

Sudan

State of Land Information in Sudan

An Open Data Assessment

land
portal

About the State of Land Information (SOLI) reports

The **State of Land Information (SOLI)** research and reports seek to provide an overview of available government data and information on key land issues. The aim of the research is to uncover the many different sources of land data and information at the country-level and help to identify data and information gaps. The research also provides a technical assessment against open data criteria derived from international standards. The reports establish a baseline for targeted interventions to improve the information ecosystem.

Though SOLI reports are independent research products, they may also serve as the first step in the implementation of the Open Up Guide for Land Governance. The Open Up Guide for Land Governance is a tool for national and local government agencies with a mandate for or an interest in making their land governance data open and available for others to re-use. The Open Up Guide is the result of a collaboration between the Land Portal Foundation and Open Data Charter.

About the Land Portal

The **Land Portal Foundation** was established to create, curate and disseminate land governance information by fostering an inclusive, open, and accessible data ecosystem. Over the last decade, the Land Portal has evolved from a simple information gateway to become a knowledge broker, a resource base, a vibrant online community of users and a trusted voice within global land governance.

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Introduction

After 30 years of an authoritarian regime, Sudan reached a power-sharing deal between the military and the civilians that brought a transitional government to power in 2019. Their agenda was to lead the country towards a democratic transformation for no more than three years. This period of relative stability provided the space for democratic reform and increased transparency in Sudan, reversed by the return of political instability in 2022.

Thus, the context for opening up data in Sudan faces significant challenges in light of the current political instability in Sudan. It does, however, offer an opportunity for Sudan's transition to civilian rule and growing support for sustainable land governance. Access to information in a more open environment can support Sudan's civil-led transitional government to address and impact the community by collecting reliable data and conducting critical analysis. It is essential for civil society advocates to partner with the government to become more open and provide access to information.

In Sudan, access to information for land management, agriculture, the natural environment, and resource extraction as well as the provision of sanitation, water, housing, and infrastructure, is critical. In addition, managing land rights conflicts between farmers and pastoralists as well as internally displaced peoples and refugees has taken on a renewed sense of urgency considering the current conflict.

In 2011 Sudan separated into two States: the old state "Sudan," and the new sovereign state "South Sudan." Sudan continues to experience internal conflicts, many of which relate to the management of natural resources and land. The Sudanese government changed in 2019 amid a popular uprising and has been embroiled in a civil war since April 2023. The freedom of expression and information in Sudan is often the first casualty during armed conflict.¹

The government has tended towards maintaining a monopoly over information, intent on controlling the flow of information. The dominance of the Sudanese State-Owned Enterprises' (SOEs), which are military-controlled companies that play a large role in the Sudanese economy and are involved in infrastructure development,² has had an adverse impact on opening up access to information. Maintaining power over data and information is seen as crucial to secure the continued survival of the SOEs and, by extension, the governing regime.³

1 Sudan: Free expression must be protected amidst violence - ARTICLE 19. (2023). Article 19. Retrieved on July 20, 2023, from <https://www.article19.org/resources/sudan-free-expression-amidst-violence/>

2 U.S. State Department. (2022). *Risks and Considerations for U.S. Businesses Operating in Sudan* - United States Department of State. Retrieved on August 1, 2023, from <https://www.state.gov/risks-and-considerations-for-u-s-businesses-operating-in-sudan/>

3 A Sulaiman (2015) 'Access to information within regimes monopolizing the information:

A review of open data initiatives in developing countries from 2012 found that open data initiatives in Sudan were underway.⁴ Initiatives such as the Sudan Evidence-Base Program, developed in 2016 as a collaboration between the Ministry of Finance and Economic Planning, the United Kingdom's Department of International Development (DFID) and the World Bank to improve the use of data for decision-making continued this development.⁵ What progress might have been made in Sudan prior to the start of the civil conflict has not been clearly determined, but with the current situation in Sudan, there are no open data portals.

Sudan does not feature in any of the following open data indices: **Global Data Barometer 2022**,⁶ **Open Data Inventory (ODIN) (2020)**⁷ and the **Global Open Data Index 2016**.⁸ Sudan is not assessed in the **Open Data Barometer 2016**⁹ and **ODIN - 2017/2018**.¹⁰ Sudan is one of the three countries that were removed from the 2016 ODIN assessment due to non-functioning websites maintained by national statistical offices (NSOs). However, in 2018, **Sudan scored 24 in ODIN**,¹¹ which ranked it 159th in the open data inventory. ODIN does not specifically assess land data, although it includes some indicators on the built environment and land use. Its overall score is a combination of data coverage and data openness. It scores lower than the regional and African median across three major data categories. Its statistical capacity indicator score of 66 assesses the maturity and performance of national statistical systems in five pillars: data use; services; products; sources; and infrastructure.¹² **Freedom House**,¹³ which tracked online access to information in the year 2021, scored Sudan 10 out of 100, which is considered not free based on the global freedom statuses methodology.

Any progress that Sudan might have made with regard to improving access to information have been rolled back during this current conflict. It remains to be seen whether the hard-won concession to opening up access to information will be retrieved after this period of turmoil.

Sudan 1995-2015 (in Arabic)' Retrieved on 20 July 2023. <http://anwarleman.blogspot.com/2015/05/1995-2015.html>

- 4 Schwegmann, C. (2013). *Open Data in Developing Countries*. European Data Portal. Retrieved on July 26, 2023, from https://data.europa.eu/sites/default/files/report/2013_open_data_in_developing_countries.pdf
- 5 Moscoso, S. (2016). *Open Data in Closed Countries: the Sudan Evidence Base Program*. World Bank Blogs. Retrieved on 1 August, 2023, from <https://blogs.worldbank.org/governance/increasing-data-literacy-improve-policy-making-sudan>
- 6 Global Data Barometer – Measuring the state of data for the public good, Retrieved on August 1, 2023, www.globaldatabarometer.org
- 7 Open Data Inventory. (2018). *Open Data Inventory—Global Index of Open Data*. Retrieved on August 1, 2023, from <https://odin.opendatawatch.com/?year=2018>
- 8 The Global Open Data Index. Retrieved on 28 July 2023, from <http://index.okfn.org/>
- 9 Open Data Barometer, 4th edition, 2016. Retrieved on 26 September 202, from https://opendatabarometer.org/4thedition/?_year=2016&indicator=ODB
- 10 Open Data Watch. (2017). *REPORT*. Open Data Inventory. Retrieved on July 17, 2023, from <https://odin.opendatawatch.com/downloads/otherfiles/odin-2016-methodology.pdf>
- 11 National Statistics Office of Sudan. (2018). *Country Report*. Open Data Inventory. Retrieved on July 17, 2023, from <https://odin.opendatawatch.com/ReportCreator/ExportCountryReport/SDN/2018>
- 12 The World Bank. (2023). *Statistical Performance Indicators (SPI)*. Retrieved on July 31, 2023, from <https://www.worldbank.org/en/programs/statistical-performance-indicators>
- 13 Sudan: Freedom in the World 2023 Country Report | Freedom House, Retrieved on July 31, 2023, from www.freedomhouse.org/country/sudan/freedom-world/2023

