Introduction

- Objectives:
  - Explain why leased land is important to include
  - Explain how this can be done
- 3 different countries with different context:
  - Netherlands
  - Romania
  - Turkey
Land consolidation and food security

- Land consolidation can be defined as:

  "the planned readjustment of the pattern of ownership of land parcels with the aim of forming larger and more rational holdings" (Pasakarnis and Vileine, 2010)

- Land consolidation contributes to food security by counteracting land fragmentation
- Land consolidation is based on land rights

Land rights

- 3 groups of land rights:
  - Real rights (e.g. ownership, usufruct, long lease)
  - Formal personal rights (e.g. land lease)
  - Informal personal rights (e.g. family arrangements)
Ownership and leased land

- Relation owner – user – land:
  - (a) land owners not using their own land
  - (b) land owners using their own land
  - (c) Land users who do not own the used land

- Spatial distribution of ownership and use rights:

The Netherlands

- Legislation on land consolidation available
- Ownership and formal land leased included
- Informal lease arrangements are often ignored; lease period shorter than land consolidation project
- Good land administration system, but land lease not included
The Netherlands

- Procedure
  - Land users have similar rights as land owners
  - Deed based on ownership
  - Changed land lease send to land tenure control board
  - Owner pays for reallocation benefits, but may charge land user

The Netherlands

- Registered and approved lease in Blokzijl-Vollenhove
Romania

- Despite efforts no legislation yet on land consolidation
- Complex history regarding land administration
- Land redistribution to owners prior to socialist regime led to:
  - land fragmentation
  - absentee owners
  - uncertainty about boundaries
  - preliminary ownership rights

Developments affected land administration
- Including use rights even more important
- Technical procedure (not based on legislation):
  - Land consolidation may lead to less complex relations

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Turkey

- Two sets of law apply:
  - On agrarian reform due to land reallocation in irrigation fields
  - On soil protection and land use
- Aim to:
  - decrease socio-economic differences
  - improve agricultural production
  - improve livelihoods in rural areas

Turkey

- Several parties may implement land consolidation:
  - General Directorate of Agricultural Reform (TRGM)
  - General Directorate of State Hydraulic Works
  - Municipalities
  - Province private administrations
- Design reallocation plan by private companies:
  - In accordance with land owners
  - Under supervision of TRGM
  - TRGM accommodates expression of preferences or alternative choices regarding new allocation
- Land owner’s preferences are decisive; land owner may allow tenants to formulate their preferences
- Tenancy recorded in village books (since 2002)
Rights in land consolidation

- Leased land in relation to ownership
- before (left) and after (right) land consolidation

Example:

 Allocation owners does change
 Allocation users does change

Relation owner - user does change:
from A-B / A-C / X-B / X-C to A-C / X-B

Improvement allocation owners
Improvement allocation users
Improvement, i.e. less complex, owner - user relations

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Rights in land consolidation

Conclusions

- Include ownership and use rights in land consolidation:
  - to counteract land fragmentation
  - to improve food security
- Accessible information on ownership and leased land necessary:
  - plea for land administration system including both
- Extent to which leased land is taken into account and how this can be done varies; principle of reallocation remains in place