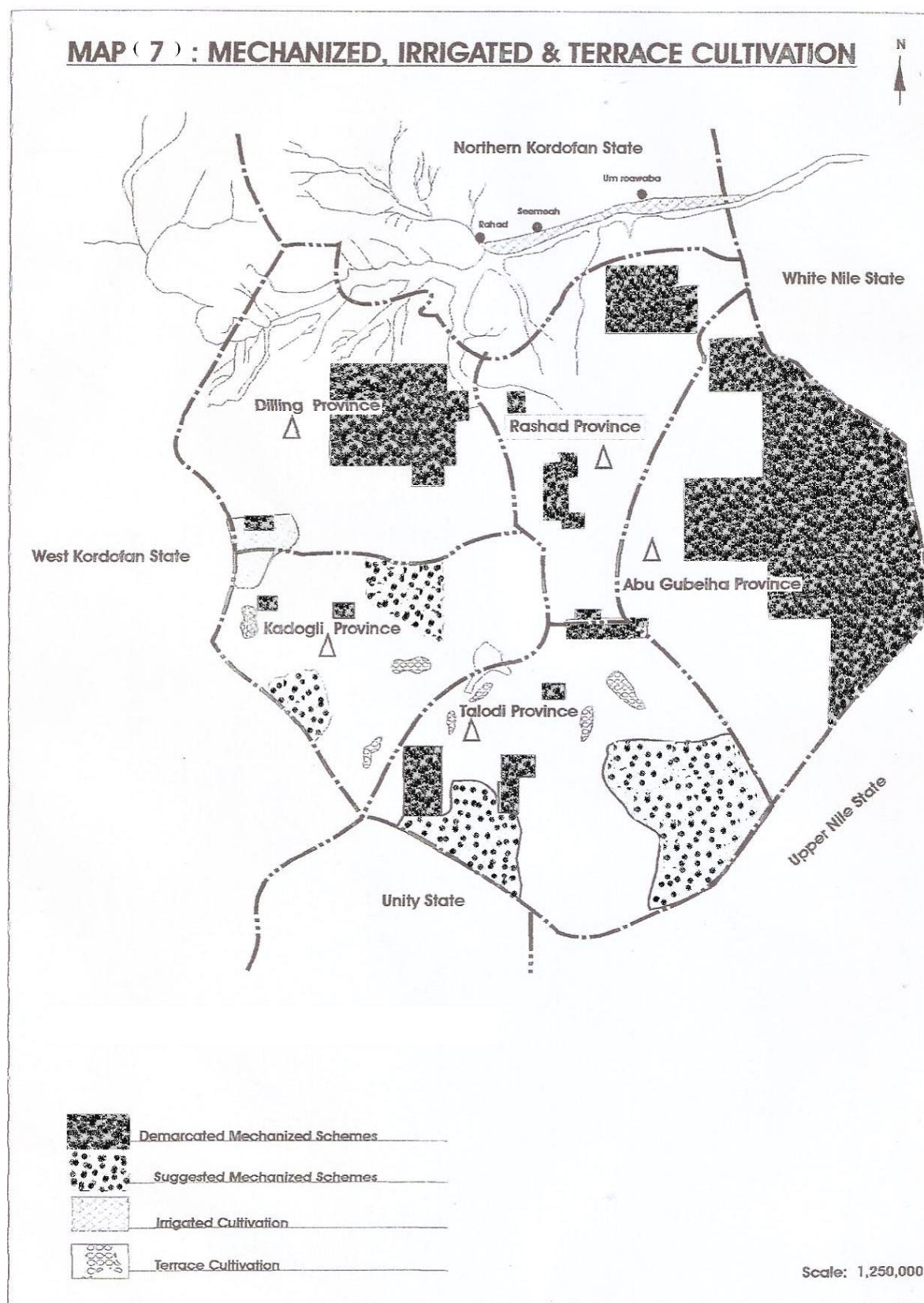
### **1.3: SOS Sahel International UK**

SOS Sahel International UK's experience in Sudan was developed mainly in North Kordofan, tackling major strategic issues in natural resources management. The longer-term mandate of SOS Sahel UK is to find meaningful solutions to the poverty rooted in the marginalisation of pastoralists and nomadic groups in dryland areas of African Sahel. To materialize this strategy with genuine activities and policies, SOS Sahel UK aims to find innovative ways to secure the rights of the marginalised and discriminated groups, to stimulate the attention about poverty in Sahel, and strengthen the quality and development policy practice in Sahel zone via encouraging collaboration and participation of all stakeholders to have their share in the sustainable solutions. SOS Sahel UK has recognized that the current thinking is that securing customary rights to land is a key entry point for empowering communities to manage and protect their natural resources.

### **1.4: The Area**

South Kordofan State lies in the geographical centre of the Sudan, covering an area of 88000 km<sup>2</sup>, between latitudes 10<sup>0</sup> and 12<sup>0</sup> north, and longitude 29<sup>0</sup> and 31<sup>0</sup> East (Suliman, 1999). The area is ecologically classified as a semi-arid and rainy savanna region. Over 70% is grazing land, with only between 14% and 22% of the area being either cultivated or under fallow, and the remaining 10% of the land being bare rocks and sands (Harrigin, 2003). The inhabitants of the area are the Nuba (considered as farmers), and Baggara (cattle herders) - mainly Hawazma and Messeriya constitute the second dominant group behind Nuba. However, there are many other tribal groups such as groups from western African (Bargo, Barno and Fellata), Darfur, South Sudan and other Arab groups, mainly called "Jallaba", from Northern and central Sudan. The economy has traditionally been geared toward subsistence based on agro-pastoral production as the main stay for the local economy and the major resource management system. Different types of cultivation systems are practiced in the area, mainly traditional, irrigated and terrace farms. However, the introduction and expansion of mechanized farming in the area have affected traditional agro-pastoral production (Map 1). The topographical features of the region have a great impact on natural resource availability through influencing climatic conditions, water sources, soil types, vegetation cover and thereby, land use systems. As farmers, the Nuba people historically, characterized by clustered around the mountains cultivating house field (*Ar: Jubraka*) and near fields (Yahya, 2008. Lebon, 1965).

(Map 1)



Source: Investment Map Report S. K. S. 1999 - YAM (2003)

## **2: Literary underpinning**

Many studies have tackled the issue of resources management systems, specifically land use and access, in South Kordofan State. The most significant of these are detailed here:

The study of Simon Harragin (2003) on Nuba Mountains land and natural resources focused on understanding the land access issues in the Nuba Mountains as the main objective of the study. According to Harragin (2003), access to land is constrained by four major factors: fertility, security, supply of water and labour availability, and we can add government developmental policies and legislation issues. He concluded that the Nuba want a clear tangible benefit from CPA, but the only thing left is the fertile areas in South Kordofan. The recommendation is that the government has to make concessions on land issues and as well to acknowledge the customary rights to use the land in areas claimed by individual tribal groups and for access to land to be controlled by local chiefs rather than government.

Lief Manger (2005) cited that the CPA has led to increased tension as both pastoralists and mechanized scheme investors make a return to areas that had long been closed to them, and an increasing number of displaced people return to resources. Although these resources may be seen bountiful at the moment, they will become the object of inter and possibly intra-community competition and conflict. Manger (2005) recommended that the land commission have to implement the following measures:

1. All registration of rain-fed mechanized schemes should be frozen pending review.
2. All land customary practices must gain legal registration.
3. Many cases of existing land ownership must be examined and adjudicated.
4. The right to appeal must be established for cases.
5. Customary land tenure must be examined particularly measures that discriminate against women.