State of Land Data Governance in Sudan

Sudan has **ratified**¹⁴ the **African Charter on Human and Peoples Rights**¹⁵ (ACHPR), which protects access to information as a fundamental right. The **Constitutional Declaration**¹⁶ of 2019 explicitly states that all “*rights and freedoms contained in international human rights agreements, pacts, and charters ratified by the Republic of Sudan shall be considered an integral part*” of the constitution. This therefore establishes a strong legal mandate of the right to information as a legally binding and fundamental right.

The Constitutional Declaration established executive, legislative and judicial institutions,¹⁷ and acknowledged, in Ch14(56)(1), the fundamental right “*to receive and publish information.*” The right to access to information is further established in the **Right to Information Law**,¹⁸ but implementation remains a challenge. In 2020, a council of partners for the transitional government was formed to mobilize the required support of all stakeholders involved for the success of the transition period. Although significant improvements in freedoms and human rights were witnessed, civil society still lacks the power to influence decision-making, and political decisions remain far from being an outcome of participatory processes and procedures.

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Legal Framework on Access to Information

The Republic of Sudan is a decentralized state that has three levels of government: the federal level; the state/ regional level; and the local level.¹⁹ While the legal system and civil service promotes a culture of opacity, legislation such as the **Sudanese Right Access to Information Law of 2015**,²⁰ which was modeled on the **AU model law**²¹ on access to information for Africa, have sought to give effect to opening up data and information.

- 14 Ratification Table of Signatories to the African Charter on Human and Peoples Rights. Retrieved on 31 August from <https://achpr.au.int/en/charter/african-charter-human-and-peoples-rights>
- 15 African Charter on Human and People’s Rights. Retrieved on 31 August 2023 from <https://au.int/en/treaties/african-charter-human-and-peoples-rights>
- 16 Sudan Constitutional Declaration, August 2019. Retrieved on 31 August 2023 from <https://constitutionnet.org/vl/item/sudan-constitutional-declaration-august-2019>
- 17 al-Hilu, A. (2022). *BTI 2022 Sudan Country Report: BTI 2022*. Bti-project.org. Retrieved on July 17, 2023, from <https://bti-project.org/en/reports/country-report/SDN>
- 18 ESCWA. (2023). Right to Information Law 2015. ALP. Retrieved on August 1, 2023, from <https://alp.unescwa.org/ar/plans/1769>
- 19 International IDEA’s Constitution Net. (2021). *Sudan’s Constitution of 2019*. Constitute Project. Retrieved on July 26, 2023, from https://adsdatabase.ohchr.org/IssueLibrary/SUDAN_Constitution.pdf
- 20 Republic of Sudan; MoJ. *Right to Access Information Act*. Retrieved on September 11, 2023, from <https://www.moj.gov.sd/sudanlaws/#/reader/chapter/362>
- 21 Model Law on Access to Information for Africa, 2013. Retrieved on 31 August 2023, from <https://achpr.au.int/en/node/873>

The Right to Access Information Law became effective in 2015 and is the first such law in Sudan. It promotes the right to access information and aims to ensure and facilitate citizen's right to access information and exercise the principles of rights and freedom as well as reinforcing transparency and responsible participation that enables the society to build its capacities.²² Article 3 contains the “*right to obtain information maintained by the state according to the different levels of government by any person or entity that requests it, so that exceptions are not taken into account except in an exclusive and limited way.*” In addition, article 9 states: “*Any person shall have the right to obtain information from its sources on public sector organizations, companies in which the government participates, and any organization that the commissioner deems to operate as a public sector.*” It is clear that the law refers to public sector information that should be available without bureaucratic procedures and free of payment.²³ The act makes provision for classified and restricted information, including information related to national security and foreign policy. Various categories of information are exempt from disclosure, including information on “*national security and economic security*”, the state's foreign policy, investigations by judicial or security agencies, and trade secrets.²⁴ The state may charge fees upon approval by the commissioner to meet costs for preparing and providing information. Article 10(g) further undermines citizens' ability to access information by empowering any public institution to enforce fees on citizens requesting information.²⁵

The civic space has opened with Sudanese citizens enjoying more respect for their rights to freedom of opinion and expression including freedom of access to information.²⁶ Relative improvements in internet freedom under the reforms of the interim government in 2019, have been reversed with the current conflict. The interim constitution safeguards freedom of press and access to the internet and the transitional government has signaled it will seek to liberalize the online regulatory environment. Sudan scored 33 out of 100 on freedom on the Net in 2021 which still places it as non-free with obstacles to access, limits on content and violations of user's rights.²⁷ The state of digital information and rights remains precarious. The cybercrime law intended to fight false information online resulted in news websites being blocked. **The National Security Law 2010**²⁸ was amended in 2020 to give the Sudanese General Intelligence Service “*the right to request information, data documents from anyone to check it*” without court order.²⁹

