



Interlinkages Between Land Rights and the Right to Food

Contribution to the Special Rapporteur on the Right to Food

Joint Submission of FIAN EU & Access to Land Network

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FIAN European sections and Access to Land Network welcome the opportunity to contribute to this important report. Access to land is a precondition for billions of people to feed themselves in dignity. The denial, erosion, or commodification of land resources constitutes a direct violation of the right to food and nutrition.

1) What government laws, policies, or projects limit or deny access to land and territory for farming, grazing, gardening, or fishing?

Across Europe, certain policy gaps hamper access to land for food sovereignty. The EU lacks a coherent land governance framework aimed at preventing land concentration, speculative acquisitions, and financialization. This regulatory vacuum allows both corporate and financial actors to consolidate ownership, pushing small-scale food producers out of land markets and installing a large-scale export-oriented model of production, threatening the realisation of the right to food in Europe and elsewhere.

A study commissioned by the Committee of Agriculture and Rural Development at the European Parliament in 2015 revealed that the lack of transparency around large-scale land deals in the EU implies that farmland grabbing operates in part through extra-economic forces (Kay, Peuch, & Franco, 2015). This vacuum has enabled the consolidation of large corporate farms, governed by shareholder investment strategies that prioritise financial returns over land stewardship (Access to Land, 2025). Their production models are centred on monocultures and fossil-fuel-intensive inputs and geared toward short-term financial gains. **An intensive, export-oriented model puts soil health at risk and threatens the right to food for future generations.** European soils are severely degraded, as 70% of soils are in poor condition and 25% of soils in southern and eastern Europe are at risk of desertification (ECVC, 2023a).

In the EU, **the challenge of farm succession is becoming critical**: with half of the agricultural population set to retire within the next decade, large areas of farmland will soon change hands (ECVC, 2023a). However, **soaring land prices and weak regulation of land markets make it extremely difficult for young and new farmers to take over these farms.** In many countries, land has become unaffordable — for example, prices in the Netherlands now exceed €65,000 per hectare — allowing only large agribusinesses or investors to compete in the market. As a result, generational renewal is obstructed, and access to land becomes increasingly restricted, undermining the right to food.

The lack of a European legal and policy framework to regulate land in line with the right to food makes access to land more difficult, favouring large-scale actors and reducing opportunities for new entrants and small-scale farmers. At EU level, the CAP's hectare-based subsidies, single-market rules on free movement of capital, and free-trade agreements all incentivise land consolidation and make it challenging for local farmers and small-scale farmers to ensure their economic viability. National frameworks often exacerbate this through deregulated land markets, weak tenant protections, and tax systems that benefit large holdings and investors. **Public infrastructure, urban expansion and energy transition projects** further limit access to land for farming.

2) Are you witnessing or experiencing land grabbing, evictions, or concentration of land ownership?

Numerous cases documented by FIAN and partner organizations illustrate rapid land concentration and increasing land grabbing across Europe.

According to Eurostat, in 2020, the EU had about 9.1 million agricultural holdings (farms). Almost two-thirds ($\approx 63.8\%$) of those farms were very small — under 5 hectares. In contrast, only about 7.5% of farms were of 50 hectares or more — but those larger farms managed around 68% of the EU's utilized agricultural area (UAA).

In Romania up to 10% of agricultural land is now in the hands of investors from third countries and a further 20-30% is controlled by investors from the EU. In Hungary one million hectares of land was acquired in secret deals using capital primarily from EU Member States (EESC, 2015). The geographical distribution of farmland grabbing in the EU is uneven and is particularly concentrated in Eastern European Member States, with initial findings suggesting that Romania, Bulgaria, Hungary and Poland are particular hotspots.

A report by IPES-Food (2024) shows a trend towards larger average farm sizes, and fewer farms in total – with smallholder agriculture declining. For example, while the EU's total agricultural land remained virtually unchanged from 2005-2020, some 4.6 million small farms (<5 hectares) disappeared from the landscape while large farms (>100 hectares) increased by 20% over the same. It means that the expansion of large farms in Europe has come at the expense of small farms.