The Julud (17 – 23 July 2005) conference discussed three main issues; one of these was the land question. The land issues were very controversial, but there was a general agreement that the CPA through the ruling practice between GOs and SPLM/A could handle these issues. What was clearly recognized by the participants in the conference was that the land laws since the 1970s and mainly in 1983 were intended to disown and displace the communities of the Nuba Mountains. In fact, Sudan has inherited continuous changes in land ownership and legislation laws (Abdel-Ati, 2001). The public sector historically has the lion's share (over 94%) with negligible handicaps to land-use planning for genuine public interests. Many land legislation laws were developed and all the laws processed, later having negative repercussions on the total socio-economic movement in Sudan and the area of land-use in particular. The Julud conference ended with recommendations to acknowledge the issue of traditional authorities that should be recognized in the new constitutions, and the question of land was the heart of the conference, reflecting the new communal awareness on land ownership and land rights.

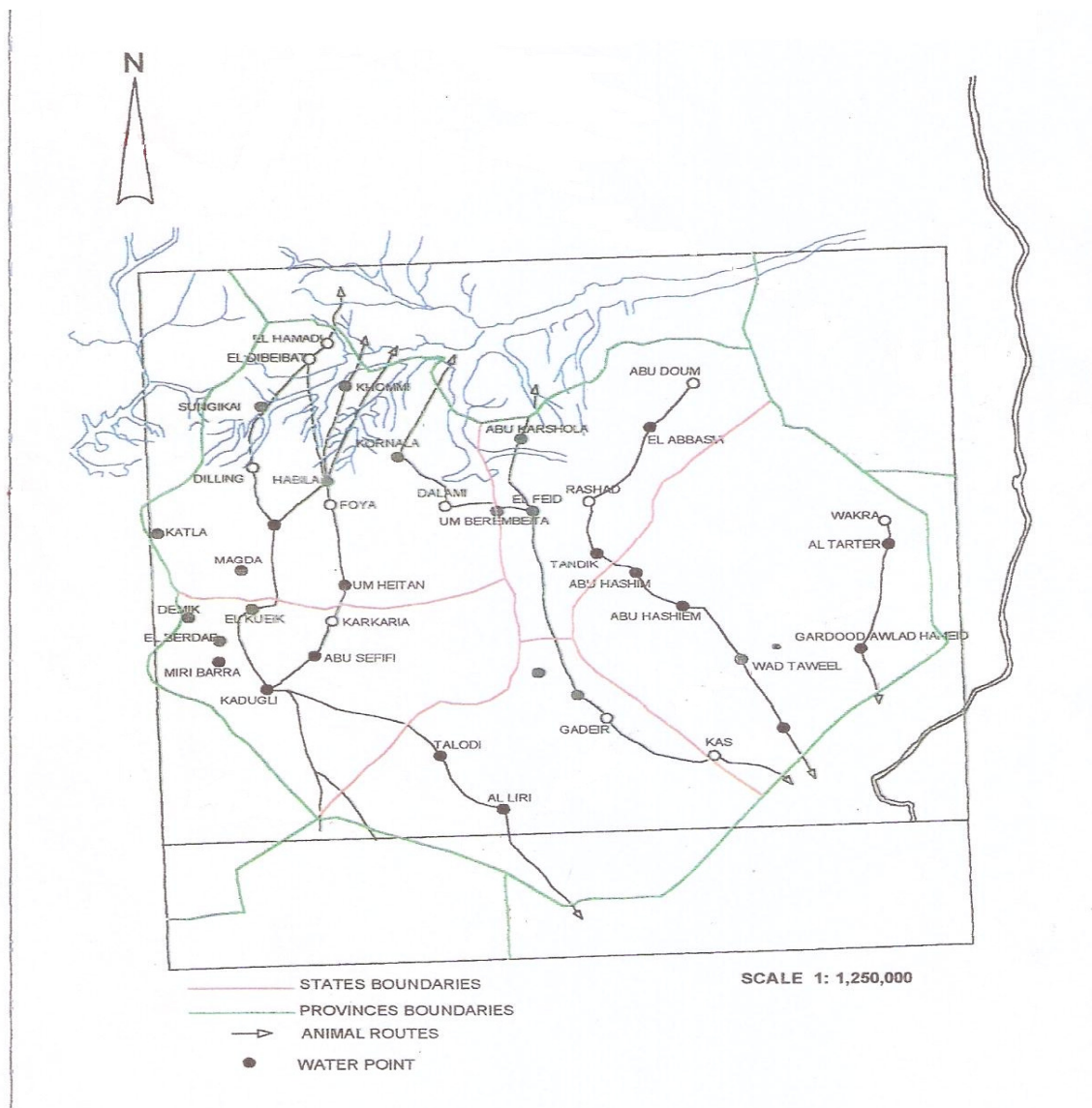
Historically, the British government accepted the customary rules over land, but entitlement to land still was vested in the government. The national governments after independence failed to modify the situation of land legislation, because the latest laws further strengthened the privileges of the state and allowed elites who were close to government to acquire land at the expense of the rural people (S. Pantuliano, 2007). The current situation needs an effective policy reform on land-use and natural resource management.

Omer Egemi's study for SOS Sahel (2008) refers to the conception of space as a basic differentiated principle between pastoralists and the sedentary farming system. Egemi (2008) confirms that pastoralists, as elsewhere, are always within a scheme of migration dictated largely by the rainfall pattern. Migratory corridors and customary rangelands are shrinking in the face of spreading cultivation, nature conservation areas, expanding oil exploitation, rapid transition to market economy and climate change. Egemi (2008) cited the South Kordofan Organisation of Agriculture and Grazing Act 2000, which defines livestock routes, different categories of pasture and water points and lists activities not allowed on stock routes. The



traditional stock routes and water points (Map 2) have undergone several changes, which caused escalation of resource-based conflicts in the area. The Act specifies the responsibilities of farmers, pastoralists, pastoral leaders (*Manadeeb*), range guards and the range and pastures Administration. He noted that stakeholders believe strongly in the role of route demarcation as the entry point for the development of the pastoralists and pastoral sector.

**Map (2) Stock Routes and Water Points in South Kordofan**



Source: YAM (2003)

Caroline Gullick's 2007 study stated that securing customary rights to land is the key entry point to empowering communities to manage and protect their natural resources. This can be achieved through registration of communities resources property (land, forests...etc). However, the study reveals that if community land areas are demarcated, the pastoralists will no longer be able to pass through. The study mentioned that there are four main sources of land and natural resources conflicts in South Kordofan:

1. Between pastoralists and farmers.
2. Among agro-pastoral communities exacerbated by return.
3. Between farmers and traders.
4. Between returnees and labor on mechanized farming.

Concerning land tenure legislation, the study cited that there are tow mandates along with parallel legal systems operating in South Kordofan. The governments stance that "all the land belongs to the government", and the SPLM's stance is that "all the land belongs to the people". These are diametrically opposed positions. During the war, SPLM rejected statutory law favoring a system based on customary law, which is still operating in former SPLM controlled areas today in the absence of legal reform. The study, however, appreciated the power-sharing protocol of the CPA, which adopted the establishment of the Land Commission in South Kordofan State as well as Blue Nile, for the following purposes:

1. Reviewing statutory licenses and leases on customary properties.
2. To recommend required changes including redistribution or payment of compensation.
3. To advice local and state government on required new tenure policies and administration.