- 22 Abdelrahman Khalil, A. (2019). THE SUDANESE ACCESS TO INFORMATION ACT 2015: A STEP FORWARD? PULP. Retrieved on May 26, 2023, from https://www.pulp.up.ac.za/images/pulp/books/edited_collections/access_to_information/Chapter%207%20Ali%20Access.pdf
- 23 Soliman, A. (2015). نادر السال جذومن - تفسير عمل الرافتحا قمظنأ لظ يف تامول عملأ ىلع لوصحلا قح. Retrieved on July 20, 2023, from <https://anwarleman.blogspot.com/2015/05/1995-2015.html>
- 24 CIPESA. (2021). *Policy Brief: Sudan's Bad Laws, Internet Censorship and Repressed Civil Liberties*. Retrieved on September 7, 2023, from https://cipesa.org/wp-content/files/briefs/Sudans_Bad_Laws_Internet_Censorship_and_Repressed_Civil_Liberties_2021.pdf
- 25 CIPESA. (2021). *Policy Brief: Sudan's Bad Laws, Internet Censorship and Repressed Civil Liberties*. Retrieved on September 7, 2023, from https://cipesa.org/wp-content/files/briefs/Sudans_Bad_Laws_Internet_Censorship_and_Repressed_Civil_Liberties_2021.pdf
- 26 Global Centre for the Responsibility to Protect. (2020). *Joint NGO Statement: The Human Rights Council should support systemic human rights reforms in Sudan*. Retrieved on July 26, 2023, from <https://www.globalr2p.org/publications/joint-ngo-statement-the-human-rights-council-should-support-systemic-human-rights-reforms-in-sudan/>
- 27 Sudan: Freedom on the Net 2021 Country Report. (2021). Freedom House. Retrieved on July 20, 2023, from <https://freedomhouse.org/country/sudan/freedom-net/2021>
- 28 Republic of Sudan; MoJ. *The National security Law 2010*. Retrieved on September 11, 2023, from [نادوسلا نينواوق \(moj.gov.sd\)](http://moj.gov.sd)
- 29 Hamad, K. (2021, December 23). *Sudan's Bad Laws, Internet Censorship and Repressed Civil Liberties – Collaboration on International ICT Policy for East and Southern Africa*. CIPESA. Retrieved on July 20, 2023, from <https://cipesa.org/2021/12/sudans-bad-laws-internet-censorship-and-repressed-civil-liberties/>

A ten-year **national action plan for the protection of human rights (2013-2023)**³⁰ seeks to strengthen and create institutional capacity for human rights protections, including access to information. However, the action plan is largely concerned with the development of foundational capacity in the form of the establishment of a National Human Rights Commission. The World Bank supports the government of Sudan to strengthen its national statistical system to produce and disseminate official data and promote usage of statistics for evidence-based policy making.³¹

Legal Framework on Access to Land Information

As part of the effort to restore peace, the **Doha Document for Peace in Darfur**,³² the government shall ensure effective functioning of the newly created National Human Rights Commission. It requires that housing, land, and property restitution information shall be made public.³³ As of 2021, neither the National Land Commission nor the Darfur Land Commission was operational,³⁴ and that continues to be the case.

The legal framework on land tenure is not unified and the formal acts governing land are mostly concerned with the registration of land and its impact on land rights and access. They do not contain any clauses with regards to access to information or data. The following policies and laws are relevant to land governance in Sudan.³⁵ None of these laws make reference to the sharing of information however.

The **Land Resettlement & Registration Act, 1925**³⁶ consolidates government ownership over land for gazetting of land, surveying of plots, land registration, issuance of land certifications and transfers of leasehold land.

The **Land Acquisition Act, 1930**³⁷ provides procedures for land acquisition for public purposes specially for urban settlements, expropriation and compensation mechanisms.

The **Unregistered Land Act, 1970**³⁸ serves to nationalize all unregistered land in the

30 UNDP/ SNHRC. (2015). Strengthening the capacity for Sudan National Human Rights Commission. United Nations Development Programme. Retrieved on July 20, 2023, from <https://info.undp.org/docs/pdc/Documents/SDN/20150226090155197.pdf>

31 Sudan Data and Statistics Strengthening Project. (2022). *World Bank*. Early Warning System. Retrieved on July 17, 2023, from <https://ewsdata.rightsindevelopment.org/projects/p177123-sudan-data-and-statistics-strengthening-project/>

32 Government of Sudan and the Liberation and Justice Movement. (2011). *DOHA DOCUMENT FOR PEACE IN DARFUR (DDPD)*. UNAMID. Retrieved on July 24, 2023, from https://unamid.unmissions.org/sites/default/files/ddpd_english.pdf

33 Government of Sudan and the Liberation and Justice Movement. (2011). *DOHA DOCUMENT FOR PEACE IN DARFUR (DDPD)*. UNAMID. Retrieved on July 24, 2023, from https://unamid.unmissions.org/sites/default/files/ddpd_english.pdf

34 UNAMID. (2021). Thematic Brief: ACCESS TO LAND AND TENURE. Joint IDP Profiling Service. Retrieved on July 31, 2023, from https://www.jips.org/uploads/2021/11/Sudan-PBF2021-Thematic_Brief_5-land_tenure-lowres.pdf

35 IGAD (2018). *Sudan - Land Governance Country Profile; Assessment of Land Governance Framework, Training, & Research Land Governance Institutions*. IGAD Land Governance Portal. Retrieved on August 10, 2023, from <https://land.igad.int/index.php/countries/41-countries/sudan>

36 Republic of Sudan; MoJ. *Land Resettlement & Registration Act, 1925*. Retrieved on September 11, 2023, from www.moj.gov.sd (مجلس الوزراء)

37 Republic of Sudan; MoJ. *Unregistered Land Act, 1970*. Retrieved on September 11, 2023, from www.moj.gov.sd (مجلس الوزراء)

38 Eastlaws. *Unregistered Land Act, 1970*. Retrieved on September 11, 2023, from www.eastlaws.com (نوناق نأشرب

country. It provides that all land that had not been registered at the time was state land retaining land ownership. It may grant leasehold interests to individuals and allocate land for commercial development without regard for customary rights.

The **Civil Transaction Act, 1984**.³⁹ Amended in 1990, it identifies different forms of land and property rights. It is applied in cases that have not had their evidence heard in accordance with the provisions of this law, as well as the lawsuits whose parties agree to invoke its provisions even if they were completed under previous laws or cancelled under the provisions of this law. The 1990 Amendments, in the first Article confirmed that all non-registered land should be considered as if registered in the name of the State.

The **Urban Planning and Land Disposal Act, 1994**⁴⁰ lays out procedures and institutional responsibilities for urban planning including delimitation of rural boundaries. It is implemented in conjunction with the Land Acquisition Act 1930; however, it includes compensation modalities for expropriated land, disposal of government land through leases, and procedures for acquiring land leases.

The **Local Government Act, 1998**⁴¹ restores the land management and administration vacuum at the local level and confers responsibilities to local governments and the state in identifying territories that coincide with customary land management. Also, it sets and functions land management committees that contribute to decision making on validation of land claims and allow registration.

