

SOUTH SUDAN - Land Governance Scorecard

| | | | Score | | | |
|--|-------|---|-------|---|---|---|
| LLGI-Dim | Topic | | A | B | C | D |
| Recognition of Rights | | | | | | |
| 1 | i | Land tenure rights recognition (rural) | | | ■ | |
| 1 | ii | Land tenure rights recognition (urban) | | | | ■ |
| 1 | iii | Rural group rights recognition | | ■ | | |
| 1 | iv | Urban group rights recognition in informal areas | | | ■ | |
| 1 | v | Opportunities for tenure individualization | | | ■ | |
| Enforcement of Rights | | | | | | |
| 2 | i | Surveying/mapping and registration of claims on communal or indigenous land | | | | ■ |
| 2 | ii | Registration of individually held properties in rural areas | | | | ■ |
| 2 | iii | Registration of individually held properties in urban areas | | | | ■ |
| 2 | iv | Women's rights are recognized in practice by the formal system (urban/rural) | | | | ■ |
| 2 | v | Condominium regime that provides for appropriate management of common property | | | | ■ |
| 2 | vi | Compensation due to land use changes | | | | ■ |
| Mechanisms for Recognition | | | | | | |
| 3 | i | Use of non-documentary forms of evidence to recognize rights | | | | ■ |
| 3 | ii | Formal recognition of long-term, unchallenged possession | ■ | | | |
| 3 | iii | First-time registration on demand is not restricted by inability to pay formal fees | | | ■ | |
| 3 | iv | First-time registration does not entail significant informal fees | | | | ■ |
| 3 | v | Formalization of residential housing is feasible and affordable | | | ■ | |
| 3 | vi | Efficient and transparent process to formally recognize long-term unchallenged possession | | ■ | | |
| Restrictions on Rights | | | | | | |
| 4 | i | Restrictions regarding urban land use, ownership and transferability | | | ■ | |
| 4 | ii | Restrictions regarding rural land use, ownership and transferability | | | | ■ |
| Clarity of Mandates | | | | | | |
| 5 | i | Separation of institutional roles | | | | ■ |
| 5 | ii | Institutional overlap | | | | ■ |
| 5 | iii | Administrative overlap | | | | ■ |
| 5 | iv | Information sharing | | | | ■ |
| Equity and Non-Discrimination | | | | | | |
| 6 | i | Clear land policy developed in a participatory manner | | | ■ | |
| 6 | ii | Meaningful incorporation of equity goals | | | ■ | |
| 6 | iii | Policy for implementation is costed, matched with the benefits and is adequately resourced | | | | ■ |
| 6 | iv | Regular and public reports indicating progress in policy implementation | | | | ■ |
| Transparency of Land Use | | | | | | |
| 7 | i | In urban areas, land use plans and changes to these are based on public input | | | | ■ |
| 7 | ii | In rural areas, land use plans and changes to these are based on public input | ■ | ■ | ■ | |
| 7 | iii | Public capture of benefits arising from changes in permitted land use | | | | ■ |
| 7 | iv | Speed of land use change | | | | ■ |
| Efficiency of Land Use Planning | | | | | | |
| 8 | i | Process for planned urban development in the largest city | | | | ■ |
| 8 | ii | Process for planned urban development in the 4 largest cities (exc. largest) | | | | ■ |
| 8 | iii | Ability of urban planning to cope with urban growth | | | ■ | |
| 8 | iv | Plot size adherence | | | ■ | |
| 8 | v | Use plans for specific land classes (forest, pastures etc) are in line with use | ■ | ■ | ■ | |
| Speed and Predictability | | | | | | |
| 9 | i | Applications for building permits for residential dwellings are affordable and processed in a non-discretionary manner. | | ■ | | |
| 9 | ii | Time required to obtain a building permit for a residential dwelling | ■ | | | |
| Transparency of Valuation | | | | | | |
| 10 | i | Clear process of property valuation | | | | ■ |
| 10 | ii | Public availability of valuation rolls | | | | ■ |
| Tax Collection Efficiency | | | | | | |
| 11 | i | Exemptions from property taxes are justified | | | | ■ |

