

UN State Liaison Functions: Rule of Law Approach Strengthening Rural Court System and Community Based Management to Mediate Land Dispute in Darfur

Land and property rights stay as a core issue to achieve peace continuum in Darfur. As a conflict over land is resourced-based, it is inevitable while the livelihoods of the great majority of the people in Darfur is centered on land and the direct utilization of the natural resources.

UN-Habitat has been implementing UN State Liaison Functions (SLFs) under the joint leadership with UNAMID to support their drawdown activities in Darfur. The activities aim to provide sustainable solutions for land-related conflicts through promoting community based land management system.

UN-Habitat promotes context sensitive approaches for land rights, security of tenure and land management for internally displaced persons (IDPs), returnees and hosting communities in Darfur. The project contributed 36 localities in West, East, South and North Darfur to enhance the community-based land conflict resolution mechanism through construction of six rural courts and capacity building of rural court judges which provide the physical access to justice system for the returned IDPs.

6

rural courts are constructed in South, East and West Darfur

248

rural judges trained on mediation of land disputes and legal guidance manual

El Malha

36

localities have the judges who received the training

50%

of Darfur localities received the capacity building activities

Legend

State Lines

Public Facilities

Project

Rural Court Construction

Settlements

Types of Settlements

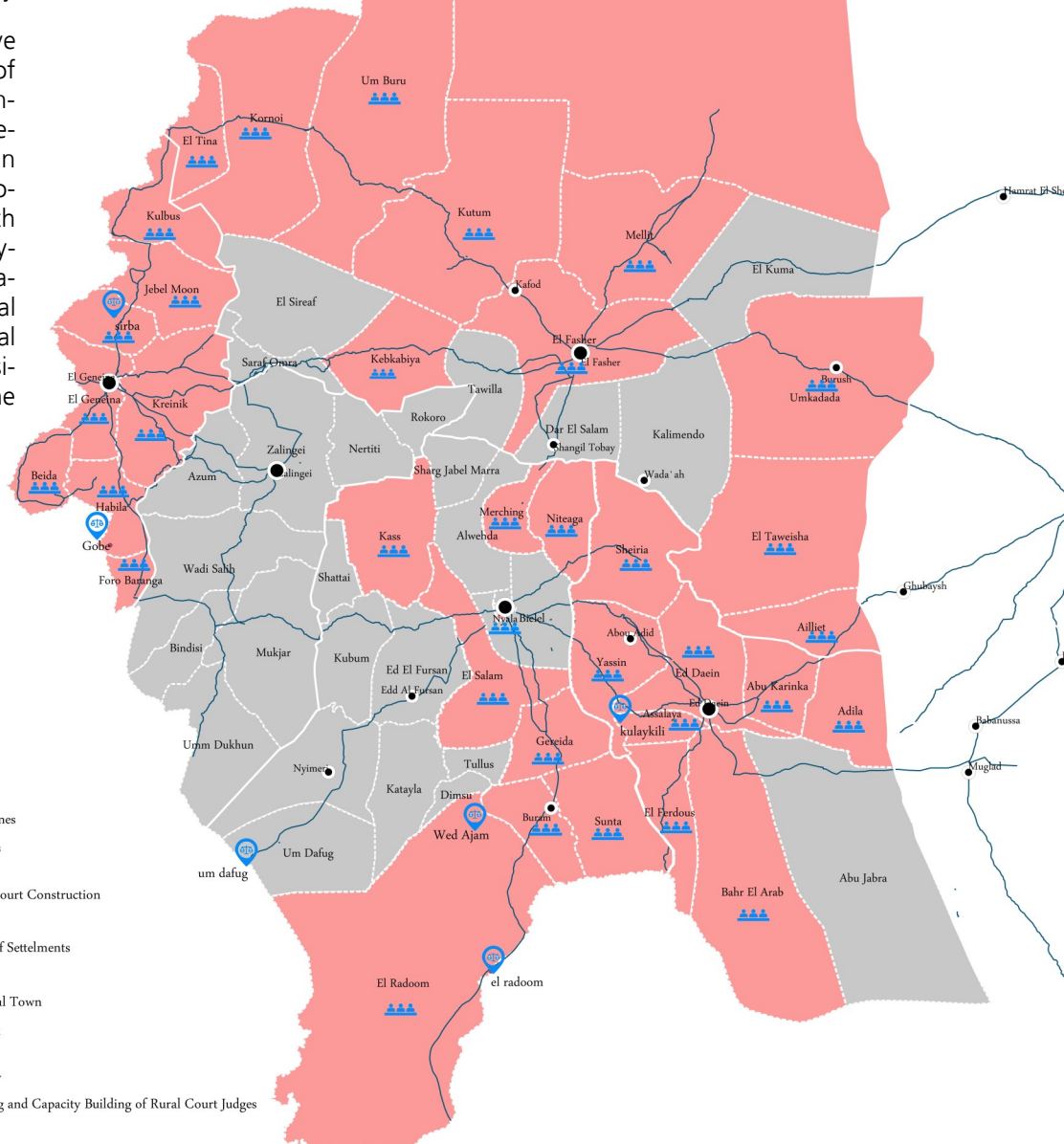
Capital
Principal Town

Roads Network

Class
Primary

Training and Capacity Building of Rural Court Judges

Locality



State Liaison Functions (SLFs) in Darfur - Rule of Law Approach

Project Location	West, East, South and North Darfur State, Sudan
Target	IDPs, returnees and hosting communities in the four Darfur states
Purpose of the Project	The project aims to secure the land rights of the people and to resolve land disputes through construction of six rural courts and empowerment of rural court judges.
