

REGARDS SUR LE FONCIER



# Land abandonment in France

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# Summary

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**Causes and challenges  
of land abandonment in France**

2

**French legislation  
and land abandonment**

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**SAFER tools and actions  
to address the issue**

4

**A need for a more regulated  
access to farmland**



1

# Causes and challenges of land abandonment in France

Loïc JEGOUZO  
*FNSafer*

# Types of abandoned land:

- **Speculative** (capital gain expected)
- **Change or decline of agricultural model**  
(less agricultural area ‘required’)
- **« Forest-like »** (forest protection)
- **Illegal occupation** (coastal areas, etc.)
- **Illegal waste dumps** (tax avoidance)

# Challenges 1 / 2

- Farmers settlements
- Farmland protection
- Societal expectation: local food and short distribution
- Compensation: environmental, agricultural

## Challenges 2/2

- Protection against pests
- Civil protection: wildfires, floodings
- Irrigation networks
- Landscape

2

# French legislation and land abandonment

Loïc JEGOUZO  
*FNSafer*



## ■ Land planning (*Urban Law*)

- Quick change of land use in planning documents used to encourage land abandonment (and still does)
- From a very local scale (POS, PLU) to a wider scale (SCoT)
- Progressive acceptance of the need to protect farmland

# ■ Abandoned land recovery procedure (*Rural Law*) 1 / 3

- *Mise en valeur des terres incultes ou manifestement sous-exploitées – MVTI*
- Goal: make landowners farm again or lease their uncultivated plots
- Based on an individual request or a public initiative

# ■ Abandoned land recovery procedure (*Rural Law*) 2 / 3

- Individual request – Steps (1 to 2 years):
  - Identification of the plot by the farmer willing to farm it
  - Degree of abandonment issued by a commission
  - Owner or current farmer is asked by the State to farm the land ; if not, authorisation granted to a new farmer chosen by the State

# ■ Abandoned land recovery procedure (*Rural Law*) 3 / 3

- Public initiative – Steps (2 to 3 years):
  - Definition of a perimeter to be recovered from abandonment, based on the inventory carried out by a commission (CDPENAF)
  - Degree of abandonment issued by a commission, and sent to owners or farmers
  - Owner or current farmer is asked by the State to farm the land ; if not, authorisation granted to a new farmer chosen by the State

# ■ Unoccupied or « owner-free » land procedure (*Civil Law*)

- « *Biens vacants et sans maîtres* »
- Non specific to abandoned land
- Steps :
  - Identification of such land
  - Incorporation into public property  
(Commune, Département)

# ■ Inventory of abandoned land

- A legal obligation (2014, « Loi d'avenir »)
  - National observatory of rural land consumption (OENAF)
  - Local-scaled (Département) inventories to be carried out by commissions (CDPENAF)
- Nearly not fulfilled:

3

# SAFER tools and actions to recover abandoned land

Loïc JEGOUZO  
*FNSafer*

## ■ SAFER 1 / 2

- 13 companies in continental France and 3 overseas
- Non-profit companies
- Under control of Ministries for agriculture and finances
- In charge of rural land market regulation



## ■ SAFER 2 / 2

- Board includes representatives of rural territories: farmers, local authorities, environment, State, banks, ...
- 4 public service missions:
  - Support agriculture and forestry
  - Protect environment and landscapes
  - Help local development in relation with public authorities' projects
  - Guarantee land market transparency

# Experiments of inventory

3.1



SAFER tools and actions to recover abandoned land

# ■ Isère : SAFER Auvergne-Rhône-Alpes

- 1 – Identification of uncultivated areas
- 2 – Determination of the agricultural potential of uncultivated areas
- 3 – Local meetings
- 4 – Actions to implement to farm these areas again

# ■ Isère (Auvergne-Rhône-Alpes)

## 1 – Identification of uncultivated areas

Step 1 : Exclusion of areas whose use is certain:

