

Relevance of Leased Land in Land Consolidation

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Key words: Land management; land consolidation; leased land; food security

SUMMARY

A solid administration of land rights contributes to food security. Land rights in this sense encompass not only real rights, such as ownership, usufruct or long lease, but also personal rights. The de-facto use of the land for food production is normally based on a combination of these real rights and personal rights. Therewith, farmers that de-facto use the land are important stakeholders in processes to minimize land fragmentation in order to create more favourable circumstances for farming, and consequently increase food security. Hence we argue that both real rights and personal rights regarding the use of land should be taken into account considering sustainable land management in rural areas. As land consolidation is a strong instrument to counteract land fragmentation, we will focus on the role of personal and real rights in land consolidation processes. Land lease comes in many forms, from informal arrangements to formal contracts. The majority can be categorised as personal rights, but some constitute real rights, e.g. long lease. Depending on the country and context in which land consolidation takes place, the role of leased land in land consolidation and its contribution to the de-facto use of land varies. In this paper we will exemplify the role of leased land in land consolidation in two different countries. Based on this elaboration we suggest ways to incorporate de-facto land use in land consolidation and in relation to food production.