There is no *single* EU policy that explains farmland grabbing, but rather a combination of policies - or policy-design features - within the Common Agricultural Policy (CAP) and other EU-level frameworks that facilitate land-grabbing or farmland concentration in the EU

The Common Agricultural Policy's (CAP) has partly caused many farms in Europe to disappear because it grants aid per hectare and pushes farmers to either expand or give up (ECVC, 2023a). The CAP reinforces land price inflation: by guaranteeing a flow of per-hectare payments, it increases the expected profitability of land, thereby raising both sale and rental prices and making access structurally harder for new agroecological farmers (Terre de Liens, 2025). The first pillar of the CAP, gives greater financial leverage to large-scale farmers and thus creates advantages and releases capital for further land acquisition (EESC, 2015). In turn, agricultural land concentration concentrates CAP subsidies.

Farmland grabbing in Europe tends to result from the intersection of market liberalization, subsidy schemes biased toward large area-holders, and speculation on farmland as a financial asset. A subsidized model under CAP, combined with increasing land prices and financial speculation on land (especially with farmland treated like any other investment asset), creates incentives for investors to acquire farmland not necessarily to farm it in a traditional sense — but as real estate, a speculative asset, or for large-scale industrial agriculture. In certain Eastern European Member States, this process has been especially marked: after EU accession and integration of markets, small farms struggled to compete and many sold or lost land.

In several countries, **long-term leasing by agribusiness firms results in a “soft” land grabbing.** The size of the landholdings acquired in these new transactions - which can amount to sometimes thousands of hectares of land - represent a deep rupture with family farming and the associated farm sizes that have characterized European farming so far. This trend undermines the possibility for young farmers or new entrants to access land and accelerates the decline of small farms and rural livelihoods.

Free trade agreements (FTAs) can also contribute to land grabbing by encouraging an agricultural model oriented toward exports and large-scale production (ECVC, 2023b). By opening markets and creating incentives for competitive, high-volume output, these agreements tend to favour large agribusinesses that can operate at scale. FTAs have multiplied since the GATT. In 2024 there has been the EU–New Zealand FTA, EU–Chile Advanced Framework

Agreement, EU–Colombia–Peru–Ecuador Trade Agreement, while EU continues to negotiate the EU- Mercosur and EU-Thailand.

This dynamic can increase pressure on land and marginalise small-scale farmers who struggle to compete under liberalised trade conditions and despite contributing to the right to food.

3) What role do State policies or “development” projects (e.g. dams, industrial zones, tourism) play in land loss or displacement?

At EU level we identify a **lack of regulation on land use change entailing farmland loss**. Many Member States fail to impose effective limits on the conversion of agricultural land to non-agricultural uses (urbanisation, infrastructure, industrial zones). As such, Europe lost 12% of its agricultural land between 1993 and 2013 -(more than 21.4 million hectares, an area equivalent to Romania or seven times the size of Belgium)- (FIAN Belgium, 2022b). This reduces available agricultural land and inflates land prices, undermining the realisation of the right to food.

Agricultural land throughout Europe is also subject to increasing pressures from competing land uses, degradation and pollution adding obstacles in terms of land access for peasant and agroecological farmers (Access to Land, 2025).

As demand grows for biomass, biofuels, and other “green” or renewable raw materials, **farmland becomes more attractive to investors looking for returns, not necessarily to produce food, but to produce fuel, biomass, or export crops**. The EU Renewable Energy Directive has encouraged investors to acquire farmland. Agricultural land is diverted from its food-producing function with most land used for animal feed, biofuels or food for export. For example, in Wallonia (Belgium), of the land used for producing crops, 56% is used to produce cereals as a flex crop (FIAN Belgium, 2022a, 2022b). Of this, 46% is used for livestock feed, 32% for energy production (biofuel), 14% for export, and only 9% for human consumption.

7) Do you have examples of conflict over land use among constituencies or between communities and government institutions? Can you share any successful techniques and experiences for sharing territories and resolving disputes between communities?