The **Investment (Encouragement) Act, 2021**⁴² establishes an Investment Lands Operations unit to define the investment lands in coordination with the state. It defines the investment map and the importance of creating an investment environment

39 Republic of Sudan; MoJ. *Civil Transaction Act, 1984*. Retrieved on September 11, 2023, from [نادر سولان نين اوق \(moj.gov.sd\)](http://moj.gov.sd)

40 Republic of Sudan; MoJ. *Urban Planning and Land Disposal Act, 1994*. Retrieved on September 11, 2023, from [نادر سولان نين اوق \(moj.gov.sd\)](http://moj.gov.sd)

41 Eastlaws. *The Local Government Act, 1998*. Retrieved on September 11, 2023, from [نوناق ن اشيب \(eastlaws.com\)](http://eastlaws.com)

42 Al-Iktissad Wal-Aamal Group. (2021). *State law for Investment 2021*. Retrieved on September 11, 2023, from <https://www.iktissadonline.com/node/6650>

State of Land Data and Information in Sudan

This section assesses the completeness of land data and information in Sudan across five categories: legal framework, land tenure, use, development, and value. It assesses the completeness of the information and scores the data as being fully, partially, little, or not complete.

Access to land data and information in Sudan is very limited, in part due to the current conflict across the country. Most of the formal and governmental portals are not functioning and there is mostly no access to public information about ongoing land programs and initiatives or the outcomes of previous projects. Almost all data regarding land tenure, development, use, and value are mentioned only in bibliographic reports of international institutions and stakeholders that are working in cooperation with the government of Sudan. However, there are no accessible datasets in downloadable formats and the only datasets found mention little to no metadata, attribution, or standards. Nevertheless, legal and policy data regarding land is available for public access on the official website of the **Ministry of Justice**.⁴³

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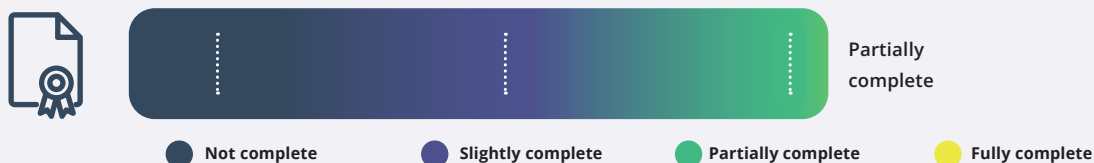
Completeness of Legal and Policy Data and Information on Land

The portal of the **Ministry of Justice**⁴⁴ is functioning and open for public access with no restrictions. The legal and policy data and information on the website has not been updated since late 2022, however. All legislations including land acts can be reviewed online in Arabic language, but no policies or other strategic documents are hosted on the website. Rules, procedures, and examinations for legal bodies are hosted under a tab for “Documents”, but no land related documents are listed here. Some documents are downloadable as PDF files, but this option does not apply to the legislation. The website does not provide licensing information although there is a terms of use policy as well as a privacy policy. **Sudan scores 50 out of 100 for the completeness of its legal and policy data and information on land.**

43 Ministry of Justice, Sudan. Retrieved on 4 September 2023 from <https://www.moj.gov.sd/>

44 Ministry of Justice, Sudan. Retrieved on 4 September 2023 from <https://www.moj.gov.sd/>

Legal and Policy Data and Information on Land: Partially Complete (50)

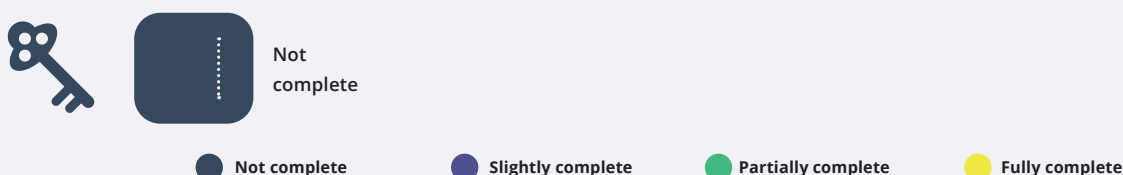


Completeness of Land Tenure Data and Information

Due to the current ongoing conflict in Sudan, public websites are down, and digital tenure data are inaccessible. Limited data on customary land rights and mineral rights were found in some reports. Sudan lacks a uniform land policy in which a specific ministry is responsible for the development of land policy. **However**, many institutions are responsible for the land issues in Sudan. Land management is legally required to promote sustainable development based on the Land Use Mapping Database.⁴⁵ The Darfur Land Commission intends to build a database on natural resources and land use mapping for Darfur to come up with comprehensive regional development, but this has not yet been done. The Ministry of Energy & Mines, Geological & Mineral Resources Department, Khartoum had published a geological map for Sudan that could be accessed online through the **European Soil Data Center ESDAC**⁴⁶ as well as some other land use maps. The Ministry of Environment and Physical Development (MEFPD) was established with a mandate covering surveying, construction, urban planning. Sudan has not yet ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Recently, Sudan developed the Women Land Rights Agenda (2021-2030). Although women have equal access to land use, very few women have land ownership rights, and gender-disaggregated data is not available.⁴⁷ **Sudan scores 11 out of 100 for the completeness of its digital land tenure data.**

11

Land Tenure Data: Not Complete (11)



⁴⁵ Government of Sudan and the Liberation and Justice Movement. (2011). *DOHA DOCUMENT FOR PEACE IN DARFUR (DDPD)*. UNAMID. Retrieved on July 24, 2023, from https://unamid.unmissions.org/sites/default/files/ddpd_english.pdf

⁴⁶ Geological Map of Sudan. - ESDAC - European Commission. Retrieved on 31 July 2023 from <https://esdac.jrc.ec.europa.eu/content/geological-map-sudan>

⁴⁷ World Bank Atlas. (1994). *Fact sheet: Sudan - Women, agriculture, and rural development; Access to agricultural resources and services*. FAO. Retrieved on August 10, 2023, from <https://www.fao.org/3/V9105e/v9105e06.htm>

Completeness of Land Use Data and Information

In 2012, land cover mapping of Sudan was completed by the Natural Resources and Environment, Land and Water Division of FAO (FAO-NRL) in collaboration with the Ministry of Agriculture and Irrigation and the Remote Sensing Authority (RSA). The Sudan Institutional Capacity Program: Food Security Information for Action (SIFSIA) established a framework for the development of reliable land cover information to support environmental modelling and improved statistical reporting and reliable inventory. The datasets form a basis for a new comprehensive agricultural census methodology that would improve the assessment of food security. However, they are not available for online access. The Land Commission also benefits from the monitoring of the distribution of agricultural land.⁴⁸

FAO land cover data for Sudan⁴⁹ is intended to be free for public access and is licensed as open data. It is presented as shape files - vector data (based on Esri software) of a Globcover archive that was published in 2008 as result of an initiative launched by the European Space Agency (ESA) in 2004. The aggregated land cover classes are generated in a set of existing classifiers. The land cover data is used with 'LCCS' legend, Land Cover Classification System. The data for land cover in Sudan is downloadable in HTML, PNG, WMS and Zip formats and was last updated in Feb. 2023.⁵⁰ The **European Soil Data Center ESDAC**⁵¹ published several older land use maps from the 1960 in partnership with the Government of Sudan.

