



THE CONSEQUENCES OF INACTION

Housing Land and Property in South Sudan

Securing access to adequate housing, land and property (HLP) plays a critical role in facilitating access to a range of human rights, including the right to food.

Importance of HLP in South Sudan

HLP is recognised as a crucial protection concern in South Sudan and numerous issues continue to undermine the full realisation of HLP rights for its population. According to the South Sudan Humanitarian Needs and Response Plan (HNRP) 2024, at least 1.68 million vulnerable people need HLP services. The areas most affected by HLP-related concerns are Central

Equatoria, Upper Nile, and Unity states, where the demand for HLP assistance is among the highest due to the conflict in Sudan that started in April 2023 and resulted in an influx of people seeking safety. Moreover, across the country, HLP challenges have surged, particularly in areas of return due to illegal occupation, forced eviction, and grabbing of properties and land. The absence of dispute resolution mechanisms only compounds the risk of violence, potentially escalating community conflicts. The fragility of the state's rule of law institutions further exacerbates these challenges, leaving many without recourse or protection.

Disputes over land ownership and usage are rooted in historical grievances, exacerbated by ethnic tensions and competition over resources. These disputes frequently escalate into violent conflicts, leading to mass displacement of populations. Displaced communities often flee to makeshift camps or informal settlements where living conditions are dire, lacking basic amenities and security. The inability to resolve HLP disputes and establish clear property rights continues to perpetuate cycles of displacement, leaving communities in a perpetual state of vulnerability and dependency on humanitarian aid.

In rural areas, where agriculture forms the backbone of the economy, uncertain land tenure undermines agricultural productivity and food security. Farmers lack the security needed to invest in their land, resulting in suboptimal yields and perpetuating food insecurity in a country where over half the population faces acute hunger. In Jonglei state, communal land tenure systems intersect with ethnic tensions, often resulting in protracted disputes over land ownership and usage rights. These conflicts not only displace communities but also hinder agricultural productivity, undermining food security in a region heavily reliant on subsistence farming. Despite mechanisms in place to provide timely and flexible funding to meet critical humanitarian needs in South Sudan, there have been significant gaps in addressing HLP issues.

Limited or lack of action and investment in HLP would lead to substantial negative impacts and undermine ongoing development, peace and humanitarian efforts, hindering the nation's development. In 2024, the need for adequate housing, land and property remains acute, exacerbated by ongoing conflict, displacement, and a fragile institutional framework[1].

Millions of South Sudanese lack secure tenure and access to adequate housing, perpetuating cycles of poverty and dependency on humanitarian aid. In urban centres, like Juba and Wau, rapid population growth and urbanization exacerbate the demand for affordable housing and basic services, leading to the proliferation of informal settlements characterized by inadequate infrastructure and lack of tenure security, exposing people to health risks and economic uncertainty. Many residents in these areas lack formal land titles, making them vulnerable to forced evictions and exploitation by landowners. Land tenure insecurity is a pervasive issue, with disputes over ownership and usage rights being common across the country. The absence of clear legal frameworks and effective land administration systems further complicates these issues, leaving many communities vulnerable to forced evictions and land grabbing.

www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-needs-and-response-plan-2024-issued-november-2023.

The consequences of inaction.

Inaction can lead to serious negative consequences for displacement affected people and failure in communities where successes have been achieved. The consequences of inaction typically include inadequate housing, forced evictions, property disputes and land conflicts. The following sections outline short-term and immediate impact and long-term impact, as well as recommendations to donors and humanitarian actors.

Short-term and immediate Impact

1. Heightened Sexual and Gender-based Violence Non-investment in HLP rights contributes to increased vulnerability to gender-based violence (GBV)[1]. Displaced women and girls, particularly those without secure or adequate housing, are at heightened risk of GBV, including sexual violence and exploitation. Inadequate lighting, overcrowded shelters, and lack of privacy exacerbate these risks. A report by the Norwegian Refugee Council has documented linkages between HLP and GBV. This report indicates that insecure housing and land tenure amplify GBV in humanitarian settings[2]. Women and girls are most likely to adopt negative coping mechanisms such as engaging in survival sex or enduring exploitation in exchange for shelter/housing. Moreover, disputes over property rights can lead to domestic violence within households, further endangering women and children.

2. Reduced Education outcomes Schools in conflict-affected areas often double as shelters for displaced families. Lack of housing solutions prolongs this situation, affecting children's education. Investment in HLP and protection of these rights would enable the construction of adequate shelters for people that are displaced, freeing up school buildings for children to return to school. During emergencies and forced displacement, children are at increased risks of violence, abuse and exploitation, and separation from their families, all of which have life-long, devastating impact on their wellbeing and development. Securing educational facilities through HLP is an integral part of child protection and ensures that they enjoy continued access to education.

3. Loss of agricultural productivity and increased food insecurity Securing land tenure is essential for agricultural productivity[1]. Without it, farmers are less likely to invest in their land, leading to decreased yields and increased food insecurity. This situation perpetuates poverty and hampers economic growth. Additionally, agricultural investment drops significantly when land ownership is uncertain, stifling the country's potential to achieve food security and economic independence.

