

French Land Use and Rural Settlement Corporation

Thank you very much for making my appearance possible. I serve as the Director General of the *Société d'Aménagement Foncier et d'Établissement rural*, of Ile-de-France.

The organization's name, otherwise known as "SAFER", is best translated as the « French Land Use and Rural Settlement Corporation ».

SAFER was created in the early 1960's.

SAFER is private sector company. However, it is publicly chartered by Parliament and French law, and has a public interest function.

SAFER conducts land transactions in rural and peri urban areas.

In addition, SAFER conducts studies, creates maps, and makes recommendations relating to land use planning measures which protect agricultural and natural lands as well as environmentally sensitive areas.

There is a SAFER agency in each *département* or state in France.

Today, there are 12 regional SAFER's, and four SAFER offices overseas. Each regional SAFER office constitutes a separate entity.

There is a national SAFER Federation whose main role is to represent the regional SAFER's before the legislature and the government.

For the sake of convenience, I will collectively refer to all of the local SAFER entities simply as « SAFER ».

In the limited time I have to address you, I will describe the following:

- How the organization works?
- SAFER's governance and financial resources.
- The missions SAFER serves.

How SAFER works?

SAFER purchases land on the open market.

For example, in 2017, in France, SAFER purchased 98,000 hectares of land, including land which contains buildings, which are mainly agricultural.

90% of these acquisitions are friendly acquisitions.

However, on occasion, it is necessary for SAFER to exercise its preemptive right (or right of first refusal), so to preserve agricultural and natural lands.

Public notaries are legally obliged to inform SAFER of any sales that they are handling. Notice must be given to SAFER within two months prior the closing of the sale. Then, SAFER decides whether it wishes to exercise its preemptive right.

SAFER's right of preemption also includes the right to contest the declared sale price if SAFER believes that the price exceeds prevailing market conditions.

What is the land transaction process?

Before undertaking the re-sale of property, SAFER calls for public tenders.

Each potential buyer submits an application to SAFER.

Then, a technical committee selects the final purchaser. The technical committee selects the purchaser most likely to meet the land needs of farmers or advance broader land use planning policy goals, such as protecting environmentally sensitive areas.

After the sale, the selected purchaser, whoever it is, is legally required to comply with the land use obligations and restrictions set forth in the terms of the sale, including terms which protect the environment. The purchaser is typically bound to these terms for a period of between 10 and 30 years.

SAFER's governance and financial resources

SAFER's shareholders include agricultural organizations, local governing bodies, such as municipalities and regional entities, non-profit environmental organizations, and the federation of SAFER.

The Board of Directors is made up of 24 members.

The Board is headed by the President. Also, a CEO is appointed.

SAFER garners much of its funds from the difference in value between the original sales price when SAFER first purchases the land, and the resell price when the land is sold to another buyer.

What are SAFER's missions?

SAFER's missions have evolved and expanded over the last 60 years.

Today, SAFER has 4 main legal missions:

- Development of agriculture and forestry
- Protection of the environment
- Local development, in close relationship with local authorities
- Land market transparency

Today, in this forum dedicated to biodiversity, I will focus on SAFER's missions in peri-urban areas, and what are SAFER's efforts to manage economic development of land so to ensure the preservation of biodiversity.

I will finish my presentation by providing an example of how SAFER has worked to preserve the environment and biodiversity in an area, in the East of Paris.

SAFER's commitment to preserving and enhancing biodiversity in areas surrounding cities involves:

- the protection of agricultural and natural lands;
- supporting and sustaining periurban farming.

Protection of environment

The long-term protection of farmland and natural or environmentally sensitive areas constitutes SAFER's mission.

In order to protect the environment, SAFER is authorized to purchase rural properties, and to resell the land to local authorities, municipalities, charitable and non-profit organizations, as well as any other organization or person willing to comply with the specifications designed for long-term environmental preservation.

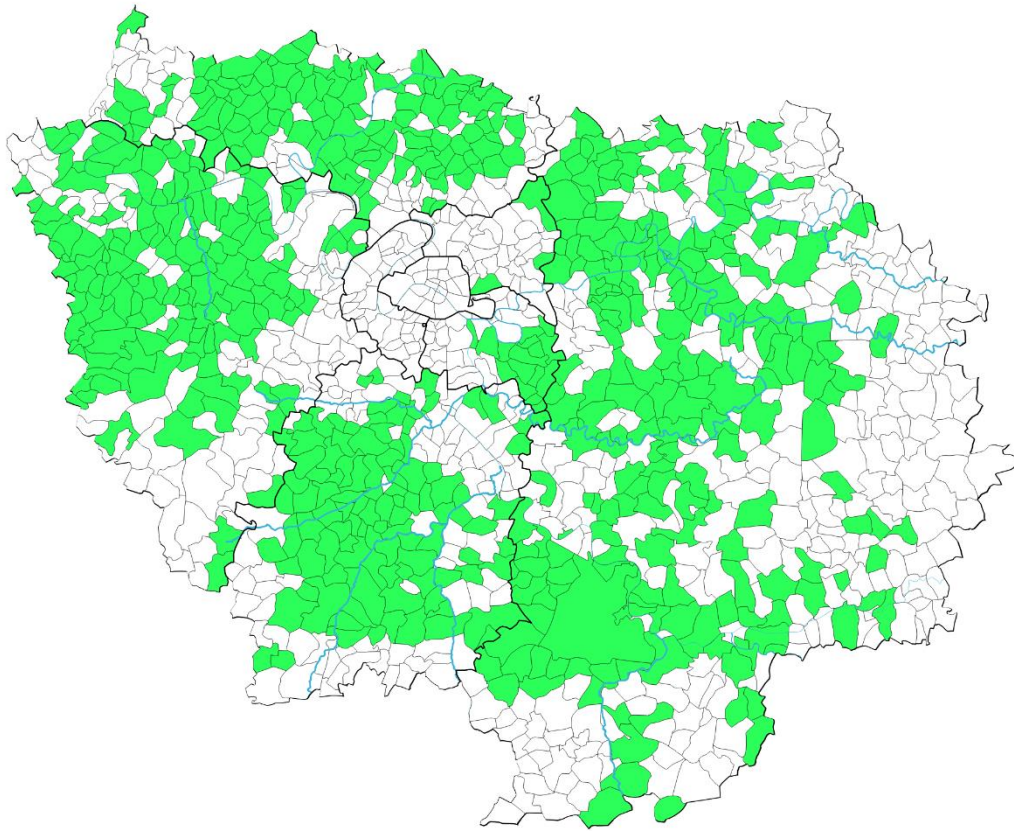
Through these means, and sometimes through the exercise of SAFER's special preemptive right (or right of first refusal), SAFER works to prevent or mitigate such problems as:

