



7th international LANDNET Conference 5 - 7 October 2015, Ankara, Turkey

Infrastructures – functioning of land banking

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Content

- **Intro**
- **What's at stake**
- **Approaches**
- **Final reflections**

intro

- Maybe in some years...



intro

- But infrastructures need land



What's at stake?

- **Conflict : two or more individuals have opposite interests**



What's at stake?

At least three types of conflicts

- **Property rights**
- **Functional**
- **Process**



Approaches

An expropriation mechanism or compulsory acquisition of privately owned property by a public entity is needed.

if:

- (1) provided for by law;
- (2) in the public interest;
- and
- (3) accompanied by adequate, effective and prompt compensation.



Approaches

With expropriation:

- **Property rights**
- **Functional**
- **Process**

- Adequate information
- Setting the value: what is compensated and how this is calculated
- When



Approaches

With expropriation:

- Property rights
- **Functional**
- Process



Approaches

With expropriation:

- Property rights
- Functional
- **Process**

- Specific compensation?
- When?
- Non-stop mechanisms

in conflict resolution: the competitive approach



Approaches

With Land Banking activities:

The **intermediate process of buying, selling or leasing (out) land** by a public or public-private institution **in order to** increase land mobility, to facilitate the rural land market in general and **to meet public policy targets related to sustainable rural land use**

Guiding the land market for sustainable (regional and rural) development:

- Support (supra-)national projects for sustainable development

...a more collaborative approach?

Approaches

With Land Banking:

- **Property rights**
- **Functional**
- **Process**

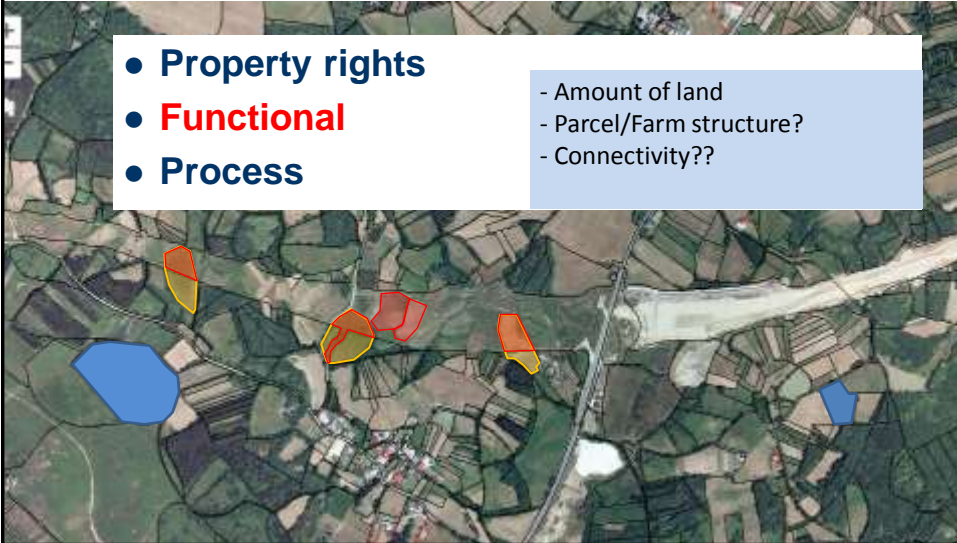
- Possibility of compensation in land (more alternatives for an agreement)
- Different land governance model: relation government vs civil society

Approaches

With Land Banking:

- Property rights
- **Functional**
- Process

- Amount of land
- Parcel/Farm structure?
- Connectivity??

