



ACCESS TO LAND

A European network of grassroots organisations securing land for agroecological farming.

Access to Land Europe: Learning from the Field

Seminar – 19-20 June
2017, Brussels

Second day:
Lessons and Collaborations

Tuesday, 20th of June 2017, Brussels



The federal law on rural land rights in Switzerland

Bettina Scharrer, Centre for
Development and Environment,
University of Bern, Switzerland

Some data and information concerning Swiss agriculture

- Since 1996, 32% of the farms disappeared
 - 2000: 70'537
 - 2016: 53'232 (-25%)
- Average size of a farm: 19 ha
- Still 4.3% of the population is rural, employed in agriculture
- Arable land: 1'049'072ha, 142'073ha organic farming, 14%
- New younger trained farmer per year: 1000, but 1300 are needed
- self-sufficiency rate: 55%, but 100% for meat, dairy products
- top rate of subsidies worldwide
- Very capital intensive and industrial agriculture next to a part of sustainable agriculture (more on non-favoured areas)

A law to maintain rural land property

Goals of Art.1 of the federal law on rural land rights (211.412.11 Bundesgesetz über das bäuerliche Bodenrecht. BGBB)

- To foster the maintain of rural land property, specially family farms as a base of
 - a strong farmer community
 - a productive agriculture, takes into consideration a sustainable soil management and improves the structures
- To strengthen the position of the land – manager (farmer) and of the tentant as well and to support them also with regard to acquire land
- To prevent excessive prices

Tools: Restriction for the farm land trade and favourable framework for the taking over for family members

90% of the rural land in Switzerland is in private hand, only 3% in the hand of legal persons, 7% is public land

Tools (selection only)

- Selling farm land to a non-direct family member or outsider requires approval of the cantonal authority
- When farms are taken over, the *earning value* has to be paid
- Relatives and tenants have a *pre-emption right*
- Usually, the property must be sold *as a unity*. → Interdiction of the split of the property into partial plots
- Cantonal regulation asks non-family buyers to provide a *certificate of professional qualification*

Access to land for Newcomers (no – family members or no- tentans) and for legal persons

- Newcomers interested in the land and property of retiring farmers: up to 80 competitors apply for a farm (if the farm is to sell)
- Mostly very expensive, despite measures to prevent land speculations
- For legal persons: there must be one person as a *(self) land – manager* who holds a share of 2/3 of the land property *and the proof of a professional qualification*
- Only 1% of the farms are organised as legal persons, only 3% of the land is owned by legal persons
- When farmers retire and there is no family succession: only 5% of the cases!
 - They usually keep the farmhouse and rent or sell the land to farmers out of the neighbourhood → foster the structural change
 - Or they keep the farmhouse and sell the land to out-siders (seldom)
 - They sell the farmhouse and the land to out-siders (seldom)

Conclusion

- > The BGGG shouldn't be weakened, even though the access to land for new-comers is difficult
- > The BGGG pointed out the importance and possible positive effect of a favourable legal framework
- > The BGGG show the high relevance of agriculture land in Switzerland. Still 95% of all farms were inherited within the respective families. (Prize: earning value)

BUT

- > There is a real risk of watering down the positive effects of the BGGG
- > The Federal Council wishes to repeal the restriction for disposal for small farms and part-time farms. This would have the effect of a reduction of 43% of all Swiss farms!



Thank you for your kind attention