### **3: Conceptual Framework**

#### **3.1: The Concept of Land**

Land is a product of natural forces, and is defined as a part of the earth's surface with different characteristics used for human activities such as residence, industry, agriculture and for other purposes (Yahya, 2008). FAO defined land as a parcel that constitutes all natural and economical elements that affect land-use patterns. The concept of land is an object of capital value capable of being owned and used by its owners to maximize economic return. Land in this sense is a bundle of rights and obligations, which are defined and protected by the legal system of a country or society in which land is located and also it is an effective variable to restore or deflate the political or security unrest (Gnaim, 2001).

#### **3.2: The Concept of Land Use**

The phrase "land use" means the method of land exploitation (Graham, 1944). It reflects the function of land, which often has economic significance (Manion, 2004). Although there are many different meanings of land use, all of them include the comprehensive concept of land functions as well as human activities on nature. The broader concept of "use" includes all the activities that have been practiced by man in order to benefit from available natural resources, whether in rural or urban areas. The rural use of land comprises agriculture, grazing, woodcutting, charcoal making and any other traditional uses of land or resources; whereas the urban use of land comprises the establishment of residential premises and towns and corresponding services activities and manufacturing.

#### 4: Land Tenure Legislation

The central position of land in economic and social life is a part of the political dimensions generated by the issue of land. Land legislations were essentially conceived in relation to socio-economic development and economic transformation. When Sudan was conquered by Britain, there were two types of land ownership; the first was communal or tribal ownership, namely land owned by the community at large. The second type of ownership was individual ownership which was achieved either by the normal evolution process whereby communal ownership changed to individual ownership, or by grants made by the sovereign state (Ajawin and De Waal, 1999). The last two decades have seen an unprecedented preoccupation with land tenure issue in sub-Sahara Africa and the possible links between land access, poverty and violent conflict in the region (Egemi, 2003). There are many land legislations, which serve to consolidate and further the right of government to withdraw the customary usufruct rights. The most important among these legislations are:

1. The 1905 Land Settlement Ordinance made general provision for the settlement and legislation of claims to land. It states that government had little right to land unless claims to the contrary were proved and made it easier to allocate land for large agricultural schemes regardless of claims to ownership (Craig; 1991).
2. The 1925 Land Settlement and Registration Act, which enable any body that claims title or right on land to be recognized and registered. Title to land as tainted by the common law principles was classified into either freehold or leasehold ownership, which is individual rather than traditional tribal ownership system. Customary rights such as *Dar* and *Hakura* rights in western Sudan are recognized but were never registered under this law. In practice however, the government did not interfere in the administration of customary rights, and any disputes arising over those were solved by mediation, conciliation or even formal arbitration (FAO, 2004. Egemi,2004). The intervention of government in the Nuba Mountains during the colonial era in 1925, was guided by "Improvement Development Approach" rather than the "Transformation Development Approach" pursued in the Gazera scheme (Komey; 2004).
3. Following the above, in 1970 the Unregistered Land Act introduced a dramatic change in land law, and implemented as the first substantive national legislation on natural resources. By a pen-stroke, all unregistered land before the enactment of this Act became governmental land (Shazali, 2002). The 1970 Land Act abolished the right of the Native Administration to allocate the land. Until 1970 the rights of non-registered land were to some extent protected by recognition of the Native Administration and its authority over land, but the 1970 Land Act foreclosed any more than using land, and restricted the rights of native authorities (Yahya, 2008). This made all unregistered land open to possible registration (Ajawin et al; 1999).
4. The Construction Planning on Land Disposition Act (1994) has included new provisions for the compensation of expropriated land which are favorable for land owners and which should be considered as an excellent opportunity for compensation in kind of lost land and property for returnees (FAO, 2004).
5. Current land organization in Sudan depends on the "Sudan Transitional Constitution" (STC) of 2005. Article (186) refers to "the establishment of National Commission of Lands to resolve land disputes and conflicts" and, accordingly, land access should be related to its utilization. However, STC initiates a gradual process to elaborate on and amend legislation that is relevant to land. That is to be comprised of the application of traditional laws as well as local legacy and the international practice and aspects.

## 5: The Field Work (Community Consultation Cases)

### 5.1: Kadugli Locality

#### A- Abu-Safeefa

The name of the village historically refers to a white horse with a long hair, which indicates the dominance of horses in the area in previous times.

The area is multi-tribal, comprising of the pastoralists Hawazma (Baggara), who represent the main tribe, alongside Fellata, Bederia and Nuba Lagory. Hawazma are a group of clans collated to form one tribal group (the branches are: Rawawga, Dallamia, Darjamey, Darfayed, Darniaila...etc.). Rawawga are the dominant clan in Abu Safeefa area.

The meeting was conducted with elders and youth, involving a total of 40 people.

#### Resource management systems

The people's economy is based on agro-pastoral production as the main stay for their life. They experience different types of traditional cultivation (large-scale, small-scale and garden), different kinds of crops (sorghum, sesame, vegetable and fruits), for different purposes (subsistence and marketing). The area is also considered as an area of animal concentration mainly during the summer season (Ar. Masyaf). It is one of the greatest pastoralist centres of the Hawzma (Rawawga) in the eastern part of Kadugli, who move seasonally from this village towards North Kordofan by the beginning of the rainy season and return in mid-October every year. The bountiful available water is, undoubtedly, behind the attractiveness of the Abu-Safeefa village for animal herders.

#### Land tenure

People in South Kordofan believe that every tribe has its own land, which is well recognised by each other. However, pastoralists in general have a tendency for communal ownership of land, mainly pasture land. They think that land ownership should be governmental. Therefore, people of Abu-Safeefa say:

*"Land belongs to the government and we could believe in governmental arbitration for land disputes"*

#### The problems of land use systems and resource-based conflicts

##### 1. The problem of illiteracy

Many people in Abu-Safeefa see that widespread illiteracy, particularly among the pastoralists, is believed to be behind conflicts escalation in the area. Mohammed Ibrahim (Head of the Public committee) says:

*"The great majority of these youth are illiterate and uneducated, more than 80% or 90% of these youths have not ever been given a chance to join schools. That is because of the war that has taken place in the area during the last two decades".*

However, they think that the illiterate people have no care about the encroachment of their animals into the cultivated land of the other people.

##### 2. Mutual accusations

There is often mutual accusation between farmers and pastoralists in Abu-Safeefa. The farmers claim that the encroachment of animals into agriculture and damage of crops are behind conflicts in the area. On the other hand, herders see the narrowness of stock routes, along with an increasing of animal population and the expansion of agriculture, are what cause the unintentional interference of their animals into farms. Some pastoralists attribute the conflict to animal robbery. The problem of stock routes is believed to be essential, as:

*"The areas controlled by SPLM forces are still inaccessible and blocked for herders"*

*movement".*

### 3. Population increase

Many people in Abu-Safeefa claim that in previous times, the human and animal populations were significantly less than today. The increasing number of people has resulted in the expansion of cultivated land. Meanwhile, the pastureland for animal grazing has diminished and suffered from overgrazing.

### 4. Abolishment of laws

Some farmers complain that the abolishment of the Grazing and Agriculture Organisation Act (2000) is behind the encroachment of herders into cultivated land. According to this Act, herders should have start their seasonal migration to the Northern Kordofan by the end of June, and return at the end of March each year.

### 5. Changes in social relations and tribal alliances

Previously, social relations between Nuba tribes (farmers) and Baggara (pastoralists) were stronger, and their mutual relations had elaborated into alliances forming and shared defence. The tribal alliances were not only between Nuba and Arab tribes, but also they were within such tribes.