Across Europe, the rapid rollout of utility-scale **photovoltaic parks is triggering conflicts when projects are sited on fertile agricultural land** or commons traditionally used for small-scale production. Key issues include:

- Conversion of farmland to energy production without considering the role of these lands in local food systems.
- Land leases negotiated directly with private developers, bypassing community consultation and excluding small farmers from decision-making.
- Speculation and rising land prices, as energy developers secure large tracts of land, making both ownership and tenancy unaffordable.

One example is Germany’s rapid solar-energy transition, driven by photovoltaic installation targets under the 2023 Renewable Energy Act, is exerting pressure on farmland and triggering a surge in land-market speculation (Neuber, 2025). Ground-mounted solar installations have become more lucrative than traditional farming. Due to a legal loophole, so-called “share deals” enable investors who would otherwise be prevented from buying land directly by the German Land Transfer Act (Grundstückverkehrsgesetz) to buy land in the form of shares in a farm. The

result is not only the sale of land, but also an increase in lease and purchase prices, which can, in most cases, no longer be generated from primary agricultural production. Under these conditions, the energy transition accelerates the ongoing concentration of land ownership. For farmers, it is increasingly difficult to gain access to land or to retain their leased land.

FIAN has identified growing **tensions arising from carbon farming schemes, carbon offset plantations, and soil carbon markets** (FIAN International & Maela Colombia, 2024). These schemes often reframe land as a carbon storage commodity rather than a basis for food and livelihoods. The result is:

- Pressure on farmers to adopt agronomic practices designed for carbon certification rather than social, ecological, or cultural needs.
- Corporate capture of land through long-term contracts, which limit farmers' autonomy, control over seeds, and traditional agroecological practices.
- Financialization of land use, as carbon credit markets incentivizes land acquisition by private investors.

Everywhere, communities are resisting the conversion of farmland into destructive mega-projects and propose commons-based governance of territory, as exemplified by the struggle against the making of an airport at Notre-Dame-des-Landes in France (Nyéléni, 2020). For more than two decades, local farmers, residents, environmentalists, and thousands of supporters converged to stop the destruction of 2,000 hectares of farmland, wetlands and forests. Their resistance combined legal action, mass mobilization, direct action, and the creation of alternative socio-ecological infrastructures. This broad alliance ultimately forced the French government to abandon the airport project in 2018.

ECVC's (2023a) **proposal for an EU Directive on Agricultural Land** calls for a coherent EU-wide framework to ensure fair, transparent and sustainable access to farmland, and to prevent conflicts over competing land uses that arise from today's fragmented and sometimes contradictory legislation. The proposal seeks to halt land grabbing and concentration by limiting land control to a maximum of 500 hectares per entity and by establishing EU-level and national land observatories to ensure full transparency over ownership, prices and transfers. All transactions would be subject to public regulation, prioritizing young farmers and agroecological projects, and controlling land prices to prevent speculation. The directive requires Member States to identify barriers to land access, implement land redistribution when necessary, and restore degraded or abandoned land. It also mandates strong soil protection - ending soil sealing, restoring ecological functions and prioritizing agroecological land use. Finally, it protects public and community land from privatization and creates public land banks to guarantee democratic, equitable and socially useful land management

10) Have you been able to meaningfully participate in national or international discussions on land tenure and governance? If not, which processes have excluded you?

Meaningful participation in land governance cannot be reduced to consultation. It requires redistributing decision-making power, resourcing rural communities, and recognising land rights. EU Member States must incorporate UNDROP standards into their land laws and create participatory bodies capable of regulating land markets and preventing land concentration.

Access to Land (2025) calls for the creation of an **EU Observatory on Agricultural Land** and provides recommendations for defining its governance structure. The Observatory has

potential to advance equitable and human-rights-based land governance by documenting and analysing EU land tenure trends, centralising public land data, and developing transparent systems for farm-unit registries and land-transaction monitoring. It should be designed in a way to support Member States through platforms for sharing sustainable practices, assess how EU regulations affect access to land, and produce regular public reports on major trends. In line with UNDROP's principles of participation, accountability, and transparency, its governance should include a task force bringing together EU institutions, peasant farmers' organisations, civil society, rural communities, and local authorities. Data collection should harmonise administrative sources with participatory methods that involve small-scale food producers and grassroots movements, ensuring that those most affected have a meaningful role in generating, validating, and using the information.

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