**TERMS OF REFERENCE “DRAFT”**

**Assessment of Housing, Land and Property to inform durable solutions for internally displaces persons in Sudan**

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| **HLP** |
| **Date** | 1th /06/2021 |
| **Country** | Sudan  |
| **Location** | Darfur, South Kordofan and Blue Nile |
| **End mission dates** | 31/12/2021  |

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| 1. **BACKGROUND AND JUSTIFICATION**
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Norwegian Refugee Council (NRC) is an independent rights-based humanitarian organization working to protect the rights of displaced and vulnerable persons during crisis. NRC is currently establishing operations in Sudan in line with the humanitarian response plan with strategic programming priorities focusing on Education, Livelihoods and Food Security and Information, Counselling and Legal assistance (ICLA). The ICLA programme provides services to displacement affected populations to enable them to claim and exercise their rights and contribute towards attaining durable solutions through various thematic areas including; legal identity and civil documentation, employment laws and procedures and housing, land and property rights (HLP).

Most of the country’s urban population – including millions of Internally Displaced Persons (IDPs) and rural residents live in informal settlements without secure rights, vulnerable to eviction, destruction of both their residences and means of livelihood. The failure to resolve these systemic challenges has also affected the ability of the populations in Darfur and the border regions of Abyei, South Kordofan and Blue Nile to achieve long-term peace, and will complicate durable solution process for millions of IDPs.

Contextually, Sudan is undergoing a major political transition following the ouster of Al-Bashir, in 2019. The transitional civil-military administration prioritized peace, which culminated with the signing of the Juba Peace Agreement compact in Sep 2020 in Juba. The compact outlines opportunities for durable solutions for people in Darfur and the Two Areas (South Kordofan and Blue Nile). It attempts to address the root causes of conflict through power sharing, decentralisation, the autonomy of Darfur and the Two Areas, a large assisted returns process, widespread land reform, different levels of transitional justice, and positive discrimination in terms of reconstruction and development for conflict-affected areas.

In spite of the progress on peace, ethnic and inter-communal violence has increased in 2020-2021, including targeted attacks on IDP settlements, and the root causes of conflict - included contested land and property claims continue to persist. Since 2016, over 324,000 people have voluntarily returned to different states of Darfur and South Kordofan. In 2018, several returnees were reported in areas of East Darfur and West Darfur.

The lack of clarity, limited access to updated, reliable data/information and lack of in-depth analysis of new polices and legal framework on housing land and property rights remains a significant challenge. This has significantly hampered the ability to make informed, evidence-based interventions to address land issues and ultimately contribute towards durable solutions. With the new regime and transitional process, there is an urgent need to understand the existing customary and formal policies/laws that govern land issues and the impact of the Juba Peace agreement on these provisions moving forward. Assessment and data analysis are essential to understand the relevant context and the role of HLP in the durable solution process.

NRC is setting up ICLA program in Sudan targeting IDPs and Refugees and plans to undertake secondary analysis of data on Housing, land and property rights covering Darfur, South Kordofan and Blue Nile. This project seeks to contribute to durable solutions for displacement-affected communities in Sudan through identifying available information on Housing, land, property and existing information gaps. This analysis will inform NRC’s HLP program to enable the successful exercise of housing, land and property rights in Darfur, South Kordofan and Blue Nile.

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| 1. **OBJECTIVE**
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The overall objective will be to contribute to durable solutions for displacement affected communities through the consolidation and analysis of available information/data on Housing, Land and property rights and the needs of affected populations in Darfur, South Kordofan and Blue Nile to ensure evidence-based collaborative planning and programming.

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| 1. **Main Responsibilities**
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The consultant will be expected to;

1. Consolidate, translate and undertake secondary analysis of existing research and reports on Housing, Land and Property rights in Sudan with a focus on the 3 states; Darfur, South Kordofan and Blue Nile.
2. Consolidate and translate all relevant laws and policies on Housing, Land and Property rights in Sudan – focus on national level laws as well as State laws governing Darfur, South Kordofan and Blue Nile.
3. Review and update preliminary analysis undertaken by NRC on legal framework and policies governing HLP in Sudan- Darfur.
4. Mapping of HLP actors (national and international) and ongoing HLP interventions in Darfur, Blue Nile and South Kordofan.
5. Organize 2 days’ validation workshops with various relevant stakeholders dealing with HLP in 1) Darfur, 2) Khartoum and 3) South Kordofan. Support mobilisation and organisation of 2 Advocacy workshops in Khartoum and Darfur to disseminate the findings of the secondary analysis.