The commercial exchange had been dominant in the area between Nuba tribes and Baggara. In some areas, Baggara-Nuba relations were even much closer than protection agreement with some Baggara. Intermarriages were also recorded. A male elder in Abu-Safeefa says:

*"We Arabs and Nuba are brothers before the broke out of the war. The war had forced many Nuba people and Arabs to abandon their homelands to Kadugli and other towns of Sudan mainly Khartoum. We had co-existed peacefully even during the wartime. We Hawazma (Rawawga) have conducted an agreement with SPLM/A during the wartime for commercial exchange.*

In spite of some disturbances to inter-ethnic relations, centered on some occasional disputes over resources, the various ethnic groups in South Kordofan, particularly Nuba and Baggara, have co-existed more or less peacefully for more than 200 years. However, through time, all such tribes were confronted by some inter- and intra-community disputes and conflicts, and every group's clan have practiced conflict and raids against each other (El-Imam, 1999). In the past, all problems and disputes were resolved at annual conferences between Nuba *Mekks* and Arab *Sheikhs*. These conferences were held on a neutral area (***Bohayrat Elabyad***), and satisfactory solutions were reached according to the tribal dominant traditions.

### 6. The emergence of educated elites and NGOs

Some people in Abu-Safeefa believe that the educated people are behind their subsistence crisis. They think that the educated elites have caused the ordinary problems between resources users, the socio-political dimensions. One of them says: *"before the emergence of the educated people and writing of the events, everything was good and our social relation was in a good condition"*. Some people see that NGOs have to translate their studies into actual developmental projects. In this context, they take a wide vision towards SOS Sahel to promote a new page of cooperation.

## **Land Commission**

Unfortunately, the great majority of the inhabitants in Abu-Safeefa, (87.5%) of the attendance have never heard about the Land Commission and thereby, they do not know the mission of it. However, after their understanding the role of the Land Commission they recommended that:

1. Community consultation should be conducted before any process of land demarcation or redistribution.
2. Pasture lands and livestock routes should be taken into account in the process of land demarcation.
3. There is no ownerless land in the surrounded area; therefore there is no vacant area for

demarcation.

4. The Land Commission would be working against our interests if it attempted to distribute or demarcate our surrounded vacant lands (*Ar: Gafar*).
5. We believe in the role of the government in solving the issue of land in South Kordofan region.
6. If the Land Commission is going to redistribute agricultural land, the priority of land demarcation should be given to the local people.
7. We the local community have the ability to obtain mechanized schemes and we could utilise them if we were given a chance.

### Observations

Some people in Abu-Safeefa seem unsatisfied with the discussion of land issues, and are very aggressive in their expressing their discontentment. They think that there is an implicit scenario behind our meeting and they feel that there is a project to drive them off from their ancestral land. Of course, any kind of change would be rejected.

### Meeting with Women

The role of women in resources utilization in the area is crucial. It seems that the contribution of women in land-use systems is very effective through either working on cultivation or in the herding system, thereby engaging in pastoral life side by side with man. However, the role of women in South Kordofan State is inextricably similar and homogeneous. Therefore, this meeting as a case is highly representative in showing the real situation of rural women in the area. The consultancy team has managed to meet with a sample group of rural women from Abu-safeefa and El-Saraf El-Ahmer Villages. Their opinions are can be jointly described as follows:

1. The women appreciate the value of land as a source of grazing, wood lots and agriculture and forestry products.
2. All women see that the land should be distributed according to law and everyone can own his plot.
3. They cited that the problems of land-use are always occurring because of disputes between farmers and herders mainly, during the rainy season with peak in harvesting time.
4. They claim that the problems over cultivated lands escalate during the opposite migration of the pastoralists and they suffer from the encroachment of animals into their near farms (*Jabareek*), which are cultivated by women.
5. Concerning land ownership among them, the women mentioned that they have no real ownership for land. Their only have ownership on the near farms lands (*Jabareek*). Batoul from Abu-Ssfeefa says:

*"I have been given a donkey-driven car from IFAD Income Generating Activity Project to support my family income. But my husband has taken it and uses it for his own purposes, leaving me behind from the access to the car income"*

This case represents the situation of women ownership in the rural areas in general. i.e. that women have no chance to own something at all).

6. For solving the problems of land ownership, the women recommended the following:
  - (i) Awareness sessions should be held among men to introduce them to the importance of women's ownership.
  - (ii) Orientation should be made for the NA leaders to accept the principles of women's ownership.
  - (iii) Initiate women groups' advocacy to raise the community awareness of women's ownership in general.
7. Regarding land-use problems the women recommended the following:
  - (i) Land laws should be activated to solve any disputes.
  - (ii) The traditional laws must be improved.
  - (iii) Water points for pastoral activities are crucial.

## **B- Kadugli Native Administration**

The meeting in Kadugli was conducted with the community leaders (all of them are Nuba farmers).

### **Resource management systems**

All the leaders of tribes in Kadugli have confirmed that the people of the area are farmers and they also own livestock. They believe that natural resources in the area are bountiful and could meet the needs of resource users. Before the wartime, conflicts over natural resources utilisation were few and far between. This was due to the characteristics governing relations between herders and farmers (before the breakout of the war and until the late 1980s):

1. The farmers were given enough time for cultivation and harvesting without any disturbances (until the end of March).
2. The mutual social relations between the tribes of the area were good.
3. The livestock population was less numerous.
4. The disputes and conflicts between farmers and herders were resolved through annual conferences of Native Administrations.
5. The tribal alliances between Nuba and Arabs were very strong and respected.
6. In previous times, the pastoralists could never return from their seasonal migration to the area until they obtained permission from Native Administrations.

Native Administrations in South Kordofan, mainly in Kadugli, think that the war has impacted negatively on resource management systems in the area:

- a. The war has decreased the space for practicing agro-pastoral activities.
- b. Population groups as well as livestock numbers have increased and are concentrated in the secure places because of displacement.

### **The causes of resource-based conflict in the Kadugli area**

All the attendees of the community meetings in Kadugli believe that conflicts between pastoralists and farmers have unfortunately increased during the last two decades. They think that conflicts are going to reach unprecedented levels among the inhabitants of the area to the extent that they will destroy the viability of social fabrics for the people of South Kordofan. The community leaders in Kadugli, for instance, believe that the CPA has increased conflict among the people rather than reducing it. There are many causes of conflict escalation between pastoralists and farmers. The most significant of these are as follows.

1. There is evidence that herders have deliberately let their animals onto farming land, as all animals have encroached upon the cultivated land rather than just some of them. In many cases, the encroachment even reaches the house farms (*Ar: Jabareek*). In this context, farmers have remarked that the problem of pastoralists is not due to the stock routes and their narrowness; it is rather a problem of attitude. Many farmers and even some herders cited that it is a culture of pastoralists to feed their animals from cultivated crops so that they may pass the summer season energetically. However, it is worth noting that the people of South Kordofan in Kadugli Localities confirm that the Fallata Ombarraro, for instance, always take care of their cattle and prevent them from entering the cultivated lands. Idris Abbakar from Fallata Ombararro says: *"I have neither sentenced nor entered my cattle into cultivated land since the beginning of my life (Ginazia, 5.2.09)"*.
2. The herders return early from the north (by the beginning of October), before the end of the cultivation season and before harvesting time, which leads to crops being damaged and thereby bringing farmers and herders to direct confrontation.
3. The farmers have pointed out that encroachment comes from moving cattle rather than static farming.
4. Farmers complain that pastoralists owning weapons is a critical problem.
5. The 2001 ordinance, stating that herders should start their seasonal migration to the north on 30<sup>th</sup> June and return on 31<sup>st</sup> March annually, was abolished.
6. The application of the law is weak, resulting in complaints from community leaders that the



punishment is rarely relevant to the crime.

