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Improving farmers' access to farmland: A prospective evaluation of French *Safer* policy transfer to the Netherlands

MSc thesis

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Abstract

In many European countries, high farmland prices and competition over land are making it increasingly difficult for existing and aspiring farmers to access land. This situation poses a barrier to more sustainable land use and generational renewal of the agricultural sector. Farmland market policy plays an important role in addressing this phenomenon. Using a literature review and stakeholder interviews, this study explores the potential of transferring the French *Safer* farmland market policy to the Netherlands to improve farmers' access to land. As regional regulatory organizations, the *Safers* are mandated by the state to ensure land market transparency and intervene in rural land transactions if necessary to promote an equitable distribution of farmland or protect agricultural and natural areas. This study finds that, while the direct transferability of *Safer* policy is limited, several options exist to integrate its principles into Dutch farmland governance and address obstacles to farmland access. The pre-emption right and the use of land attribution criteria can be applied to various degrees, such as only to public land or tenancy, variations that may receive more public support. Policy windows include the current revision of tenancy law, the obligatory principle of equality in the sale or lease of public land, a proposed extension to the governmental pre-emption right, and the development of various land bank proposals. In the event of a partial policy transfer, particular attention would need to be paid to agronomic, economic, and cultural differences between France and the Netherlands.

Keywords: *farmland access, policy transfer, Sociétés d'aménagement foncier et d'établissement rural, Safer*

Résumé

Dans de nombreux pays européens, le prix élevé du foncier et la compétition pour les terres rendent l'accès au foncier de plus en plus difficile pour les agriculteurs et les nouveaux entrants. Cette situation constitue un obstacle à l'utilisation plus durable des terres et au renouvellement des générations dans le secteur agricole. La politique du marché foncier agricole joue un rôle important dans ce phénomène. À l'aide d'une analyse bibliographique et d'entretiens avec des parties prenantes, cette étude explore le potentiel du transfert de la politique du marché foncier

de la Safer vers les Pays-Bas pour améliorer l'accès des agriculteurs au foncier. En tant qu'organismes de régulation régionaux, les Safer sont mandatées par l'État pour garantir la transparence du marché foncier et intervenir dans les transactions foncières rurales si cela s'avère nécessaire pour promouvoir une répartition équitable des terres agricoles ou pour protéger les zones agricoles et naturelles. Cette étude montre que, bien que la transférabilité directe de la politique des Safer soit limitée, il existe plusieurs possibilités d'intégrer ses principes dans la politique foncière néerlandaise pour répondre aux obstacles liés à l'accès au foncier agricole. Notamment le droit de préemption et l'utilisation de critères d'attribution des terres peuvent être appliqués à des degrés divers, par exemple uniquement aux terres publiques ou aux locations, variantes qui peuvent bénéficier d'un plus grand soutien public. Des fenêtres d'opportunité sont notamment la révision actuelle du droit de location, le principe obligatoire d'égalité dans la vente ou la location de terres publiques, une proposition d'extension du droit de préemption gouvernemental et le développement de diverses propositions de banques foncières. Dans le cas d'un transfert partiel de la politique des Safer, une attention particulière devrait être accordée aux différences agronomiques, économiques et culturelles entre la France et les Pays-Bas.

Mots-clés : *accès au foncier, transfert de politique, Sociétés d'aménagement foncier et d'établissement rural, Safer*

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Third, I want to thank all Safer representatives that I have interviewed for explaining in detail how their organizations function and for sharing the ins and outs of their jobs. The level of additional detail and nuance you provided has been invaluable to understanding the practical application of the policy.

Fourth, thanks to all interview participants for taking the time to share with me their valuable ideas, opinions, and questions. Your constructive participation has allowed me to consider many different points of view and enabled a more comprehensive understanding of the Dutch farmland context.

Finally, I want to thank you, the reader, for reading this thesis.
From the start, my aim was to produce a thesis that would be read and used as a source of inspiration, by farmers, landowners, policymakers, and anyone recognizing that economically and environmentally sustainable farming starts with affordable and secure access to land for both existing and aspiring farmers. I hope that the contents of this study will be useful and provide actionable insights.

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1. Introduction

Farmland is an essential natural resource that is fundamental to ensuring food security. Besides, it also provides a variety of other essential functions. These include ecosystem services such as biodiversity conservation, carbon sequestration, and climate regulation, but also intangibles such as aesthetics, rural vitality, and cultural heritage (Li et al., 2023). The fulfilment of such functions is inextricably linked to who owns the land (Heubuch et al., 2016), but also to who can make use of it and how it is governed through public policy. As a result, developments in farmland prices, ownership, and subsidies are major factors shaping the rural sector, food security, and environmental quality. Currently, increasing farmland prices and land use competition in many parts of Europe are making it increasingly difficult for both existing and aspiring farmers to access farmland (Access to Land, n.d.).