Project Period	2019 - 2020

■ Background

SLF is an integrated mechanism aims to provide a bridge from peacekeeping activities to peacebuilding activities in Darfur within the drawdown of UNAMID. The SLF has started in January 2019 within joint leadership of UNAMID and UN Country Team (UNCT) in close cooperation with national actors with four priorities which are rule of law, human rights, livelihood and durable solutions/service delivery. The projects are designed to ensure the strategic response to conflict drivers through joint analysis, planning and delivery.

■ Types of land disputes

The types of land disputes are subject to the unique context in each of the four target States (East, North, South and West Darfur). Commonly, the agricultural land easily becomes a cause of a dispute as most of the people in the target areas depend on land resources in their livelihoods. See the details below for the types of land disputes.



Resource-based conflict

Land and the productive functions of the environment are the oldest and most common causes of conflicts in Darfur. The conflicts over land are common between and among farmers and pastoralists.



Inter-communal conflict

The livelihoods of most of the people is centred on land and the direct utilization of the environment and natural resources.



Conflict on land boundaries

Land boundaries are always controversial especially grazing buffer zone and land for livelihood.



Conflict over land ownership

Displacement and returning of the people cause the new conflicts over land ownership.

■ Project Purpose

The project aims to develop the capacity of the rural courts to address conflict over lands and natural resources. The project contributes to enhance the physical existence of judicial system through construction of rural court buildings as well as capacity development of the judges. The judges are trained to mediate the inter-communal disputes over land and to prevent relapse the conflicts. UN-Habitat also distributes and provides the training to the rural court judges on the "Guidance Manual for the Rural Court judges" and "Mediation and Adjudication of Inter-Communal Conflict and Disputes".