7. Land value has increased as a result of population increase, the expansion of the crop market and the emergence of crop commercialisation.
8. The settled farmers complain that their girls are annoyed by some young herders, which lends a moral dimension to the issue of conflict.
9. There is a shortage of water sources that are appropriate to animal consumption, and the water sources for human consumption are surrounded by traditional basins (*Ar: Tabaraibs*) for animals' drink.
10. One of the very disquieting features for the people of Kadugli area, is that the emergence of camel owners (*Ar: Abbala*). These people used to cut down trees to feed their animals as well as to produce charcoal, causing environmental degradation in the area during the last decade.

### **Solutions of resource-based conflicts**

According to the meeting with community leaders in Kadugli, the following procedures could be a suitable solution for the problem of conflict over natural resources in the area:

1. It is a prerequisite to maintain clear legislation for the resources users (mainly farmers and pastoralists). Some people believe that lashing and prison for the aggressors would be than financial punishment to reduce the encroachment of animals.
2. It would be beneficial to create a South Kordofan investment map, concerning land use systems (cultivation, grazing, woodcutting, residential lands....etc), to promote explicit principles for all activities related to land.
3. The South Kordofan Organization of Agriculture and Grazing Act of 2001 (Number: 15), should be activated. This adopted a comprehensive procedure for the arrangement of agro-pastoral activities (see Egemi, 2008). It determined a limited time for the seasonal migration of herders and organised grazing activity and stock routes.
4. Farmers and pastoralists believe that besides specifying obligatory stock routes, ensuring water sources for both human and animal consumption could reduce conflicts between farmers and pastoralists. However, it is very important to determine places for herders' transitory settlements (*Ar: Nuzul*), which should be far away from villages, farming and water sources of human utilization. Furthermore, it is better to enhance ordinance to determine harvesting time for farmers on one hand, and the time for herders' return migration.
5. It is a necessity to bring farmers, pastoralists and community leaders all together to conduct a thoughtful conference discussing how to utilize the resources in a peaceful manner.
6. The role of SOS Sahel International UK is reliable in reducing the problem of resource-based conflicts in South Kordofan, through adopting comprehensive strategies such as establishing water sources for livestock consumption.
7. Explicitly, there is a consensus among the people of South Kordofan that awareness and orientation programmes would be important for any effort to reduce resource-based conflict.
8. The gathering of the weapon by herders or carrying of weapon near cultivated land should be forbidden.

### **Land Tenure Issues**

The characteristics of the South Kordofan traditional land tenure systems are as follows:

1. Each sub-tribe holds its own land.
2. Each village holds land on the sub-tribe land.
3. Each clan holds land within the village holdings.
4. Each household holds land within the clan holding.

Such holdings include actually cultivated land, land reserved for shifting cultivation as well as extensions resulting from population increase. However, land tenure systems in South Kordofan have undergone several changes and are affected by the land tenure arrangements and legislations in Sudan during the last century, particularly the Unregistered Land Act (ULA) of 1970. Despite the crucial impact of all applied legislation and laws that are relevant to land tenure aspects, there is special consideration given to the ULA. Until 1970, the rights of non-registered landowners were to some extent protected by recognition of the native administration and its authority over land, but the 1970 ULA foreclosed any more than use rights of

unregistered land, and restricted the rights of native authorities. That made all unregistered land open to possible registration. The ULA introduced a dramatic change in land law, and paved the way for a major transformation in land access and utilization in the area. By a pen stroke, all land unregistered before the 1970 become government land, and was deemed to be registered in its name. Peasants and traditional farmers alike have been affected by the implementation of the ULA, as all rural lands of the traditional farming areas are now considered as governmental land. The new tenure system grants the government the right to appropriate land as it wishes. The tradition among tribes and surrounding areas of the villages could enhance the right of land acquisition for agricultural purposes, grazing and woodcutting, and agricultural land could be obtained through cleaning of the virgin land and practicing agriculture.

The people of South Kordofan have confirmed that the value of land has transformed and been very expensive for the inhabitants of the area, compared to previous times. Some people complain that some of the landless groups have struggled to gain land. There are some bodies inciting the people to access and own land, however, the community leaders, mainly in Kadugli, noted that although all cultivated land is individually owned, not all unexploited land is ownerless or vacant in the strictest sense. Traditionally, there were two types of land ownership in South Kordofan: individual and common ownership. The problem of land tenure in South Kordofan is due to the legislation of land ownership (mainly the 1970 Act), which has been described as unfair. In the context of land tenure issues, the community leaders and stockholders in Kadugli believe that:

1. Modification of the legislation related to the people's livelihood is crucial, and the authority should be given to native administration and the convention.
2. Demarcation of land (residential or agricultural) without popular consultation will be rejected and resisted.
3. We community leaders in Kadugli want to have recognition from the landless tribes who have settled in our land.
4. Land belongs to the proprietor. It might be passed on to others to use, but it can only be permanently obtained through abandonment by the genuine proprietor.

**Observation:** Some Nuba people are talking about their boundaries, which extend from mountain to mountain.

### **Recommendations to the Land Commission**

Concerning the Land Commission, the Community leaders in Kadugli recommended the following points:

1. Firstly, we community leaders are awaiting the emergence of the Land Commission.
2. The main task of the Land Commission before starting its work is to educate the people about the importance and nature of its procedures.
3. We community leaders are in need of mutual dialogues through undertaking conferences for the tribal leaders, and under sponsorship of the government and land commission to discuss the issue of land tenure.
4. It is very important for the Land Commission to depend on the Native Administrations, the experts (elders) and the ancient maps before the beginning of land demarcation. In this context the Land Commission could be treated as an observer. Notably, some people pointed out that there is no consensus over Native Administration, which was appointed by the government, and thereby it has no authority over land.

### C: Ginaziya Returnees

The Ginaziya village is considered to be one of the war affected areas, as all the inhabitants were forced to abandon the place. However, many people of the village have returned after the CPA and engaged in their traditional activities.

#### Resource management systems and land-use problems

Agro-pastoral production was the mainstay for the displaced people of the Ginaziya mainly before the breakout of the war. However, the cattle owners of the village have lost their animals and have become less nomadic than before. They have been transformed into pure farmers, despite some of them starting to regain cattle and some goats. Many previously uncultivated lands have recently been exploited.

As result of signing the CPA, all the inhabitants of the Ginaziya (Nuba Moro) have come back to the area, and some new groups (from Moro tribes) have also settled in the village. It is notable that the new groups have preceded the genuine inhabitants after the CPA. Although there are no recorded disputes between the new settlers and the returnee people of the Ginaziya, there is nonetheless renewed competition between communities of the area for increasingly scarce resources. Many virgin lands have been attached, and the expansion of agricultural land led to disputes over the boundaries of land with the Shawabna tribe in Agab village. The encroachment of the Baggara animals into farms is also something of an obsession amongst inhabitants. The people of the Ginaziya believe that there is no conflict over land within their tribe and that there is enough land for everyone, nevertheless, the existing or potential intra-conflicts will be resolved peacefully. Their desire is to see their all displaced relatives return back to their main home.

Concerning the Land Commission, the returnees of the Ginaziya village believe that land should be the property of the community rather than of the government. They have been thinking of land demarcation to secure their property for the next generation. It is observed that these people still believe in two governments (SPLM & GoS).

## 5.2: Dallanj Locality

### A- El-Fanda Returnees

The case of El-Fanda is similar to the Ginaziya, but they face different forms of land issues. Cultivation and domestic animal breeding constitute the major activities within the community.