1.1 Land: commodity or common good?

The issue of land access and ownership of land is inherently political, psychological, and philosophical. Who owns the land not only affects the way it is used, but it also plays an important role in shaping power dynamics. The way land is governed depends on societal norms and values and is, therefore, a philosophical question: should land be considered as simply another commodity, or as a natural resource that requires regulation and equitable access? The first narrative seems to prevail in many places. Recently, the price of farmland has skyrocketed in many parts of Europe. Between 2013 and 2022, average farmland prices in Ireland, Luxemburg and Sweden increased by 44%, 60% and 80%, while some Eastern European countries saw farmland prices more than double or triple in that period (Eurostat, 2024b). An important driver is competition among different land use functions (Eurostat, 2024a), as infrastructure, energy production, housing, and nature conservation all require land. Moreover, as a safe, anti-cyclical investment opportunity, land has gained interest among investors, both agricultural and non-agricultural, seeking to possess some of this limited resource (Kay et al., 2015). In addition, potential changes in land zoning tend to go hand in hand with steep price increases, causing speculation on farmland whose function may change in the future (Van Zandbrink, 2024).

1.2 Impacts of high farmland prices

As a result of these developments, accessing farmland has become increasingly difficult. When farmland prices no longer reflect their true agricultural value, farmers are forced to increase their output. This often entails an increase in inputs and short-term soil exploitation, leading to soil degradation and biodiversity loss (Van Zandbrink, 2024). Farm takeovers become increasingly difficult, as aspiring farmers face difficulties financing the heavy investments necessary to start farming (Ministerie van Landbouw, 2022; Ministère de l'Agriculture, 2023). The result is a loss of small farms, with a decline of 37% in the period 2005-2020 and a continued trend of remaining farms becoming larger (Eurostat, 2022). Land concentration and the continued dissolution of small farms weaken the rural sector and impede generational renewal. Besides, such developments erode European agriculture's feature of family farming; 84% of EU farms are at least partly operated with family labor (Kay et al., 2015). The European Economic and Social Committee warned in 2015 that land concentration poses a "serious risk", calling this trend "incompatible with the European model of sustainable and multifunctional agriculture". The Committee argued that such developments cause "irreversible damage to rural economic systems", leading to "a type of industrialised agriculture that society does not want" (Malosse, 2015).

1.3 Importance of durable access to land

Access to land plays an important role in determining land use practices. Owning land can motivate farmers to take better stewardship of their land and soil (Sklenicka et al., 2015) or simply *enable* them to do so. For example, long-term affordable access, either through ownership or tenancy, could be the factor that drives a farmer to plant a cover crop instead of a cash crop, thereby improving soil quality. Especially in cases of short-term tenancy, farmers may not be motivated to improve the soil, as they may not benefit from such long-term improvements (Oppedijk van Veen et al., 2019). Secure, long-term land access could arguably favor the development of more sustainable types of agriculture, also through the inclusion of more perennial crops. An example is the integration of trees in farming practices, which requires ownership or long-term tenancy to be assured of its durability and future returns on investment. Short-term, expensive tenancy also reduces the possibility of experimenting with new farming practices (Oppedijk van Veen et al., 2019).

1.4 The rise of land-carrying organizations

In response to the barriers to farmland access, various organizations have emerged to help aspiring and current farmers access land or take over a farm. In France, these “land-carrying” organizations include Terre de Liens and Fermes en Vie, which mobilize private money to acquire and rent out land for organic and agroecological farmers, respectively (Terre de Liens, 2022; Fermes en Vie, n.d.). In the Netherlands, similar organizations are Aardpeer, Lenteland, and Land van Ons. The increasing popularity of land-carrying organizations is an indicator of a considerable number of aspiring farmers. These organizations cannot meet the current demand from existing and aspiring farmers, as their reliance on private financing restricts the amount of farmland they can acquire (int. 14). Other indicators are a strong increase in the popularity of biodynamic farming education and the adherence of hundreds of members to the agroecological association Toekomstboeren, whose members are generally young and strive for sustainable and social forms of agriculture (Oppedijk van Veen et al., 2019). In France, the share of new farm installations by people without a farming background increased from 15% in 1993 (Barral & Pinaud, 2015) to an estimated 60% in 2020 (Breure-Montagne, 2023), often organic (Ministère de l'Agriculture, 2023).