- urban sprawl, arising from ever-expanding cities. This is no small problem. Indeed, French farmland is being lost at the alarming rate of 55,000 hectares every year! This process is very difficult to reverse. As the history of urbanization has borne out, the truth of the matter is that « pavement is forever! ». So it is important to reduce land consumption, even if the march of urbanization has been slowed during these past years in France.
- illegal construction on farmland and natural areas.
- land fragmentation;
- urban scattering or piecemeal urbanization (small pockets of illegal or unlawful land uses, patchwork urbanization...)

Protecting agricultural and natural land around Paris

Since 2000, with the State and governing bodies, such as municipalities around Paris, SAFER has initiated a program to fight against piecemeal urbanization and the unlawful use of land.

Two thirds of municipalities have entered into an agreement with SAFER, according to which SAFER informs them of all prospective sales within their territory.



Municipalities which have signed agreement of surveillance of their territory with SAFER

At the municipalities' request, SAFER may use its preemptive right if the planned sales threaten environmentally sensitive or agricultural land.

When SAFER uses its preemptive right, that means SAFER purchases the property and takes the place of the party who sought to acquire the land. After becoming owner of the property, SAFER may then sell it to the municipality.

If SAFER decides to contest the declared sale price, then in most cases, the seller elects not to sell the property.

But in both cases, SAFER's intervention helped to protect the land effectively because it has prevented land transactions which may be harmful to agriculture or the environment.

Here are some examples of illegal land uses around Paris that SAFER is fighting to prevent:



unlawful logging



Unlawful dumping of waste



unlawful settlement

Sustainable development of agriculture and forestry

In seeking to advance this goal, SAFER:

- assists young farmers to establish themselves by acquiring land.
- works to increase the size of farmers' land holdings to help ensure that their farms remain competitive and profitable. SAFER is involved in land consolidation (regrouping of land).
- works to consolidate agricultural and forest lands, to ensure that they will not be endangered by urbanization or the unlawful use of such lands for commercial purposes or the illegal dumping of waste.
- proposes land compensation to farmers for the loss of agricultural land.

In order to further these missions, SAFER:

- purchases and exchanges lands and agricultural buildings. Because available agricultural land is scarce and more expensive in periurban areas, SAFER works to search for available land and identify people who are willing to farm it and preserve it.
- resells these properties to farmers, local authorities or landlords who are willing to offer long term leases. Near cities, SAFER looks for vegetable and fruits producers as well as breeders of small animals (such as eggs and poultry producers) who agree to sell their products directly at their own farms or at farmers' markets.
- is not allowed to keep the land it purchases for more than 5 years. However, in some cases, SAFER may receive special permission to maintain ownership for up to 15 years.
- can also rent out the lands it purchases for short periods of time.

Cities provide farmers a huge potential market for their agricultural products. But farmers also face daunting challenges, such as the theft and degradation of their lands, and complex land use regulations which make it difficult for farmers to get building permits to construct buildings for agricultural use.

SAFER strives to ensure the long term protection of agricultural and natural land, and to prevent dangerous land speculation, by devising and implementing land use planning and controls.

Here is an example of what SAFER has done east of Paris.

Conclusion:

As you see, around big cities SAFER:

- fights against piecemeal urbanization arising from the illegal use and environmental degradation of natural lands.
- advises municipalities and regional governing bodies regarding how to best manage agricultural and natural lands.
- helps farmers to settle down, to consolidate and enlarge their land holdings, and compensates farmers for the loss of agricultural land.

In other words, SAFER seeks to manage economic development of cities so to preserve a vibrant agricultural economy. SAFER applies its expertise to find compromises which ensure sustainable development.

Today, SAFER provides a common ground for different private and public sector actors in rural and peri-urban areas to meet, so that they may cooperatively determine the direction of the rural property market, bearing in mind the established priorities in national land management. In implementing this cooperative model of land management, SAFER is quite unique in Europe and in the world.