#### Land-use systems and problems in El-Fanda

In previous times the rainmaker (*Kujoor*) was responsible for land allotment, while there were no boundaries between the dominant tribes. Land was a tribal ownership, and a member of the tribe only owned his cultivated land.

The inhabitants of this village were all affected by the war and not all of them returned collectively. The last people to return found their agricultural land occupied by others, but according to their local customary laws, all land that was uncultivated land or fallow for more than three years would become ownerless land and could henceforth be exploited by any other person from the same tribe. Because they spent more than three years away before their return, anybody could cultivate any parcel of land.

#### Recommendations to the Land Commission

Concerning the Land Commission, the inhabitants of the El-Fanda believe that land demarcation may lead to a conflict crisis, so they think that land should be the responsibility of the government. They offered the following suggestions:

1. The Land Commission have to conduct a meeting for neighboring tribes to discuss the issue of land and to reach a suitable conclusion for the problem of land ownership.
2. The unity government as well as the Land Commission should have to listen to the desires

of the citizens.

3. The government should make a firm decision to reduce obsessions about land ownership.
4. The people of the village believe that the issue of land could be resolved peacefully, and they stress that they could leave some of their lands to others tribes for the efforts of co-existence and peaceful manner.

## **B- Habila**

Habila was a mechanized schemes area, and the whole population had adopted agriculture before the broke out of the war. During the wartime, many herders fled to Habila, which thus was transformed to a grazing as well as agricultural area. The new settlers in Habila are not only animal owners, but also some of the local inhabitants have engaged in animal breeding side by side with practicing agriculture. This new aspect has caused many problems and led to a circle of conflicts over diminishing resources, mainly between farmers and pastoralists.

### **Problems of land-use and causes of conflicts in Habila:**

There are many reasons behind conflicts in Habila, the most important among which are:

1. Many people in Habila area are claiming that the majority of the mechanized schemes had been allotted to outside investors, called *Jallaba*.
2. The schemes were extended at the expense of the local traditional activities. Therefore, because of mechanized schemes, many peasants, in some cases many villages have been evicted or completely removed.
3. Although the government applied redistribution programmes for agricultural schemes during the last decade, the real beneficiaries from such programmes were the already large-scale owners, rather than peasants who are the neediest group.
4. The mechanized farming has blocked some of the stock routes. People are talking about the blocking of three routes out of the five that pass through the Habila area.
5. The friction between farmers and herders around water points, which are surrounding the cultivated schemes.
6. The attitude of some farmers who used to grab the cattle to extort herders slyly.
7. Bush fires: Some farmers are intentionally and unintentionally burning fires in rangelands, which has been recognized as an important problem. In the past, the government had used to establish firebreaks or protect grazing areas from burning, however, in recent years there has been a lack of campaigns to carry out this essential work.

### **Solutions**

The meeting attendees have adopted the following recommendations as solutions to their conflicts:

- 1- It is better to undertake legislation to organise agro-pastoral activities.
- 2- They require the government and SOS Sahel International UK to help them to establish water sources for pastoralists and to be far away from cultivated lands.
- 3- The illegal weapons should be gathered.

### **Recommendations to the Land Commission**

Although Habila has emerged as a centre of mechanized schemes all over South Kordofan, and is considered as a multi-tribal area, the community is talking about the importance of redistribution of the schemes. The area historically belongs to the Habila tribes, however the minorities and tribes that live in the area for a long time have to be treated as citizens and involved in community consultation. Community consultation should be the first step for the Land Commission, and the genuine landowners should be taken into consideration.

## **C: Dallanj**

The consultation meeting was composed of the key informants in Dallanj community. Mainly, the meeting members covered Native Administration leaders, farmers, and representatives from

pastoralists and farmers' Unions. Dallanj area has a multi-inter mixed tribal system, based on early social processes which manifested in total social transformation as observed recently.

### **Resource Management Systems in the Dallanj area**

Recently, there has been considerable change in land-use initiatives. In the past, land was cultivated by a traditional mode of production. But now the mechanised technique has become a focal issue in land-use, specifically in the Habila area, and this has led to devastation of the cultivated land at the expense of peasants and herders. This modern technique was not associated with comprehensive plans to make equitable use of natural resources in the area. The NA leaders within the meeting raise this point (Gulfan and Kawaleeb Tribes' leaders). They also mentioned the negative effects of land-use expansion, which brought workers from outside, a situation which created extra pressure on the land as the agricultural workers began to settle and to make village clusters.

### **Land Tenure Systems**

The people of Dallanj voiced strong opinions on land tenure systems. They raised the issue of land registration laws, mainly the 1970 law, which resulted in a negative solution to equity of land distribution. However, the Unregistered Land Act (ULA) of 1970 was a turning point in land tenure in the area. Land ownership processes were deliberately orientated towards well-off farmers. The package of agricultural support is diverted to the better-off farmers. Beside that, there is a common consensus that the tribe should own land within the tribe boundaries, but this ownership is under mutual responsibility between the NA leaders and the government authority. Still the land ownership is tied with the communal and tribe mandate as observed in many countries in Africa. The administrative boundaries are always demarcated according to the tribal boundaries. In general, the NA leaders required that there is a need to establish an equitable dialogue between the government and the community leaders, based on the fact that in principle the land ownership materialized by the tribal system as the focal point in land-use, and then to be trickling down to any other use for all the Sudanese.

### **Land-Use Problems**

#### ○ The Problems of Agricultural Expansion

The expansion of agricultural activities had repercussions on natural resource use, as follows:

1. Problems occurred in water points around the agriculture plots, due to establishing some source of water near the routes of the livestock.
2. Livestock routes have changed during the last two decades because of the war.
3. The expansion of modern mechanized farming at the expense of the traditional mode of production.
4. Increase in human population and livestock units, which raised density against natural resource use in the area.

#### ○ Land legislation and land-use

The repercussions of land registration and redistribution have become a leading phenomenon, accentuating other problems and causing security unrest and affecting comprehensive social mobility in resource-based conflicts.

### **Recommendations to the Land Commission**

1. The NA should be strengthened to play its role perfectly, because previously the people were organised according to the NA plans and each tribe has its demarcation and boundaries with other tribes.
2. The LC should know that on primary bases, the ownership of land is belonging to the tribe, while the government supervises its distribution in a flexible way.
3. The LC should look at the issue of land from a national angle, to secure the rights of all the Sudanese equally.
4. The LC should prepare its mandate with principles and laws for land access based on the existing customary laws.
5. The LC should start with a comprehensive campaign and awareness for the NA leaders

before start to normalize its mandate.

6. The LC structure should consider representing the right persons who have well-oriented experience with land-use traditions.

### 5.3: Rashad Locality

#### A: Rashad Meeting

The main activity of the inhabitants is traditional agriculture, which includes small-scale cultivation in the clay plains and garden cultivation. Terrace cultivation also occurs in the Rashad area as well as Abbasiya. For marketing purposes, the local farmers have adopted vegetable farming (mainly tomatoes) in recent years. It is notable that the area has also been known as an area of fruit production (mainly mango).

Rashad locality has principally been considered as an area of wet season grazing (Makharif), where there are two routes for stock passing through Rashad area. However, some of the grazing sites are used for both wet and dry season grazing (Masaif) a condition that accelerates degradation and increases competition and conflict over natural resources.