■ Project Activities

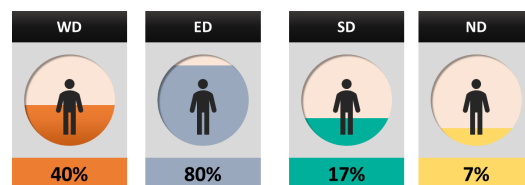
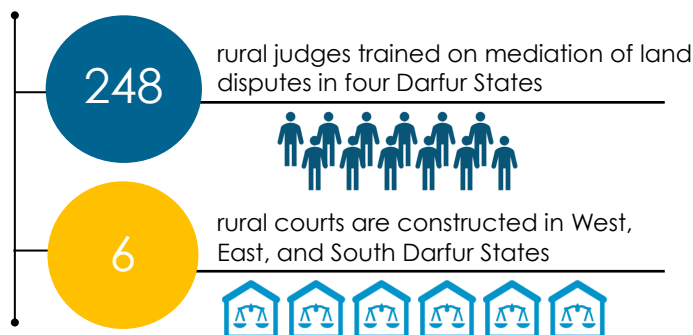
The project contains the following activities:

1) To develop the capacity of the rural court judges to address conflict over lands / mediation and adjudication of inter-communal conflict of disputes

2) To construct new rural court buildings to enhance the physical existence of justice system in the targeted areas

3) To develop and distribute the guidance manual and instruction materials for judges

■ Main Achievements



Percentage of the trained rural judges

	West Darfur	East Darfur	South Darfur	North Darfur
Number of trainees	60	68	60	60
Total number of Rural Court Judges	150	85	343	768

Training and Capacity Building for Rural Court Judges

UN-Habitat conducted training to rural court judges in the targeted four Darfur States in collaboration with the Judiciary Training Department. 60 rural judges from West Darfur, 68 from East Darfur, 60 from South Darfur, 60 from North Darfur, in total of 248 rural court judges have received the training. The objective of the training was to develop their capacity to mediate land disputes and to improve their awareness of the basic legal procedures. Participants of the trainings received a copy of "Guidance Manual for the Rural Court judges" and "Mediation and Adjudication of Inter-Communal Conflict and Disputes" developed by the judiciary with UNAMID and UN-Habitat. The handbooks summarize and simplify the adjudication procedures and makes ease reference to the rural courts judges.



Training for rural judges in East Darfur

Construction of Rural Courts

UN-Habitat constructed six rural courts in Gobi and Sirba (Jabal) in West Darfur, Kulaikil in East Darfur, El Radoom, Um Dafug and Wed Ajam in South Darfur in the project. To bridge the gap of the access to justice for the people, the remote localities were selected for construction sites.



(Left) Gobi Rural court building constructed in West Darfur

(Right) UN-Habitat office in West Darfur and UNAMID have received Certificate of Appreciation from West Darfur judiciary authority on the construction of rural court and their joint efforts in strengthening the rule of law in Darfur through supporting the traditional justice system

■ Voices from the Field

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We thank UN-Habitat and UNAMID for their joint efforts in strengthening the rule of law in West Darfur through supporting the traditional justice system. Rural courts built in remote localities and trained rural judges in mediations and arbitrations will accelerate the process to resolve issues. We look forward to continuing our cooperation in the future.

Mr. Fadl Elmula Hussain Ibrahim, Chief of Judiciary in West Darfur



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During the training, we gave knowledge on the integration between the rural courts, arbitration, adjudication and judiciary system for the people to protect their rights. I'm really proud of the participants positive evaluation of the training. It is a huge leap towards peaceful coexistence.

Mr. Mulana Khalid Head of Training Department



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The two trainings held in South Darfur were magnificent in terms of preparation, the subjects of the training and the contribution by the participants. It has achieved the objective for which they were designed. I would like to express my sincere thanks to UN-Habitat for its continuous support and hope for future collaboration.

Mr. Mulana Tagelsir Tayfor, Chief Judge in South Darfur



■ From Trained Rural Judges



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I learned the vital role of justice in peace, transformation of traditional community to civil community. It is important to coordinate among traditional authorised judges to resolve the problems of people and guide them through justice procedures.

Mr. Bashar Idress, Rural Judge, East Darfur, Shearyia town



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In the training, I learned so much from the shared experience with the rural judges and traditional leaders from another localities. I would appreciate further trainings on locality level besides state level.

Mr. Mohamed Jafar, Rural Judge, Trainee, East Darfur, Khazan Jadeed town



Training for rural judges

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