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| 11 | ii | Property holders liable to pay property tax are listed on the tax roll | | | | | |
| 11 | iii | Assessed property taxes are collected | | | | | |
| 11 | iv | Property taxes correspondence to costs of collection | | | | | |
| Identification of Public Land | | | | | | | |
| 12 | i | Public land ownership is justified and implemented at the appropriate level of government | | | | | |
| 12 | ii | Complete recording of publicly held land | | | | | |
| 12 | iii | Assignment of management responsibility for public land | | | | | |
| 12 | iv | Resources available to comply with responsibilities | | | | | |
| 12 | v | Inventory of public land is accessible to the public | | | | | |
| 12 | vi | Key information on land concessions is accessible to the public. | | | | | |
| Incidence of Expropriation | | | | | | | |
| 13 | i | Transfer of expropriated land to private interests | | | | | |
| 13 | ii | Speed of use of expropriated land | | | | | |
| Transparency of Procedures | | | | | | | |
| 14 | i | Compensation for expropriation of ownership | | | | | |
| 14 | ii | Compensation for expropriation of all rights | | | | | |
| 14 | iii | Promptness of compensation | | | | | |
| 14 | iv | Independent and accessible avenues for appeal against expropriation | | | | | |
| 14 | v | Appealing expropriation is time-bounded | | | | | |
| Transparent Processes | | | | | | | |
| 15 | i | Openness of public land transactions | | | | | |
| 15 | ii | Collection of payments for public leases | | | | | |
| 15 | iii | Modalities of lease or sale of public land | | | | | |
| Completeness of Registry | | | | | | | |
| 16 | i | Mapping of registry records | | | | | |
| 16 | ii | Economically relevant private encumbrances | | | | | |
| 16 | iii | Economically relevant public restrictions or charges | | | | | |
| 16 | iv | Searchability of the registry (or organization with information on land rights) | | | | | |
| 16 | v | Accessibility of records in the registry (or organization with information on land rights) | | | | | |
| 16 | vi | Timely response to a request for access to records in the registry (or organization with information on land rights) | | | | | |
| Reliability of Records | | | | | | | |
| 17 | i | Focus on customer satisfaction in the registry | | | | | |
| 17 | ii | Registry/ cadastre information is up-to-date | | | | | |
| Cost Effective and Sustainable | | | | | | | |
| 18 | i | Cost of registering a property transfer | | | | | |
| 18 | ii | Financial sustainability of the registry | | | | | |
| 18 | iii | Capital investment | | | | | |
| Transparency | | | | | | | |
| 19 | i | Schedule of fees is available publicly | | | | | |
| 19 | ii | Informal payments discouraged | | | | | |
| Assignment of Responsibility | | | | | | | |
| 20 | i | Accessibility of conflict resolution mechanisms | | | | | |
| 20 | ii | Informal or community based dispute resolution | | | | | |
| 20 | iii | Forum shopping | | | | | |
| 20 | iv | Possibility of appeals | | | | | |
| Low Level of Pending Conflicts | | | | | | | |
| 21 | i | Conflict resolution in the formal legal system | | | | | |
| 21 | ii | Speed of conflict resolution in the formal system | | | | | |
| 21 | iii | Long-standing conflicts (unresolved cases older than 5 year) | | | | | |
| Large Scale Acquisition of Land rights | | | | | | | |
| LSLA | 1 | Most forest land is mapped and rights are registered | | | | | |
| LSLA | 2 | Conflicts generated by land acquisition and how these are addressed | | | | | |
| LSLA | 3 | Land use restrictions on rural land parcels can generally be identified. | | | | | |
| LSLA | 4 | Public institutions in land acquisition operate in a clear and consistent manner. | | | | | |
| LSLA | 5 | Incentives for investors are clear, transparent and consistent. | | | | | |
| LSLA | 6 | Benefit sharing mechanisms for investments in agriculture | | | | | |

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| LSLA | 7 | There are direct and transparent negotiations between right holders and investors. | | | | |
| LSLA | 8 | Information required from investors to assess projects on public/community land. | | | | |
| LSLA | 9 | Information provided for cases of land acquisition on public/community land. | | | | |
| LSLA | 10 | Contractual provisions on benefits and risks sharing regarding acquisition of land | | | | |
| LSLA | 11 | Duration of procedure to obtain approval for a project | | | | |
| LSLA | 12 | Social requirements for large scale investments in agriculture | | | | |
| LSLA | 13 | Environmental requirements for large scale investments in agriculture | | | | |
| LSLA | 14 | Procedures for economically, environmentally, and socially beneficial investments. | | | | |
| LSLA | 15 | Compliance with safeguards related to investment in agriculture | | | | |
| LSLA | 16 | Procedures to complain if agricultural investors do not comply with requirements. | | | | |
| Forestry | | | | | | |
| Commitments to Sustainability and Climate Change Mitigation | | | | | | |
| 1 | i | Country signature and ratification of international conventions | | | | |
| 1 | ii | Implementation of incentives to promote climate change mitigation through forestry | | | | |
| Recognition of Public Goods Aspects of Forests and Promoting their Sustainable Use | | | | | | |
| 2 | i | Public good aspects of forests recognized by law and protected | | | | |
| 2 | ii | Forest management plans and budgets address the main drivers of deforestation and degradation | | | | |
| Supporting Private Sector to Invest Sustainably in Forest Activities | | | | | | |
| 3 | i | Country's commitment to forest certification and chain-of-custody systems to promote sustainable harvesting of timber and non-timber forest products | | | | |
| 3 | ii | Country's commitment to SMEs as a way to promote competition, income generation and productive rural employment | | | | |
| Livelihood Aspects of Local, Traditional and Indigenous Forest-Dependent Communities | | | | | | |
| 4 | i | Recognition of traditional and indigenous rights to forest resources by law | | | | |
| 4 | ii | Sharing of benefits or income from public forests with local communities by law and implemented | | | | |
| Forest Land Use, Tenure and Land Conversion | | | | | | |
| 5 | i | Boundaries of the countries forest estate and the classification into various uses and ownership are clearly defined and demarcated | | | | |
| 5 | ii | In rural areas, forest land use plans and changes in these plans are based on public input | | | | |
| Controlling Illegal Logging and Other Forest Crimes | | | | | | |
| 6 | i | Country's approaches to controlling forest crimes, including illegal logging and corruption | | | | |
| 6 | ii | Inter and intra agency efforts and multi-stakeholder collaboration to combat forest crimes, and awareness of judges and prosecutors | | | | |