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| 1. **EXPECTED DELIVERABLES**
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The following will be the main deliverables;

* Report on secondary analysis of existing research and reports on Housing, Land and Property rights in Sudan with a focus on the 3 states; Darfur, South Kordofan and Blue Nile.
* Soft copy consolidated versions of all relevant laws and policies governing Housing, land and property rights at national level and in the 3 States Darfur, South Kordofan and Blue Nile in English and Arabic
* Updated report on preliminary analysis of legal framework governing housing, land and property rights prepared by NRC
* Stakeholder mapping report identifying HLP stakeholders and ongoing HLP intervention in Darfur, South Kordofan and Blue Nile.
* 5 reports and attendance lists for workshops held. 3 validation workshops in South Kordofan, Darfur and Khartoum and 2 advocacy workshops in Darfur and Khartoum.
* Consolidated reports and research undertaken on HLP

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| 1. **METHODOLOGY**
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* Literature review and desk study of relevant documentation
* Coordination with the key informant interviews (KIIs) and stakeholder: local authorities, community leaders, religious leaders and other identified stakeholders, by briefing them with the research and the workshop and inviting them to the validation workshops in Khartoum and El Fashir.

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| 1. **ORGANISATIONAL SETTING**
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The NRC’s HLP Adviser will have overall responsibility on the management and coordination of the process. The Advisor will be responsible for reviewing the data analysis and reports prepared and facilitating the planned workshops.

NRC Sudan will provide in-country technical programme support, while NRC’s ICLA HLP Advisor and Programme Development Manager will provide the technical support including sharing NRC tools, leading the KIIs, providing feedback on the draft reports and leading the validations workshops and tools designing and training.

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| 1. **THE DETAILED WORKPLAN**
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| Date  | Activity  |
| 11th – 24th June  | Consultancy launched and advertised  |
| 25th – 30th June | Bid analysis and selection of successful partner |
| 30th – 8th July  | Finalise contract issuance and inception meeting  |
| 8th July – 26th August  | 1. Secondary analysis of existing research and reports on Housing, Land and Property rights and drafting of report
2. Mapping of stakeholders and preparation of stakeholder mapping report
3. Consolidation and translation of relevant laws and policies
4. Review and update of report on legal framework governing HLP
5. Preparation for workshops
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| 26th August  | Submit first draft of all documents under section 3 of deliverables (excluding workshop reports) |
| 26th August – 16th September | Review of reports, revision and preparation of final drafts Preparation for workshops continues |
| 24th Sept – 1st October | Validation workshop in DarfurAdvocacy workshop in DarfurPreparation of report |
| 11th – 22nd October | Validation workshop in South KordofanAdvocacy workshop in South KordofanPreparation of report |
| 8th – 12th November  | Advocacy workshop Khartoum Preparation of report |
| 12th – 25th November | Final review, revision and clean-up of all final documents in close coordination with  |

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| 1. **THE ESTIMATED BUDGET**
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Applicant requested to submit tentative budget and breakdown with costs estimated between 20,000 – 30,000 USD

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| 1. **QUALIFICATIONS AND EXPERIENCE**
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**Qualification**

* Sound knowledge of the crisis and evolving displacement context of Sudan;
* Sound knowledge of Housing, Land and Property, including women’s rights in conflict or post-conflict communities, including forced displacement, humanitarian assistance and development;
* Experience of working in an emergency context;
* In-depth knowledge of the humanitarian and development landscape in Sudan and knowledge of actors on the ground;
* Fluency in English. Preferred fluency in local languages Arabic and excellent writing and communication skills;
* Proven ability to operate under strict deadline and high level of discipline and professionalism.
* Legal knowledge including knowledge of Sharia will be a distinct advantage. In addition, previous experience working in or on Sudan is a particular asset.
* Significant experience in assessment, monitoring, data analysis, research and/or evaluation – including prior experience in project and programme reviews and evaluations.
* Strong quantitative and qualitative research skills.

**Education field**

* Specialization: Law, Humanities, Social sciences or related course
* Education level; College / University, Bachelor’s degree, College / University, Master / PhD grade

**Other Qualities**

* Ability to work under pressure, independently and with limited supervision
* Highest standards of ethics and integrity
* Ability to work in insecure environments
* Communicating with impact and respect
* All employees of the Norwegian Refugee Council should be able to adhere to our Codes of Conduct and the four organizational values: Dedicated, innovative, inclusive and accountable

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| 1. **QUALIFICATIONS AND EXPERIENCE**
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Consultants who meet the above requirements are invited to submit an expression of interest, which should include the following:

1. **Cover letter:** A short (maximum 2 pages) brief addressing suitability for the assignment and current contact information and the dates of availability for the assignment
2. **Consultant’s individual or company profile** through:
* A concise CV or resume
* Supporting evidence showing relevant experience and previous works
* Inception report detailing process and approach
1. **Detailed work plan/implementation plan – weekly set objectives/ deliverables**
2. **Financial Proposal:**
* Detailed financial proposal