- Urban
- Agricultural
- Natural or forest

# SAFER tools and actions to recover abandoned land

**Forest areas excluded**  
*20 290 hectares*



Source : Safer Auvergne-Rhône-Alpes

# SAFER tools and actions to recover abandoned land

## Agricultural areas excluded *24 719 hectares*

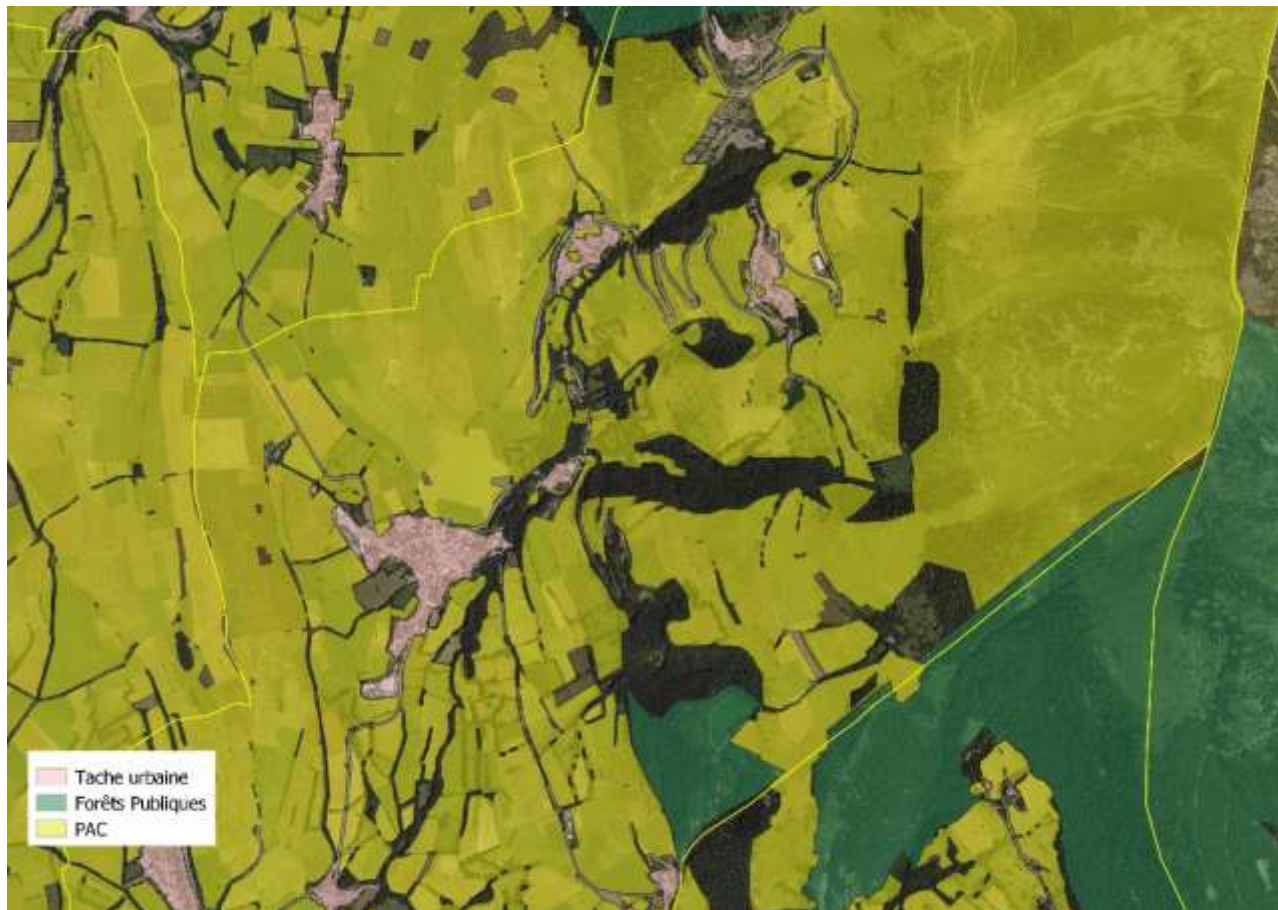


Source : Safer Auvergne-Rhône-Alpes



# SAFER tools and actions to recover abandoned land

**Urban areas excluded**  
*1 096 hectares*



Source : Safer Auvergne-Rhône-Alpes

# SAFER tools and actions to recover abandoned land

## Potential abandoned land

*11 073 hectares = 18,2 % of total area*