1.5 The Netherlands and France: different prices, different policies

The Netherlands has the highest average farmland price in the EU besides Malta, averaging €78,800 per hectare in 2023, with regional outliers of €60,700 and €185,100 in the second quarter of 2024 (Kadaster, 2024c). Rental prices are higher than anywhere else in the EU, with an average annual price of €843 per hectare in 2022 (Eurostat, 2023). These prices strongly differ from those in France, where in 2023 the average hectare cost €6,200 and the lease price averaged €154 in 2022 (Safer, 2024b; Eurostat, 2023). Whereas differences in population density and agricultural characteristics play a significant role in this price disparity, the approach to governing farmland is also significantly different between these countries. For decades, the Dutch farmland market has had little to no regulation. In contrast, the French farmland market has been regulated since 1960 by regional organizations called Safers *(Sociétés d’aménagement foncier et d’établissement rural).* Governed by rural stakeholders, the Safers are mandated by the state to protect farmland, ensure market transparency, and facilitate access to new and existing farmers, while preserving natural resources and facilitating rural development projects. Through mandatory notary alerts, the Safers have a complete overview of the rural land market, enabling

them to intervene in transactions that go against its objectives, including in cases of excessive prices. Their mission is to align land redistribution with the public interest, prioritizing the protection of agricultural areas. As such, they help young farmers to establish their businesses, and existing farmers to expand or consolidate theirs (Safer, n.d. a).

This study analyzes Safer policy through the lens of policy transfer theory to determine its potential to improve farmland market governance in the Netherlands. It is structured as follows:

Chapter 2 introduces the concept of cross-national policy transfer and reviews the academic literature on this topic.

Chapter 3, based on the literature review, proposes an analytical framework to answer this study's research questions.

Chapter 4 provides an overview of the methodology used in this study.

Chapter 5 compares the problems associated with access to farmland in the Netherlands and France. It analyzes the extent to which each country's problems and policy goals relate to each other to determine whether a policy transfer may be appropriate.

Chapter 6 explains how the policy works, what its core mechanisms are, and how policy instruments are used to reach its objectives. It also provides an overview of the weaknesses, criticisms, and limitations of Safer policy.

Chapter 7 offers an overview of context factors that should be considered in the event of a policy transfer into the Dutch context. It features insights from the literature and interviews on social, political, legal, economic, ecological, and agronomic variables. In addition, it discusses current developments and policy windows regarding the implementation of Safer-like policy mechanisms.

Chapter 8 discusses the key findings in relation to existing literature. This chapter also reflects on the research design and its limitations and proposes directions for future research.

Chapter 9 concludes this study by answering the primary research question and providing several recommendations for policymakers.

2. Policy transfer theory

Authors in the field of policy transfer have developed useful models to guide the assessment of whether and to what extent a policy in a given setting can be transferred into another, and to what effect. This chapter defines the concepts of policy transfer, lesson drawing, policies, and programs. It then briefly discusses the relevance of policy transfer, followed by an overview of approaches to assess transferability. This theory then converges into an analytic framework used to answer a set of research questions outlined in the next chapter.

2.1 Defining policy transfer

Dolowitz & Marsh (1996, p. 343) define policy transfer as “a process in which knowledge about policies, administrative arrangements, institutions etc. in one time and/or place is used in the development of policies, administrative arrangements and institutions in another time and/or place.” Mossberger & Wolman (2003, p. 428) define it as “a form of decision making by analogy, using another entity’s experience as a source of ideas and evidence.” The term relates to Rose’s (1991) concept of “lesson drawing.” He defines a lesson as “an action-oriented conclusion about a programme or programmes in operation elsewhere” (p. 7). In doing so, he emphasizes that, besides an evaluation of a programme in its original setting, lesson drawing includes an assessment of its potential application in a different context. Regardless of the term used, Rose (1991, p. 3) describes the central question that is addressed through lesson drawing and policy transfer: “Under what circumstances and to what extent can a programme that is effective in one place transfer to another.”

2.2 Policies, programs, and policy components

A semantic question that remains, however, is how to define ‘policies’, ’programs’, and ‘policy components’. Howlett & Cashore (2020) define public policies as “government actions which contain both […] justified and formulated, goal(s) or aims and some means or tools […] which are expected to achieve them” (p. 10). According to Rose (2004), however, the word ‘policy’ is too broad to be used in a lesson-drawing approach because of the wide array of definitions that clouds

its exact meaning. Instead, Rose uses the word program, which he defines as “a specific measure that sets out the way in which public employees are authorized to spend money in pursuit of stated objectives” (p. 16). Rose calls programs “the tangible embodiment of policy commitments” (p. 17); concrete measures of how resources such as money, legislation, organizations, and workforce are leveraged to meet a set of goals.