#### Problems of land use systems and causes of conflicts

According to the meeting with stakeholders (community leaders) in Rashad town, it seems that the area has been suffering from the following problems:

1. The problem of *Makharif*: Because the area is considered as *Makharif*, the transitional locations for herders' settlements (Nuzul) are much closer to the villages and farms.
2. The settled farmers have suggested some places to Nuzul, but the herders believe that their traditional sites should be respected and secured from the farming process.
3. The encroachment of animals on cultivated lands is a crucial problem. The farmers complain not only about the moving herders, but also about animals owned by local people.
4. Some people believe that the opposition and friction between the SPLM and National Congress (NC) party is the main problem, which affects the traditional peace mechanism for resource management systems. The interference of the SPLM on one hand and the NC on the other gives the problem over natural resources access the political dimension.
5. The head of the herders' Union in Rashad said that cultivation on pasturelands and Makharif is the main issue.
6. The problem of the Imaginary Fences (Ar: Zarayib El-Hawa): This is one of the new phenomena that have taken place in Rashad locality (Rashad & Abbasiya) during the last decade. Herders complain about the emergence of some fences made by the settled people in Rashad and Abbasiya. According to the farmers and the settled people, these fences are to attach a parcel of grassland to prevent pastoralists from using it to graze their animals. Regarding the pastoralists, this is a new feature increasing the crisis, and some of them see that it is used as a snare to extort herders.
7. Cultivation of the vegetable around and near water points: Herders claim that in some cases it is difficult to access water points without passing through such farms.
8. The security situation in the far southern parts of South Kordofan has influenced the traditional movement system of the pastoralists to the extent that some of them are forced to settle with their animals. This has caused overgrazing and the accumulation of animals.

#### Solutions

The meeting concluded with the following suggestions as solutions to their problems:

1. The government has to maintain military forces for organising the in-and-out herders' seasonal movement.
2. The problem of Makharif and Nuzul have to be discussed and pending review.
3. Promote water and veterinary services for animals.
4. Enhance education services mainly for pastoralists.
5. The attendees concluded: "*we believe in the role of SOS Sahel International UK to help us to find a suitable outlet for our resource-based problems*"

### Land Tenure in Rashad

It seems that the mode of the community leaders in Rashad, to some extent differ from the others in Kadugli, Dallanj and even Abbasiya. The community leaders who attended the meeting stressed that land is for everyone who lives in the area. Although the community leaders have their own land in the outskirts of Rashad town, they see that the government could distribute the residential lands to promote the development of their town. However, the political leaders and the successive government have interfered and altered the traditional system of Native Administration, which was based on equal opportunities for land distribution and access.

### Recommendations to Land Commission in Rashad

The community leaders in Rashad locality mainly in Rashad and Abbasya towns have recommended the following.

1. Our desire is to see a real Land Commission.
2. Community consultation for the mandate of the Land Commission is a crucial step.
3. The urban lands have to be under government responsibility, and *"we community leaders could agree with demarcation of the urban lands of Rashad while agricultural land should be under our responsibility"*.
4. The Boundaries between the localities should be discussed and reviewed.
5. Land-use systems have to be tackled to remove the prejudice and maintain a comprehensive and integrated system.

### B- Abbasiya meeting

Agriculture constitutes the mainstay for the people of the area. The area has experienced many types of agriculture (large-scale, small-scale, mechanized, garden, and terrace). However, the area is rich by minerals (gold & iron) and also marble, which gives it special consideration among the local people who are thinking of how to utilise it. The area is also widely known as a commercial centre for agricultural products and livestock units.

### Main problems of land use in Abbasiya area

There are many problems facing the local people according to community leaders in Abbasiya, the most important among which are:

1. There are many farmers talking about systematic killing of farmers in their farms, and the main accused are the herders in the area.
2. The people claim that many of the local farmers have abandoned their fertile farms due to fears over this systematic killing.
3. The problem of the irrational use of woodcutting, which causes environmental degradation in the area.
4. Settlement of some pastoralists: The community leaders in Abbasiya are claiming that some pastoralists (they mean Messeriya) used to settle, with their animals, around Abbasiya, particularly in the eastern part, which complicated the problem of animals accumulation. The head of herders' Union vindicated that the settlement process has taken place in the area for more than 60 years.

**Observation:** The implication here is that there is a movement among the local people of Abbasiya to remove Messeriya from the area. Undoubtedly, this process will be resisted and rejected.

5. Some people complain that Native Administration systems are very weak at organising resource utilisation or solving the problems that emanate from such aspects.
6. Some herders claim that the pasturelands for grazing are not determined or conservative.
7. Concerning mechanized farming in the area, the Abbasiya leaders confirm that the majority of the schemes (estimated 80%) have been allotted to outsiders. Although some of the local people have a financial ability to utilise the schemes, they were never considered.
8. Native Administration leaders have pointed out that there is a problem over boundaries between the neighbouring states (White Nile & North Kordofan).

9. The grazing lands are scarce and diminishing.
10. The widespread of the illiteracy particularly among herders.

**Observation:** Although Abbasiya is a wet season grazing area (Makhraf), conflicts between farmers and herders escalate during harvesting time.

### **Solutions**

1. Specification and conservation of the grazing lands, and (Makhraf) in a clear manner.
2. Prohibit cultivation or settlement on grazing lands, (Makharif), and (Nuzul).
3. It is important to adopt a capacity building programme for resource users to train them in resource management and conflict resolution.
4. Encourage early movement for pastoralists (by the beginning of the October).

**Observation:** Concerning the schedule of the pastoralists for their seasonal migration, it seems that the suggested solutions by farmers and herders contradict each other. In the Masyaf areas (such as Kadugli and Dallanj) farmers see that it is better to direct pastoralists to return late (by the end of March), meanwhile, farmers in Makhra) areas (such as Rashad and Abbasiya) support the encouragement of pastoralists to move early (by the beginning of October) towards their Masyaf areas. Explicitly, this issue is in need for to compromise its perspectives.



## 6: The Conclusion

The study, based on consultation meetings in the three localities (Kadugli, Dalanj and Rashad), produced the following results:

1. The study shows that South Kordofan State is a very rich area in natural resources, with various types of soils, rainfall, and vegetation cover. This has resulted in a variety of human activities, particularly those relevant to land use systems. Agro-pastoral production constitutes the traditional system as well as the mainstay for the majority of the people of the area.
2. The study illustrates that the tribal differences have affected the mode of production: where the Nuba tribes are agriculture-dependent, the Hawazma and Messeria tribes are pastoralists. Therefore, competition and attritions between farmers and pastoralists take ethnic dimensions due to the economic interests of the resource users. This was evident in the cases of Abu-Safeefa, Kadugli, Dalanj, Habila, Rashad and Abbasiya meetings. The meetings in Abusafeefa (pastoralists) and Kadugli (Community Leaders), for instance, show the disparity of the respondents' opinions on the issue of land, according to their applied activity. The tribal dimension in these two meetings is clear; where the Hawazma in Abu-Safeefa believe that land should be governmentally organised, the Kadugli consultation meeting reveals that land should be organised by tribal leadership.
3. The study has discovered that the historical social relations among the farmers and pastoralists (Nuba and Baggara) were distinguished by uneasy integration, unprecedented reciprocal dependency and cooperation in several aspects. Intra- and inter-competition, and conflicts over natural resources have replaced the previous peaceful co-existence.
4. The study confirms that resource-based conflicts have progressively increased and intensified during the last years to become an existential daily reality that shapes all aspects of the populations' livelihoods in the area. However, the analysis of resource-based conflicts and clashes between farmers and pastoralists show that the cases of the three localities are highly varied. The Rashad locality is considered as a wet season grazing areas (*Ar: Makhruf*), Kadugli is a dry season grazing area (*Ar: Masyaf*), while Dallanj is a transitional and crossing area for pastoralists. This situation should be considered in developing sound "Zonatic Development Plans" to cover comprehensively the recent changeable environment in the region.
5. The study reveals that there is mutual accusation between pastoralists and farmers over who is responsible for the escalation of resource-based conflict. According to the pastoralists (in Abu-Safeefa) and the Chiefs of Herders' Union (in Dalanj, Habila, Rashas and Abbasiya), the settled people and farmers are responsible for these conflicts. They claim that cultivated land has extended at the expense of the stock routes (as in Habila). Many farmers as in Rashad and Abbasiya have cultivated either on the grazing areas, or around the water points for animal drink. On the other hand, the farmers (in three localities) have attributed the escalation of conflict to the intentional encroachment of the pastoralist into cultivated lands.
6. The study shows that the expansion of some urban centres (Kadugli, Dalanj and Abbasiya) is considered one of the obsessions for the local inhabitants who see that the expansion processes are at expense of their ancestral lands.
7. Although the returnees in Ginaziya as well as El-Fanda are complaining that they lost some of their previous agricultural lands, their problem seems to be resolved without any outside interference and according to their local customs.
8. The study concludes that the opinions of the people in South Kordofan seem to be coincidental regarding the task and mandate of the Land Commission.
9. Another observed fact is that, the issue of land is now causing considerable tension, from the community members' side and from the outside observers. This situation on land issues is associated with the CPA phenomenon, as far as the Land Commission is concerned. Therefore, scaling up awareness among the tribes of the issue of LAND means that a new approach should be developed, in terms of development policies or the judicial aspects regarding such developments occurring in land rights.
10. What can be developed now through the mandate of SOS Sahel UK in the region is to start formulating a longer-term master plan to consider all the cross-cutting issues regarding land