Source : Safer Auvergne-Rhône-Alpes



# SAFER tools and actions to recover abandoned land

## Potential abandoned land

*11 073 hectares = 18,2 % of total area*



Source : Safer Auvergne-Rhône-Alpes

# ■ Isère (Auvergne-Rhône-Alpes)

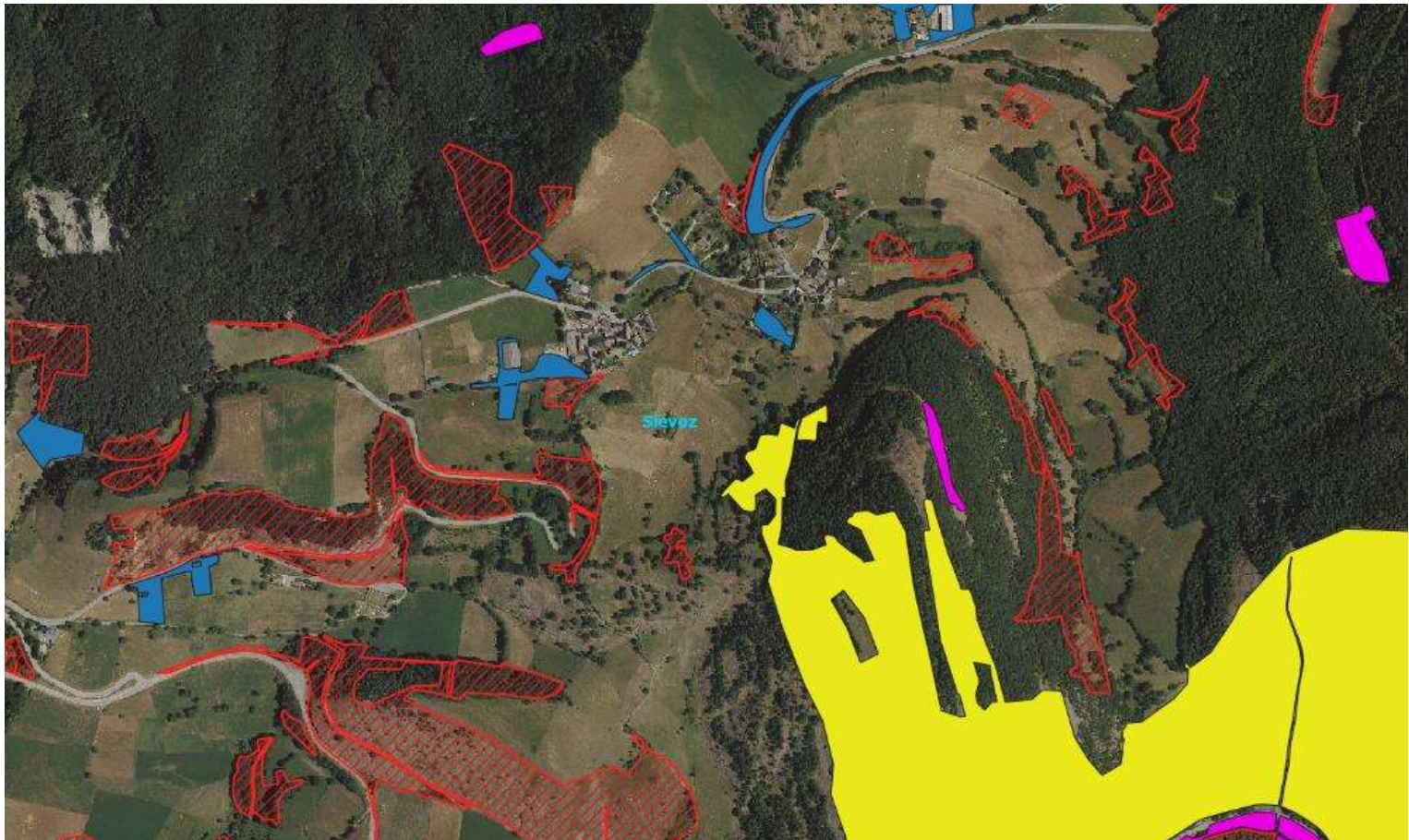
## 1 – Identification of uncultivated areas

Step 2 : Determination of the ability to actually recover the identified areas, based on:

- Height  $> 1\,400$  m
- Slope  $> 70\%$
- Area  $< 1$  ha or distance to first cultivated plot