In a more detailed way, Howlett & Cashore (2020) point out that, as complex entities, public policies consist of multiple components. Therefore, building on the work of Peter Hall, they propose a taxonomy of policy components that distinguishes between policy ends and means along an axis of three levels of abstraction (Table 1). The authors argue that “accurate depictions of policy processes and outcomes require investigation and analysis of all three levels and the development and articulation of both goals and means” (p. 13). In this taxonomy, it seems that Rose’s preferred term ‘program’ concerns the policy means (instruments, mechanisms, and calibrations), while the ‘policy commitments’ concern policy aims (goals, objectives, and settings). Both component groups are then part of the overall ‘policy’. In this study analysis of Safer policy, the focus lies primarily on what Rose calls the program, and what Howlett & Cashore call policy means or tools. This consists of instrument logic, mechanisms, and calibrations; it is about *how* the policy works. In this study, the overall Safer policy is referred to as such.

Table 1

Adaptation of Hall's taxonomy of policy components

	Policy Content		
	High-Level Abstraction	***Programme Level Operationalization***	***Specific On-the-Ground Measures***
Policy Ends or Aims	GOALS	OBJECTIVES	SETTINGS
	What general types of ideas govern policy development?	What does policy formally aim to address?	What are the specific on-the-ground requirements of policy?
	(e.g. environmental protection, economic development)	(e.g. saving wilderness or species habitat, increasing harvesting levels to create processing jobs)	(e.g. considerations about the optimal size of designated stream-bed riparian zones, or sustainable levels of harvesting)
Policy Focus			
Policy Means or Tools	INSTRUMENT LOGIC	MECHANISMS	CALLIBRATIONS
	What general norms guide implementation preferences?	What specific types of instruments are utilized?	What are the specific ways in which the instrument is used?
	(e.g. preferences for the use of coercive instruments, or moral suasion)	(e.g. the use of different tools such as tax incentives, or public enterprises)	(e.g. designations of higher levels of subsidies, the use of mandatory vs voluntary regulatory guidelines or standards)

Source: *Howlett & Cashore, 2020, p. 14.*

2.3 Goals and relevance of policy transfer

Mossberger & Wolman (2003) point out that cross-national policy transfer has been practiced for centuries and that its relevance is set to increase in the face of globalization and developments

in communications. Policies elsewhere are commonly studied to address parallel problems that have been (successfully) addressed abroad, sometimes in an effort to reduce the inherent uncertainty that policy making brings along (Dolowitz & Marsh, 1996). As Rose (1991) points out, problems are rarely unique to a single country. Instead, many issues are common across nations. Foreign approaches can inform policymakers about potential solutions and prevent them from making mistakes. However, differences in context affect the transferability of policy from one country to another, and such differences can be particularly pronounced when it comes to agricultural systems. The scientific literature on farmland policy transfer, which is the topic of this study, is scarce. Studies dealing with the transfer of land use policy most often concern *urban* land use policy, using a given city as inspiration for dealing with the multitude of land use types in a relatively small, populous area. Nevertheless, policymakers do draw inspiration from other countries when it comes to agricultural land use.

2.4 Cases of farmland policy learning in Europe

In recent years, Safer policy has been gaining increased interest among international policymakers (Safer, 24 February 2024, personal communication). Interestingly, France was not the first to come up with the idea for the Safers: in fact, in 1950, Eugène Forget was inspired by a similar organization that existed in Sweden, which led him to propose the creation of the Safers (Safer, 2010). Today, the National Federation of the Safers regularly welcomes foreign delegations seeking to understand its functioning. Such countries include Germany, Greece, Austria, and Scotland (int. 11). In Scotland, the government's aim for a more equitable distribution of land ownership led to several studies into foreign policy models. First, the Scottish Land Commission commissioned a study on international policy for limits on land ownership, in which policies from 22 countries were reviewed (Glass et al., 2018). After a subsequent study on land ownership and acquisition in several countries, including France (Shields, 2022), the Scottish Land Commission found parallels between the Safer model and the existing objectives to counter land concentration (Shields, 2023). Finally, in advance of the upcoming Land Reform Bill, a study was conducted to better understand the Safer model (Shields, 2023). The bill was adopted in March of 2024 and features some Safer principles, such as the introduction of advance notification of intended sales in cases of large landholdings and prohibiting certain sales that lead to land concentration (Scottish Government, 2024). Studies of the Safer model have also been conducted in Belgium by Rogge et al. (2018) and recently in the Netherlands by Spijkerboer (2024). In