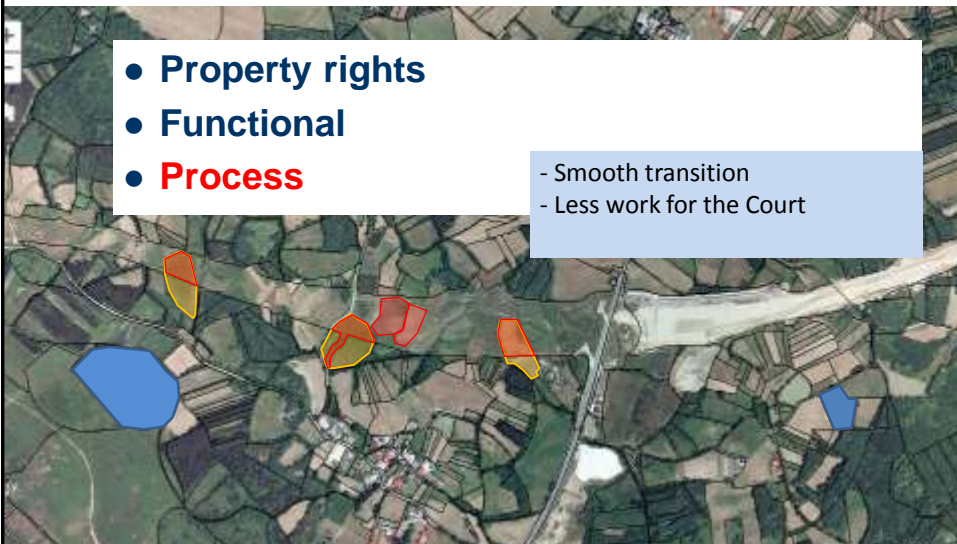


Approaches

With Land Banking:

- Property rights
- Functional
- **Process**

- Smooth transition
- Less work for the Court



Approaches

With Land Banking:

- Property rights
- Functional
- Process

Questions:

- Who is the owner? (professional farmer, part-time, hobby farmer, absentee...)
- Level of property fragmentation, of unknown ownership, co-ownership, gap property/use levels...
- Use intensity in the surroundings
- Acquisition mechanisms vs. Market influence?
- Who pays? Power balance among sectors

Approaches

With Land Banking + Land Consolidation

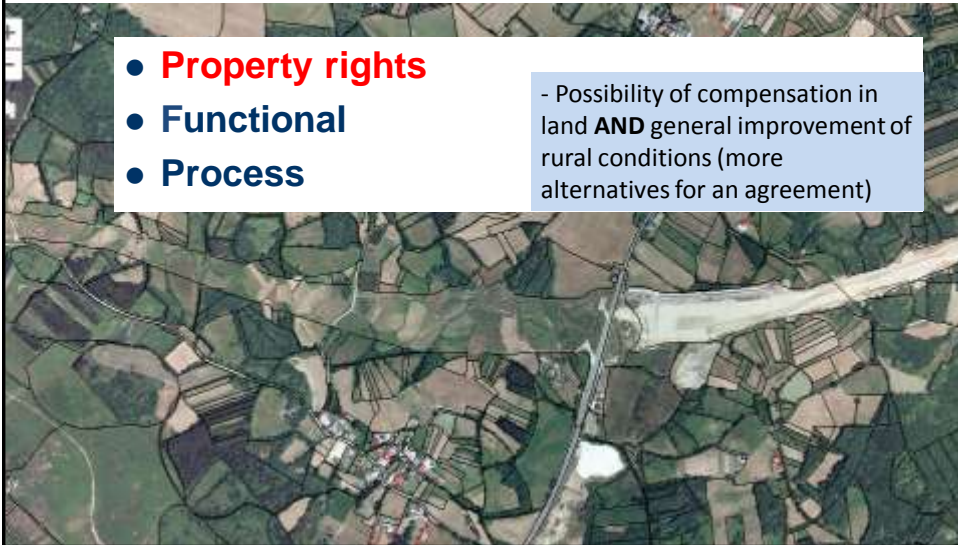


Approaches

With Land Banking + Land Consolidation

- **Property rights**
- **Functional**
- **Process**

- Possibility of compensation in land **AND** general improvement of rural conditions (more alternatives for an agreement)