# SAFER tools and actions to recover abandoned land

## Example: slope



Source : Safer Auvergne-Rhône-Alpes



SAFER tools and actions to recover abandoned land

# ■ Isère (Auvergne-Rhône-Alpes)

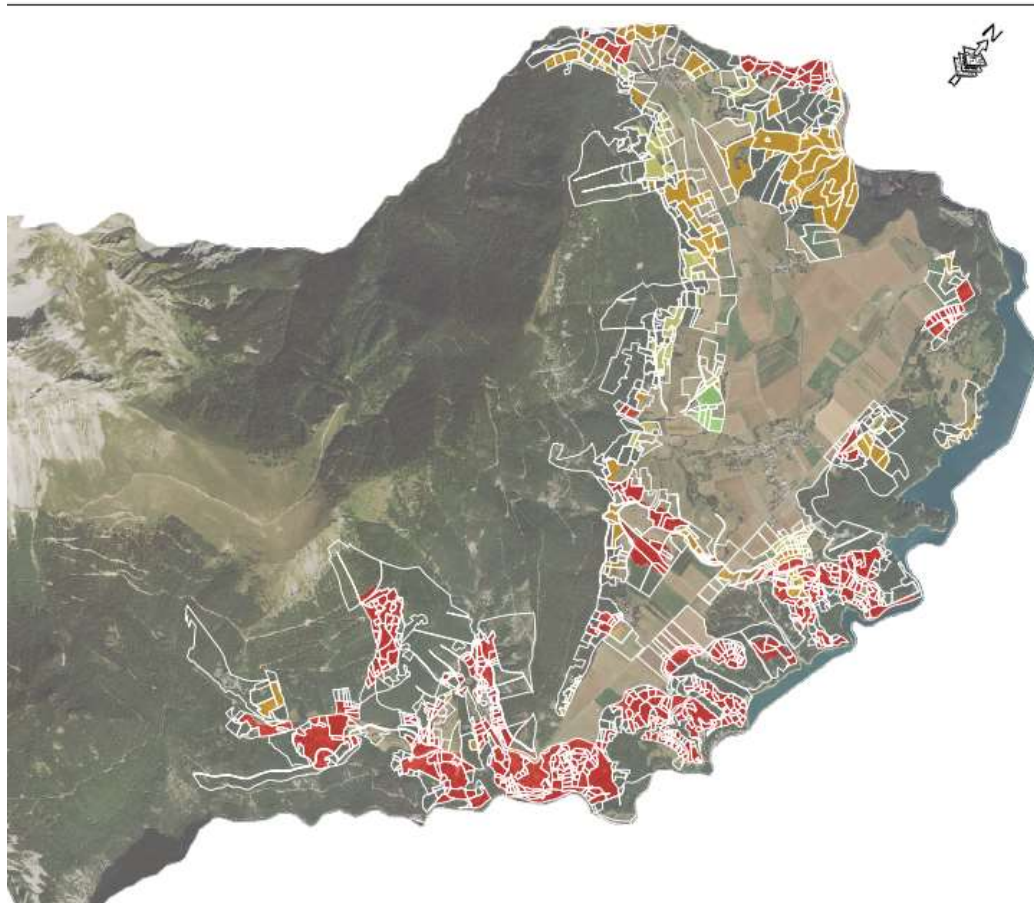
## 2– Determination of the agricultural potential of uncultivated areas



# SAFER tools and actions to recover abandoned land

## Agricultural quality

<b>Surfaces:</b>	<b>159</b>	<b>71</b>	<b>20</b>	<b>4</b>	<b>253</b>
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Source : Safer Auvergne-Rhône-Alpes

# SAFER tools and actions to recover abandoned land

Out of 44 municipalities (« communes ») :  
5 361 hectares could be recovered

commune	surface en ha	commune	surface en ha
AMBEL	52	NANTES EN RATIER	102
BEAUFIN	47	NOTRE DAME DE VAULX	48
CHANTELOUVE *	153	ORTIS EN RATIER	104
CHOLONGE	66	PELLAFOL	253
COGNET	32	PIERRE CHATEL	91
CORPS	189	PONSONNAS	129
ENTRAIGUES	77	PRUNIERES	176
LA MORTE	93	QUET EN BEAUMONT	151
LA MOTTE D'AVEILLANS	152	SAINT AREY	306
LA MOTTE SAINT MARTIN	232	SAINT HONORE	49
LA MURE	46	SAINT JEAN DE VAULX	54
LA SALETTE FALLAUAUX	192	SAINT LAURENT EN BEAUMONT	124
LA SALLE EN BEAUMONT	141	SAINT MICHEL EN BEAUMONT	182
LA VALETTE	41	SAINT PIERRE DE MEAROS	87
LAFFREY	123	SAINT THEOFFREY	100
LAVALDENS	100	SAINT LUCE	110
LE PERIER *	60	SIEVOZ	88
LES COTES DE CORPS	222	SOUSVILLE	40
MARCIEU	161	SUSVILLE	49
MAYRES SAVEL	415	VALBONNAIS	155
MONESTIER D'AMBEL	136	VALJOUFFREY	124
MONTEYNARD	70	VILLARD SAINT CHRISTOPHE	56