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Sudan, in collaboration with African Development Bank (AfDB), and the Intergovernmental Authority on Development (IGAD) signed an agreement to develop a master land use map for Sudan in 2006 aimed at guiding agricultural investment and enhancement of stakeholder's involvement.⁵² The Arab Center for the Studies of Arid Zones and Dry Lands (ACSAD) prepared a "Map of Optimal Land Uses in Sudan". The first phase had been delivered by 2019.⁵³ However there is no public online access to any of the maps.

In 2015, the IGAD land governance project launched as a joint initiative of the Africa Land Policy Center. The land cover map is published as an image on the IGAD portal with no further data or attributes, as shown in the **figure below**.⁵⁴

48 NRL - UN/FAO. (2012). *The Land Cover Atlas of Sudan*. FAO. Retrieved on July 22, 2023, from <https://www.fao.org/3/be896e/be896e.pdf>

49 FAO Data Catalogue. Retrieved on 22 July 2023 from https://data.apps.fao.org/catalog/organization/fao-land-cover-land-use?q=sudan&sort=score+desc%2C+metadata_modified+desc

50 FAO. (2022). Land cover of Sudan - Globcover Regional, Retrieved on July 20, 2023, from <https://data.apps.fao.org/catalog/iso/fbd183b4-88dd-4b26-bb7d-5624c97e16e9>

51 Land Use Maps of Sudan. - ESDAC - European Commission. Retrieved on 31 July 2023 from <https://esdac.jrc.ec.europa.eu/search/node/sudan>

52 IGAD Sudan. (2021). *Sudan Progress Report; Twelfth Steering Committee Meeting of the Regional Platform on IGAD Drought Disaster Resilience and Sustainability Initiative (IDDRSI)*. IGAD Resilience. Retrieved on July 22, 2023, from https://resilience.igad.int/wp-content/uploads/2021/03/Sudan_IDDRSI-Progress-Report-12th-IDDRSI-PSC-meeting.pdf

53 ACSAD. (2012). Sudan Project work/ Follow-up | ACSAD.ORG. Retrieved on September 4, 2023, from <https://acsad.org/en/عوباتكم نادوسل عورشم لامع>

54 GAD Land Governance Portal. (2015). IGAD Land Governance Project. Retrieved on July 24, 2023, from <https://land.igad.int/index.php#land-cover-select-map>

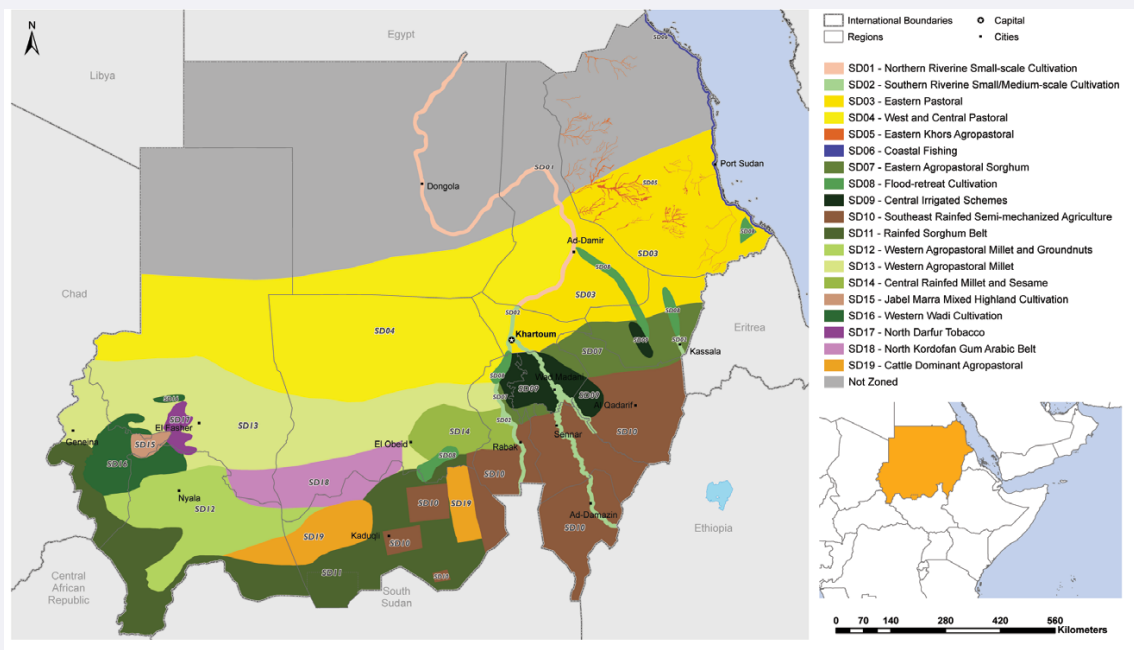


Figure 1: Sudan Land Cover Map, IGAD Land Governance Portal⁵⁵

The **Sudan Open Data for Africa**⁵⁶ is a data portal including multiple data sets sourced from formal governmental institutions in Sudan such as the Central Bureau for Statistics. The data ranged from 1973 - 2008 and was updated on an annual basis. However, the datasets are not downloadable and are only accessible as infographics. **Sudan scores 8 out of 100 for the completeness of its land use data.**

Land Use Data: Not Complete (8)



Not complete

● Not complete

● Slightly complete

● Partially complete

● Fully complete

Completeness of Land Development Data and Information

The **National Investment Encouragement Act 2003**⁵⁷ aims to create a more transparent regime that facilitates investment. It makes provision for establishing investment registers to collect data and creating an online investment guide to facilitate investment procedures. The investment strategy requires all parties to commit to the provision of information necessary for the strategy preparation. The Investment plan includes a national investment map specifying the investment plan, the investment projects, areas, and geographical

55 Retrieved on 24 July 2023 from <https://land.igad.int/dev/images/Maps2/sudan-land-cover-resized.png>

56 Open Data for Africa (2008). *Sudan Data Portal*. Retrieved on 24 July 2023 from <https://sudan.opendataforafrica.org/>

57 National Investment Engagement law, 2003, accessed on 25 June 2023, www.raira-cement.com/law_investment.pdf

investments. None of these plans have been accessible online and the investment map is not available for public access.