use/access and rights.

### **Recommendations**

1. The political and the security unrest are cross-cutting issues, observed now and positively governed by the recent tensions caused by the variables of land-use demands. These issues need more analysis in order to approach the right solution.
2. SOS Sahel UK's programme in South Kordofan is challenged to some extent with a comprehensive and integrated development approach that formulates sound development projects to answer the needs of both the nomads and farmers.
3. Software work should be developed among the Native Administration leaders and community members to reintegrate the ongoing social changes with the previous missing tribal values and customs (in particular the peace building and development-oriented training packages).
4. Further research is needed, mainly to trace the scattered historical events in the field of community-based solutions to the disputes among the community members over land use (the lessons learned from historical events).
5. Land demarcation maps for agricultural investment or any other public purposes should be associated with mutual consultations between all land users (NA, farmers/nomads unions, key people at grassroots level) in order to avoid any tensions.
6. A comprehensive master plan for the natural resource management and use is badly needed to be developed, so that a package of solutions in terms of environmentally oriented development programmes could be based on this.
7. The awareness of both farmers and nomads must be raised, mainly to know that the land use process is an exchange variable between farming and grazing equally.
8. The Land Commission, as an institution to be established as part of implementing the CPA matrix, needs to consider the Native Administration system as a starting point to modify its theoretical background on the issue of land in the Nuba Mountains region.
9. Collective meetings between tribes (nomads and farmers households), are to be conducted in order to narrow the gap of mutual understanding and develop further compromises in land use issues.
10. The zonal planning approach should be introduced as far as the environmental changes are concerned (e.g. the continuous land degradation at the north of South Kordofan).
11. The land laws should be revised.
12. Technical workshops on natural resource management should be conducted.

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## **8: List of Community Consultations Meetings**

### **I: Abu Safeefa Group Discussion Members**

40 participants in total, the following are the NA leaders representatives:

1. Sidigg Mohammed Suleiman (Umda)
2. El Izarig El Badawi (Sheikh)
3. Mohmmmed Ibrahim El ebaid (Sheikh)
4. Jamea Gashmait (Sheikh)
5. Koko Daibis (Sheikh)
6. Ahmed Mohammed El day (Sheikh)
7. Hamid Saadan (Sheikh)
8. Ibrahim Othman (Sheikh)
9. Adam Ahmed (Sheikh)
10. Mohmmmed Sulayman (Sheikh)
11. Hannow Ali El basha

### **II: Ginaziya Group Discussions Members (Returnees):**

1. Gibreil El Haraba (Sheikh)
2. Ali Turok (village member)
3. Ismaeil Khamis (village member)
4. Boleece El Haraba (village member)
5. Ismaeil Khafeer (village member)
6. Idris Abbaker (Fallat tribe)

### **III: Kadugli Group Discussions Members:**

1. Abdalla El sanosi (Sheikh of Kega Lumon)
2. Aballa Kowa (Sheikh of Takko)
3. Dawood Shukralla Kanno (Umda of Kadugli)
4. Mohammed Kawaga Kannar (Sheikh of Lagori)
5. Hamadein Maala Kanno (Deputy Umda of Sabbori)
6. Omer Tawor Tiya (Sheikh of Tafarey)
7. Hassan Abdella Kafi (Mek of Merri)
8. Hassan Abdella Tutu (Umda of Tafarey)
9. Billal Elnimeer Ismaeil (Secretary of Damba NA)
10. Dedan Kojoor Tiya (Damba Umda deputy)
11. Ramadan Kabsoor Marfeen (Sheikh of Kadugli)

### **IV: El Fanda Group Discussions Members (Returnees case):**

1. Abbasher Ali Karkoj (Sheikh)
2. Dammeer Hammad Demo (village member)
3. Gaafar Adam (village member)
4. Hassan Tera Musa (village member)
5. Omer Peter Khaleifa (village member)
6. Fad ellala Bero Abboud (village member)

### **V: Habila Group Discussions Members:**

The meeting attended by more than 20 people, including a mixture of farmers, nomads, NA leaders and other key informants in the Habila area.

**VI: Rashad and Abbasiya Group Discussions Members:**

1. Hamid Mohammed Hamid (Rashad Commissioner)
2. Abdel bagi Ibrahim (Umda of Tortang-Rashad)
3. Othman Mohmmmed Ahmed (Umda of Rashad)
4. Mustafa Ismaeil El zeibag (Assitant of Rashad Nazerate)
5. Abdella Omer Ajaleen (Umda of Tagilbo)
6. Sagha Ali Himadan (Chief of Nomads union-Rashad)
7. Mohammed Abu baker Jailey (assistant umda of Tabasa)
8. Mahmoud Idris El zeibag (assistant umda of Tagaley)
9. Ahmed Khaleefa Jailey (Sheikh-El abbasiya)
10. Ali Adam Ali (Sheikh deputy)
11. Gaydoun Maali Daf allah (nomads union-El abbasiya)

**VII: Abu- SAfeefa and El-Saraf El-Ahmer Women Group:**

1. Batoul Nimir Ebaid (Abu-Safeefa)
2. Saadiya Hamid Saadan (Abu-Safeefa)
3. Batoul Adam Ahmed (Abu- Safeefa)
4. Bakhita Makeen Dabboka (El-Saraf El-Ahmer)

**Timetable for Consultation Meetings**

<b>Date/ Day</b>	<b>Activity</b>
Monday & Tuesday 2-3/2/09	Reading of References
Wednesday 4/2/09	Field Meeting at Abu-Safeefa Nomad Group
Thursday 5/2/09	Meeting in Kadugli with NA/ Farmers
Friday 6/2/09	Field Meeting at Gnaizya (Returnees)
Saturday 7/2/09	Meeting at Habila (NA, Farmers and Nomads)
Monday 8/2/09	Meeting at Rashad (N Admin. Farmers& Herders)
Tuesday 10/2/09	Meeting at Abbasiya (N Admin. Farmers & Herders)

## 9. Map of Habila-Fayo Livestock Corridors