Source : Safer Auvergne-Rhône-Alpes

## ■ Isère (Auvergne-Rhône-Alpes)

### 3– Agreement by municipalities (« communes ») through local meetings:

- Identified sectors
- Plots to be recovered from abandonment



SAFER tools and actions to recover abandoned land

## ■ Isère (Auvergne-Rhône-Alpes)

4– Determination of actions to implement by SAFER to recover identified plots



# ■ SAFER Provence-Alpes-Côte d'Azur

## Web-Application « open friche map »

- App developed by SAFER PACA
- Open to any person willing to spot an abandoned plot
- Data gathered into a database
- Agreement by local commissions

## ■ National level (FNSAFER)

Experiment to identify abandoned land through satellite imagery

- Development of a model crossing field data and satellite data (Sentinel 2)
- Aim: permanent monitoring of abandoned land, assessment of their evolution, at a national scale

3.2

# Effective recoveries

# ■ Abandoned land recovery procedure in La Réunion (French island in Indian Ocean)

An action led by SAFER in partnership with the Département, the Agricultural Council (« Chambre d'agriculture ») and the State

## ■ La Réunion

- Strong decline of agricultural area between 1970 and 2000 due to urban sprawl (334 inhabitants/km<sup>2</sup>)
- Stabilisation between 2000 and 2010 thanks to MVTI and a limited consumption : 42 800 ha in 2010
- Goal: reach 50 000 ha through MVTI (procedure strenghtened since 2016 through financial support to owners)

# ■ La Réunion

## Actions by SAFER

- Step 1: Inventory of abandoned land: 6 000 ha
- Step 2: negociation with owners thanks to SAFER, to avoid restrictive actions
- Step 3: if needed, forced lease or expropriation by the State and sale to SAFER



SAFER tools and actions to recover abandoned land

# ■ La Réunion

## Actions by SAFER

- 300 to 400 ha recovered  
and made cultivated again every year

# SAFER tools and actions to recover abandoned land

## Example of plot cultivated again: *Pineapple and sugar cane*

**Before**



**After**



Source : Safer Réunion



### 3.3

SAFER tools  
used to address  
the issue

## ■ SAFER tools 1 / 2

- Monitoring of all rural sales, based on the transmission by notaries (legal obligation)
- Contact of landowners
- Purchase and possible storage (5 years)
- Land consolidation (exchanges, sales)

## ■ SAFER tools 2 / 2

- Sale with contract (« cahier des charges »): commitment to farm a land during
  - At least 10 years
  - Up to 30 years (environment)
- Leasing negotiation between landowners and farmers
- If needed, preemption right

3.4

## Obstacles to a better action by SAFER

## ■ Definition of abandoned land

Difficulty to distinguish agricultural and forest areas

Impact on the ability of SAFER to use its preemption right and implement actions



SAFER tools and actions to recover abandoned land

# **Authorisation required to clear abandoned land**

**Before clearing an abandoned land  
considered a forest, in order to make it  
cultivated again, SAFER must be granted  
an authorisation**

**Exemption below 4 hectares**

## ■ Forest compensation obligations

Cleared abandoned land considered a forest must be compensated:

- Tree planting, or
- Financial contribution to a national forest fund, proportional to area, farmland value, planting cost

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## ■ SAFER preemption right not effective in forests

Preemption right can be used on rural land whose use is or could be agricultural

In order to avoid preemption, an owner only needs to declare his plot as forest





SAFER tools and actions to recover abandoned land

# MVTI procedure: difficult implementation

Duration (1 to 3 years)

No legal criteria to determine  
uncultivated land nor rehabilitation

Costly

4

A need  
for a more regulated access  
to land

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*AEIAR President*

*SAFER Occitanie Vice-President*



A need for a more regulated access to land

**AEIAR organisation**

**[www.aeiar.eu](http://www.aeiar.eu)**

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