[1] [Women's Land Rights Agenda for South Sudan - IGAD](https://www.nrc.no/globalassets/pdf/reports/nowhere-to-go/nowhere-to-go_displaced-women-seeking-hlp-rights-in-south-sudan.pdf)
[1]https://www.nrc.no/globalassets/pdf/reports/nowhere-to-go/nowhere-to-go_displaced-women-seeking-hlp-rights-in-south-sudan.pdf

[1] [Land and Food Security \(worldbank.org\)](https://www.worldbank.org/)

4. Loss and damage to humanitarian infrastructure and investments

If HLP due diligence and tenure security is not considered at the onset of the response, WASH infrastructures such as latrines, water tanks, water points, water kiosks, water tanks, and shallow wells are among the infrastructures that face the most destruction. In addition to this, community centres and schools/temporary learning spaces also face the risk of destruction. Health centres and other structures such as solar streetlights might be destroyed. Further still, unclear property rights and land disputes deter investment. Businesses are reluctant to invest in areas with uncertain land tenure, limiting economic opportunities and job creation.

Long-term impact

1. HLP violations is an issue of gender equality

The intersection of gender with ethnicity, sexuality, indigenous identity, age, disability, income, legal status and geographical location often compound vulnerability to HLP impacts, exacerbate inequity and create further injustice. Women and female-headed households tend to be more vulnerable to HLP violations, HLP specific losses and damages because of the social, cultural, political and economic forms of marginalisation and exclusion that cause them to have limited access to economic resources, assets, decision-making power and political influence.

Women are more likely to suffer from HLP violations compared to men, and the greater the gender and economic inequality, the greater the disparity between men and women's chances of recovery from the impact of such violations. Women and girls forced to flee their homes, whether because of climate stress, conflict or other stressors, face a double threat. The risk of violence increases both because of their gender and because they are uprooted from normal protective social support networks and public services.

Humanitarian funding must be underpinned by an intersectional gender analysis of the impacts of HLP violations to ensure adequate focus and remedy for women and to address substantive inequality. The role of women as active participants in policy decisions and in implementing the practical solutions to HLP needs is key to preventing and mitigating protection risks.

2. Barriers to self-reliance and sustainable durable solutions

Non-investment in HLP rights creates barriers to self-reliance and durable solutions such as voluntary return, local integration, and resettlement. This hampers efforts to resolve displacement and achieve long-term stability. Durable solutions are essential for reducing the overall humanitarian caseload and promoting sustainable development. For instance, successful reintegration of returnees is contingent on their ability to reclaim land and access housing, which is currently hindered by unresolved HLP issues.

Moreover, self-reliance involves supporting individuals or groups to reach a point of stability and regaining the social and economic ability to meet essential needs and this is key for sustainable durable solutions.

A recent report on HLP[1] states that without addressing land tenure issues, efforts to promote durable solutions for internally displaced populations and returnees remain ineffective. Without investment in HLP, displaced populations remain dependent on humanitarian assistance, preventing them from achieving self-reliance. Long-term dependency can lead to reduced funding or funding being reprioritized.

3. Hinders efforts towards recovery and development Securing HLP rights are foundational for post-conflict recovery and development. Continuous non-investment delays recovery efforts, prolonging the need for humanitarian aid. For example, countries that have successfully implemented HLP reforms have seen significant improvements in stability and economic growth. In contrast, South Sudan's lack of progress in this area continues to impede its development trajectory. The absence of a functional land registry system and the prevalence of land disputes hinder infrastructure development and agricultural productivity, which are key drivers of economic growth.

Recommendations to donors and humanitarian actors:

- **Allocate funding that address HLP rights** By investing in securing housing, land, and property rights, land disputes that remain a major cause of conflicts can be minimized, fostering a more stable and peaceful society. Post-conflict recovery can be catalysed by strengthening security of tenure in areas of return. Agricultural stability can be promoted as secure land rights would encourage investment in agriculture, leading to increased food production while reducing hunger.

Land rights initiatives targeting vulnerable groups would empower women and marginalized communities and promote gender equality and social justice. Securing land and property rights is critical for providing long-term solutions for people that are internally displaced and preventing future displacement. Supporting programmes that establish clear housing, land, and property rights helps build legal and institutional frameworks necessary for good governance. This includes the establishment of land registries, Payam Land Councils and County Land Authorities at the grass roots level.

- **Integrate HLP rights in humanitarian actions** Ensure that HLP is a core component of all humanitarian interventions including in protection assessments. This involves mainstreaming HLP considerations into shelter, protection, and livelihoods programmes. Integrating HLP rights can improve the effectiveness of humanitarian responses and support long-term recovery.
- **Mainstream HLP in all interventions with a specific focus on due diligence and land tenure security** Address HLP issues from the onset of displacement by mapping HLP issues i.e. identifying eviction hotspots and mapping risks; undertake land tenure analyses to inform targeting and potential sites for infrastructure investment; and prioritize HLP due diligence prior to investing in or establishing any form of infrastructure, whether in the short, medium or long term.
- **Invest in HLP capacity** Prioritise HLP capacity needs assessment in South Sudan and use this to inform trainings, technical assistance and the provision of material support aimed at addressing HLP capacity gaps in land governance structures at the national, local government and grassroot level.

[1]<https://www.nrc.no/globalassets/pdf/reports/consolidating-gains/consolidating-gains.pdf> Page 5 of 7
https://www.nrc.no/globalassets/pdf/reports/nowhere-to-go/nowhere-to-go_displaced-women-seeking-hlp-rights-in-south-sudan.pdf

- **Strengthen coordination to secure investments** and continuity of services, ensure resources are allocated for the establishment of functional area-based coordination mechanisms within clusters and between clusters and other areas of responsibility. This approach improves information sharing, clarifies accountability and reduces duplication of efforts.





NRC is the leader organization on HLP rights, promoting lasting solutions to displacement in South Sudan.

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