The UNDP and government of Sudan developed the United Nations Development Assistance Framework 2018-2021 (UNDAF) focusing on increasing agricultural productivity and advancing gender equality amongst other initiatives.

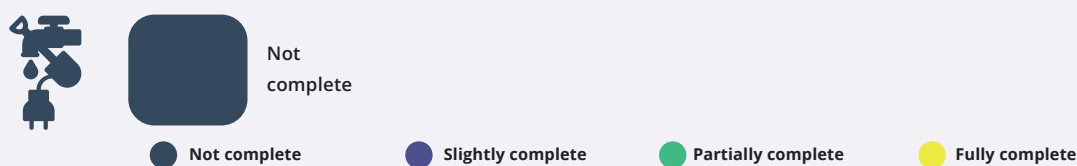
The focus includes acceleration and enhancement of data collection and reporting but no data resulting from this initiative could be found.

The [E-agriculture Strategy](#) aimed at improving data availability and analysis for food safety and making a transformative impact on increasing the availability and accuracy of agricultural information in preparing and linking databases.⁵⁸

The United Nations Development Assistance Framework (UNDAF)⁵⁹ for Sudan contributes towards the national development priorities in 2018-2021. A web-based **UNDAF Indicator Reporting System (IREPS)**⁶⁰ developed in 2015/16 in close collaboration between the **United Nations Country Teams in Sudan (UNCT)**,⁶¹ the Government of Sudan and civil society, ensures it is closely aligned to the national development agenda. It serves as the integrated strategic planning framework for UN development programming and will guide agency-specific programs in the country and be used to collate monitoring data and narrative, enhance access to land, credit, markets, and productive resources.⁶² It will be updated on an annual basis. The project was planned to be monitored through the system developed by the government for monitoring and evaluating external aid strategies, programs, and projects.⁶³ Currently, no information is available online after the 2009-2012 program regarding UNDAF data.

14 Sudan scores 7 out of 100 for the completeness of its land development data.

Land Development Data: Not Complete (7)



58 FAO. (2017). *Sudan E-Agriculture Strategy and Action Plan*. FAOLEX Database. Retrieved on August 10, 2023, from <https://faolex.fao.org/docs/pdf/sud201587E.pdf>

59 The United Nations Development Assistance Framework (UNDAF) 2018-2021 | United Nations in Sudan. Retrieved on 31 July 2023, from <https://sudan.un.org/en/19907-united-nations-development-assistance-framework-undaf-2018-2021>

60 UN Sudan. (2018). *The United Nations Development Assistance Framework (UNDAF) 2018-2021*. United Nations Sudan. Retrieved on July 22, 2023, from <https://www.sudan.un.org/en/19907-united-nations-development-assistance-framework-undaf-2018-2021>

61 The United Nations in Sudan. Retrieved on September 7, 2023, from <https://sudan.un.org/en/about/about-the-un>

62 UNDAF. (2012). *United Nations Development Assistance Framework for the Republic of Sudan*. United Nations Population Fund. Retrieved on September 7, 2023, from https://www.unfpa.org/sites/default/files/portal-document/Sudan_UNDAF.pdf

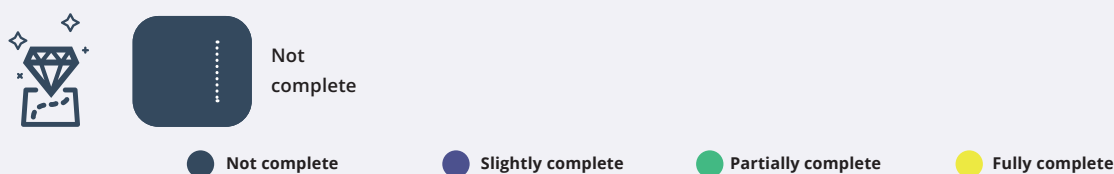
63 UNDAF. (2012). *United Nations Development Assistance Framework (UNDAF) for Sudan 2009-2012*. UNOPS. Retrieved on September 7, 2023, from <https://content.unops.org/documents/libraries/information-disclosure/assistance-frameworks/africa/sudan/en/UNDAF-Sudan-2009-2012-EN.pdf>

Completeness of Land Value Data and Information

Sudan applies different types of property tax rates which are determined annually, however, in some instances it is fixed by central government or municipal by-laws for a determined or undetermined period so rates may remain static for years. The tax-paying culture in Sudan is generally weak.⁶⁴

States are empowered to collect revenue from multiple sources. Property tax is labelled as the 'ideal' local tax.⁶⁵ Sudan Chamber of Tax (SCoT) collects property tax. The government of Sudan levies the following information about taxes in respect to land and transactions, although it was only mentioned in IGAD report; tax on leasing income at the rate of 10%, capital gains tax of 5% in respect to gains on the sale of lands and buildings, rentals at the rate of 10% for any sum above 3000 SDG.⁶⁶ Property tax is one of the most important tax revenue earners in Kassala State for instance. In addition to real estate tax, it comprises taxes levied on property (including residences, arable land, endowments, inheritances, asset transfers). In 2001, this tax contributed 12% of taxes on goods and services, and 3% of total revenue. No other valuation data or information could be found for Sudan. **Sudan scores 3 out of 100 for the completeness of its land value data.**

Land Value Data: Not Complete (3)



⁶⁴ Fjeldstad, O.-H. (2016). *SUDAN REPORT; Revenue mobilization at sub-national levels in Sudan*. Chr. Michelsen Institute, University of Bergen. Retrieved on August 21, 2023, from <https://www.cmi.no/publications/file/5749-revenue-mobilization-at-sub-national-levels-in.pdf>