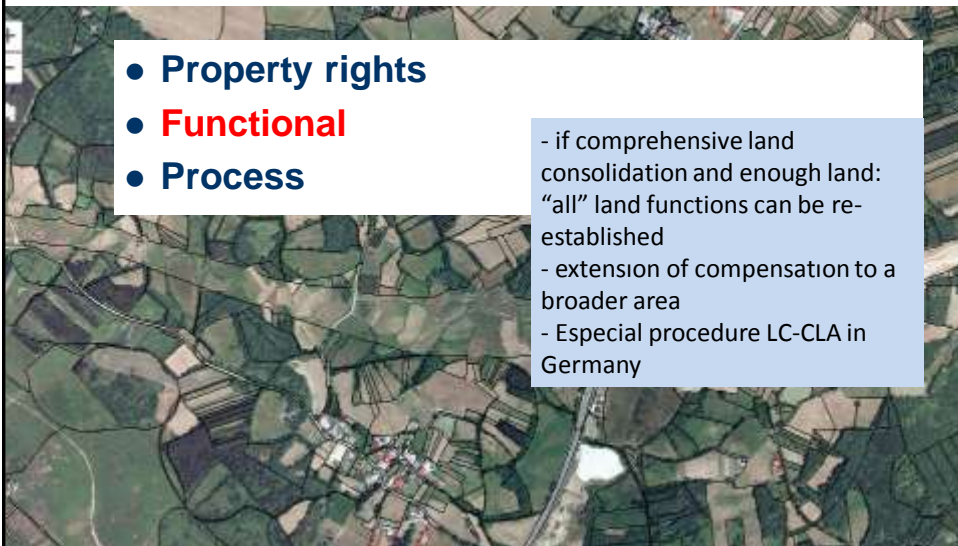


Approaches

With Land Banking + Land Consolidation

- **Property rights**
- **Functional**
- **Process**

- if comprehensive land consolidation and enough land: "all" land functions can be re-established
- extension of compensation to a broader area
- Especial procedure LC-CLA in Germany



Approaches

With Land Banking + Land Consolidation

- Property rights
- Functional
- **Process**

- Two in one: coordination and integration



Approaches

With Land Banking + Land Consolidation

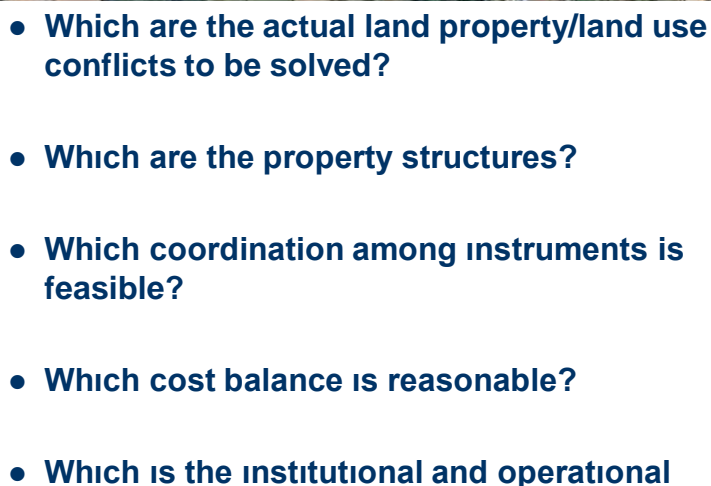
- Property rights
- Functional
- **Process**

Questions:

- Actual functional conflicts to be solved vs. LC costs?
- Who is who?
- Sectorial balance at institutional and social level
- Institutional capacity



Final reflections

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- Which are the actual land property/land use conflicts to be solved?
 - Which are the property structures?
 - Which coordination among instruments is feasible?
 - Which cost balance is reasonable?
 - Which is the institutional and operational



**Thank you for your
attention**



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