



Access to Land & Greek Law:

a rich legislation, yet to be implemented





Summary

A new study reviewing access to land and Greek law written by Panagiotis Longinidis, a lawyer working with grassroots urban and food movements in Greece, and commissioned by Agroecopolis Hellas (AEP), has recently been published. The study aims to better identify the legal levers existing in Greek law which could support access to land for agroecology with a view to enabling Greek social movements to directly use these legal levers and / or press public bodies to implement them. The study examines the history of the legislation governing access to land in Greece and considers the potential of current laws, particularly law 4061/2012, in encouraging and supporting new access to land for farming.

The study starts with a historical overview on the implementation of state policies to facilitate landless and small-scale farmers to access arable land (Chapter 1). From the second decade of the 19th century, the newly established Greek State applied legal measures to allow - mainly landlords - to acquire or use public land to produce agricultural products, mainly for commercial use and to sustain "the farmer's family".

The great revolution was the adoption of the National Farming Law (6th of December 1949) which enabled landless citizens to acquire arable public land, belonging to the State, to Municipalities or even to Communities. Article no 42 of the Farming Law forced citizens to create Farming Associations where arable land was offered to citizens by the governing authority. Overall, statutory legislation concerning public arable land and people's access to it is justified by the interest of the Greek modern State to secure people's survival, especially after the gradual enlargement of the Greek external borders, the Second World War and the integration of the country to the European Community.

The study then explores legal levers discussed by European institutions and notable examples of promoting access to land in other Member States (Chapter 2). Comparing successful grassroots initiatives of Western countries is important for Greece as similar activity is based mostly on State intervention rather than on the initiatives of citizens and future farmers. EU legislation mentioned in the study refers mainly to:

- a study commissioned by the European Parliament (EP) in 2015 on farmland grabbing, and
- a report adopted by the EP in 2017 on farmland concentration in the EU and how to facilitate access to land for new farmers.

The fundamental contribution of this research lies in the detailed recording and analysis of the current legal framework of the citizens' right to reclaim land and use it on special favourable terms, as reflected in both private and public law (Chapter 3). The study focuses in particular on law (4061/2012) which offers the opportunity for public land cultivation at a very low price to all small scale farmers, young farmers, unemployed young people or cooperatives included in Prefectures plan for locally produced goods. The law started to be implemented in November 2018 and its impacts are yet to be measured but it has the potential to not only help new entrants into farming and encourage community supported farmers but to build economic resilience through short supply chains.



At the local level, regions can offer public land to citizens and to cooperatives for farming or for any other action strengthening local production and consumption. Besides, law 4555/2018 provides that the Ministry of Internal Affairs, the Ministry of Economy, the Ministry of Agriculture and the Ministry of Environment and Energy have to establish a Commission, responsible for noting and collecting all data about arable land belonging to all Greek Municipalities. After that, this Commission could propose a general plan for this abandoned public arable land to the Greek Government which could be implemented in cooperation with Municipalities, targeting economic local development and environmental sustainability.

The study concludes with proposals to integrate central government policies and local measures from Municipalities and Regions, in order to limit speculation and to support small scale, agricultural production which balances environmental, economic and social benefits. Another proposed action could be to promote access to land for cooperatives and community-supported agriculture as part of the recuperation of abandoned municipal land.

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