⁶⁵ World Bank. (2014). *Sudan State-level Public Expenditure Review*. WB; Poverty Reduction and Economic -Africa Region Management Unit. Retrieved on August 15, 2023, from <https://documents1.worldbank.org/curated/en/298021468340800883/pdf/ACS8803-v1-REVISED-Box393255B-PUBLIC-2.pdf>

⁶⁶ IGAD. (2018). *Sudan - Land Governance Country Profile*. IGAD Land Governance Portal. Retrieved on August 10, 2023, from <https://land.igad.int/index.php/countries/41-countries/sudan>

Open Data Compliance Assessment in Sudan

Sudan's SOLIndex Score

State of Land Information (SOLI) reports assess and score the completeness and openness of the information about a country's legal framework for land governance, its land tenure data, land use data, land development data and its land value data. The report examines each land data type in detail, identifying which elements are available in a digital format, how these comply with international open data criteria and assesses their completeness and openness. This has enabled more detailed results than in the **2022 Open Data Barometer**⁶⁷ and the 2016/2017 Global Open Data Index which only considered land ownership data. In line with this SOLI methodology, this assessment focuses primarily on digital government data which is online. This covers land governance data traditionally created or used during the business of governing; created or published at the request of governments. Digital data held in offline information systems is also acknowledged. From these results a country's SOLIndex score is calculated. Sudan has a **completeness score (CS) of 9** and an **openness score (OS) of 6**. The overall SOLIndex score for Sudan is **0.6** (32CS x 32OS)/100.

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Completeness Scoring

SCORE	DESCRIPTION
3	All land legislation, tenure, use, development, or value data is digital
2	A substantial amount of land legislation, tenure, use, development, or value data is digital.
1	Little land legislation, tenure, use, development, or value data is digital
0	No land legislation, tenure, use, development, or value data is digital

Completeness Results

COMPLETENESS SCORES FOR EACH LAND DATA TYPE	CS SCORE	CS %
How complete is the digital legal and policy framework?	3/6	50
How complete is digital land tenure data	3/27	11
How complete is digital land use data	1/12	8
How complete is digital land development data	2/27	7
How complete is digital land value data	1/36	3
Total land data completeness score		9%

Openness Scoring

Ten open data criteria are used to assess the openness of land data across each of the five land data types. These criteria are drawn from the methodologies used by the **Open Data Index**⁶⁸ and the **Open Data Barometer**.⁶⁹ For each criteria and each land data type the following openness scoring system is used:





SCORE	DESCRIPTION
3	The digital data meets all or most of the open data criteria
2	The digital data meets more than half of the open data criteria
1	The digital data meets few of the open data criteria or there is digital land governance
0	There is no evidence of digital or open data

Table 8 presents the open data assessment for Sudan.

⁶⁸ 2016/2017 Global Open Data Index methodology. <https://index.okfn.org/methodology/>

⁶⁹ Open Data Barometer: methodology, 4th ed. 2016; retrieved on 17 August 2023 from <https://opendatabarometer.org/4thedition/methodology/>.

Table 1: Overall Results of the Open Data Assessment for Sudan

	Legal	Land Tenure	Land Use	Land Development	Land Value	Overall Score	Index Score
 Online	Partially online	Not online	Not online	Not online	Not online	Not online	13
 Accessible	Partially accessible	Not accessible	Not accessible	Not accessible	Not accessible	Not accessible	13
 Free	Fully free	Not free	Not free	Not free	Not free	Not free	20
 Timely	Slightly timely	Not timely	Not timely	Not timely	Not timely	Not timely	7
 Metadata	Slight use of metadata	No use of metadata	No use of metadata	No use of metadata	No use of metadata	No use of metadata	7
 Standards	No use of standards	No use of standards	No use of standards	No use of standards	No use of standards	No use of standards	0
 Downloadable	Not downloadable	Not downloadable	Not downloadable	Not downloadable	Not downloadable	Not downloadable	0
 Open License	No use of open license	No use of open license	No use of open license	No use of open license	No use of open license	No use of open license	0
 Machine Readable	Not machine readable	Not machine readable	Not machine readable	Not machine readable	Not machine readable	Not machine readable	0
 Linked Data	No use of URI	No use of URI	No use of URI	No use of URI	No use of URI	No use of URI	0
Overall	Slightly open	Not open	Not open	Not open	Not open	Not open	
Percentage	30	0	0	0	0		6

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Online Score (13)

Most relevant legislation can be found online on the official **Ministry of Justice website** except those laws that were enacted or amended after 2015. Other data regarding the land administration functions of land tenure, use, development, and value cannot be accessed online on any formal statutory portal as they are not functioning due to the ongoing conflict across the country since late 2022.

Accessibility Score (13)

All land related legislation is available for public access online and can be accessed for review. Other land tenure and development data are accessible only as bibliographic data in reports. Land value data is only accessible as datasets provided by international institutions and private actors.

Free (20)

All online land legislation can be accessed free of charge with no restrictions on the formal portal. Bibliographic land data included in reports by international institutions are free with the exception of a very small number of private sector sites that require registration and payment.

Timeliness Score (7)

Almost all land related data is not updated on a regular basis and mostly all data are available through bibliographic reports that are only developed and published once by international institutions. Some of these are joint programs with the Republic of Sudan.

Metadata Score (7)

All accessible data in bibliographic reports by international institutions includes some metadata.

Standards Score (0)

No evidence of the use of standards could be found.

Downloadable Score (0)

No downloadable land data could be found.

Open License Score (0)

There is no use of an open license as online government data are not available.

Machine Readability Score (0)

There are no machine-readable data sources.

Uniform Resource Identifiers (URI) Score (0)

There is no reference for linked data sources.

Overall (Score 6)

The minimum requirement for openness is that data is online, reflected here by a score of only 13 based on the online bibliographic information on the website of the Ministry of Justice. The website is free and partially accessible but not downloadable and does not include any legislation drafted since 2015. This website is responsible for ensuring that Sudan scores anything at all for the openness of data. An openness score of 6 out of a 100 reflects the fact that no other data from government sources is online for Sudan.

Conclusions

Given the historic difficulties with accessing information and the current conflict in Sudan, it is not surprising that its land information is generally not available.

Land Data and Information is Not Open

Overall, land governance data and information are found to be not open, confirming the findings from previous open data assessments in Sudan. No other land data and information on land tenure, use, development, and value was found to be open.

Legal and Policy Information is Slightly Open

While no other land data could be found and all portals are down, the website for the **Ministry of Justice** remains online and accessible to the public. The legal and policy data and information on the website has not been updated since late 2022 but all land acts can be reviewed online. No policies or other strategic documents are hosted on the website. The website does not provide licensing information although there is a terms of use policy as well as a privacy policy and the acts are not downloadable but can be read online. Thus, legal and policy data and resources are considered to be slightly open.

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Emerging Legal Framework for Open Data and Information

The **Constitutional Declaration** acknowledges the right “to receive and publish information” as a fundamental right. Sudan has drafted an access to information law and has ratified the ACHPR to support access to public information and knowledge. **The Freedom of Information Law** promotes the right to access information and aims to ensure and facilitate citizen’s “right to obtain information maintained by the state ... so that exceptions are not taken into account except in an exclusive and limited way.” The act makes provision for exemptions on classified and restricted information related to national security and foreign policy. A ten-year **national action plan for the protection of human rights (2013-2023)** seeks to strengthen and create institutional capacity for human rights protections, including access to information. However, the action plan is largely focused on developing foundational capacity and establishing a National Human Rights Commission.

Progress on Opening Up Access to Data and Information Under Threat

However, due to the existing situation of conflict that is currently taking place in Sudan, progress on initiatives and plans to open up access to information have gone backwards. The amended **National Security Law 2010** gave new extrajudicial powers to the Sudanese General Intelligence Service, including “*the right to request information, data documents from anyone to check it*” without court order. The cybercrime law intended to fight false information online has resulted in news websites being blocked. The freedom of information act has also not been fully implemented and made operational.

Spatial Data Infrastructures and Online Portals are not Functioning

There is evidence that some spatial data and information portals did exist and have been taken offline, possibly because of the current conflict. There is also evidence that some land data was provided by the Government of Sudan to external partners where some data can still be found. The World Bank also supported the government of Sudan to strengthen its national statistical system to produce and disseminate official data and promote usage of statistics for evidence-based policy making. Thus, one may conclude that some portals and data partnership can possibly be revived when the situation in Sudan normalizes.

Recommendations

Sudan has embarked on a process of opening up information with the Constitutional Declaration and the adoption of a Right to Access Information Law. However, this process is very much in its infancy and at risk of backsliding. While the current situation is very challenging, the beginnings of a legal framework for open data has been established. Given these somewhat positive developments in the legal arena in Sudan there are some initiatives that are possible to consider building upon these gains.

Improve Access to Legal and Policy Information to Make It More Open

With some minor technical changes, the website for the **Ministry of Justice** can be made more open by making the legislation, which is already public, downloadable. This would improve the utility of the website significantly. Other changes to consider are making the laws searchable as html text which would also improve the openness assessment of the website. Consideration may also be given to adding a section for policies and strategies, especially those that are national in nature. Including an open license for the website resources will help to make sure that the right to reuse the information on the website is clearly stipulated.

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Develop an Open Data Roadmap

Given that currently no land data and information (aside from legal and policy information) is available, consideration should be given to developing an Open Data Roadmap for Sudan. Such an activity will create a process to bring all stakeholders, data custodians and users together. In this way, co-creating a comprehensive assessment of the data ecosystem, the needs of users and the capabilities of custodians can foster an inclusive and realistic open data roadmap for Sudan. Improving evidence-based decision-making for better land governance and sustainable development requires more interoperable data. An open data roadmap for Sudan should outline general recommendations and strategies that are essential in encouraging the responsible use of information and land data technologies to promote social development.

It can be based on the **Open Up Guide for Land Governance**, a practical resource to be used by governments from developing countries to publish land-related data to improve data quality, availability, accessibility and use for improved citizen engagement, decision-making and innovation. Issues that may need to be considered in the development of such an open data roadmap may include:

Improve the legal and policy framework for open data in Sudan

The adoption of freedom of information legislation is an important step in improving access to information for better land governance. However, it is not enough, and steps must be taken to make the law fully operational. This requires developing corresponding frameworks, policies, and agreements for data publication and sharing between government departments and the public. These policies and strategies should also provide guidance on the data standards and technology that can be used to facilitate and support the sharing of information at the lowest possible cost most effectively.

Consider Open Data Standards and Technology

Consideration should be given in high level strategies and policies to using open standards and technologies that enable interoperability between systems and stakeholders that is crucial to collaboration, keeping costs down and improving efficiencies. Using open software tools and adopting open data standards can help with the establishment of open data portals as well as improving existing portals and increasing the availability of data for publication.

Consider Strategic Partnerships

The above considerations in setting applicable standards and infrastructure cannot take place in the absence of considering how resources can be allocated to support infrastructure and building and supporting a community of open data champions. Developing and nurturing partnerships with national open data communities and the international champions is necessary for understanding the requirements of Sudan for opening up data. Such partnerships are also crucial opportunities for exchange and capacity development that are relatively low cost and are self-motivated. Partnership between government and open data communities, including the private sector, can create awareness of the local needs and opportunities for local open data applications and technological development.

Consider Open Land Data as Part of a Broader Government Strategy for Service Delivery

An effective open data strategy should integrate the opening up of datasets into the land governance functions relevant for Sudan. For Sudan, recovering from conflict, such a broader strategy can be part of a process to create a more transparent, accountable, participatory, and collaborative government. This can serve to strengthen the relationships between the government and society and deliver services towards improved land governance.

Make Data Governance Strategies More Inclusive and Participatory

As part of the process of making government more transparent and accountable, inclusive data governance strategies can help to strengthen the institutional and technical capacities for enhancing cross-sectoral institutional coordination and sharing of data. This can help to rebuild core government systems, improve trust, and provide feedback loops on access to information for local participants in cooperation with key stakeholders. More inclusive data governance can address some of the service delivery challenges for land administration functions. Open access to information would allow for a participatory approach that integrates the civil society in improving land governance decision making that provides long-term rights to land, allow enforcement of land rights and resolving conflicts over land use by the state and local government to promote investment.

For Sudan to be able to continue its trajectory of socio-economic development and increased transparency, access to reliable land data for the government and its citizens is required. Given the scale and scope of opening up information in Sudan, embarking on a comprehensive assessment guided by a structured process, such as the Open Up Guide for Land Governance, is a necessary step. That will allow Sudan to create an open data roadmap that can serve as a long-term strategic guide. Such an open data roadmap can outline the requirements for making land data open over time that will respond to and support the needs of Sudan in promoting socio economic development and innovation, especially in the land governance sector.



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