Belgium, the study was commissioned by the country's federation for agriculture and garden mechanization, which went on to propose in 2022 a Safer-inspired land bank and observatory to maintain farmland's agricultural use and to control prices (Fedagrim, 2022). In contrast, the Dutch study was commissioned by a provincial government to better understand Safer intervention in the land market and assess the potential to do so in the Netherlands (Spijkerboer, 2024). Besides industry groups and governments, networks also engage in policy transfer exercises. For example, in 2013, the AEIAR, a rural policy network of 10 countries, conducted a study of farmland market policies in seven EU member states, with the aim to explore potential updates to existing policies in light of new economic developments (AEIAR, 2015). These examples show that European countries have been looking over the border significantly in recent years to learn from existing ways of addressing new land market challenges.

2.5 Assessing the potential for policy transfer

Mossberger & Wolman (2003) propose a set of criteria to assess whether, in a given case, cross-national policy transfer is valid as a form of prospective policy evaluation. These criteria — awareness, assessment, and application — can serve as guidelines for policymakers who consider emulating a foreign policy, or components thereof, in their geographic context.

2.5.1 Awareness

Awareness of a policy's existence may come about not only through deliberate search, but also through exchanges between professionals, specialist networks, media coverage, or even random encounters. Mossberger & Wolman (2003) argue that the scope of information about a policy needs to be clear. This includes information about where a policy has been applied and how different programs' functioning and success differ from each other, including criticisms. In addition, policymakers "need accurate information about the goals, design, and actual operation of policies under consideration", making systematic information such as "formal program evaluations […] preferable to anecdotal information, site visits, or newspaper and magazine articles" (Mossberger & Wolman, 2003, p. 430).

2.5.2 Assessment

The second criterion, assessment, should include an evaluation of the similarity of problems and goals, the policy performance, and differences in setting. First, policymakers should analyze to

what extent the targeted problems and desired goals correspond between the new and the original policy setting. This will determine whether and to what extent policy transfer is appropriate. Second, one requires an assessment of how the prospective policy has performed and in which respects. This includes the identification of instances where the policy, or variations on it, displayed shortcomings. Third, policymakers should assess to what extent contextual variables in the new policy setting are different from those in the original setting, and to what extent these differences may affect the policy's effectiveness or political viability, and thus transferability. Such contextual variables may be social, economic, political, or legal, but can also concern the existence of conflicting policies or the absence of supporting ones (Mossberger & Wolman, 2003). Williams & Dzhekova (2014) assert that many case studies of policy transfer have been subject to criticism because of insufficient understanding about the interactions between an adopted policy and "the domestic policy infrastructure, culture, belief systems and norms" (p. 8).

2.5.3 Application

Finally, the application criterion relates to the question of whether the obtained information about a policy is considered in the decision-making process (Mossberger & Wolman, 2003). While theoretically possible, a complete policy transfer rarely occurs. Rather than copying a policy, transfers can be more commonly characterized as either emulation, hybridization, synthesis, or inspiration (Rose, 1991). Emulation refers to an adoption of a policy, but with adaptations to the context of the new policy setting. Hybridization and synthesis entail the combination of policy components from two or more different settings, respectively, with the aim to best fit the adoptive country's context. This may include components that are already common practice in the setting to which policy is transferred. Finally, inspiration may arise when a similar problem in a different setting expands the range of ideas about how to address this problem in the home setting (Rose, 1991).

2.5.4 The importance of contextualization

A key lesson of the policy transfer literature is that "finding a programme that has brought political satisfaction elsewhere does not guarantee that it can be transferred effectively" (Rose, 1991, p. 5). Therefore, the need to contextualize an existing program is emphasized throughout the literature. However, Williams & Dzhekova (2014) stress the importance of balancing this level of contextualization. Insufficient consideration of the contextual variables that lead to policy success poses the risk of incompatibility or failure in the adoptive setting. However, the authors also warn

for over-contextualization: constantly considering programs to be “too contingent upon the context in which they are put into practice” (p. 9) would impede any generalization necessary to assess their potential in a new setting. Therefore, it is necessary to distinguish between a policy’s basic mechanisms and the context factors that enable its functioning. Various authors have developed concepts to split these components.

2.5.5 Policy mechanisms and context factors

First, one needs to clarify a program’s theory, which consists of basic causal mechanisms that underly its functioning and which are generally transferable. A program may have multiple mechanisms, which can either be first-order or second-order. First-order mechanisms are those that “directly alter the behaviour of individuals and groups to achieve a specific outcome,” while second-order mechanisms are those “underlying the processes of aggregating the effects of first-order mechanisms” (Capano, 2020). Second, one needs to determine so-called context factors, which are contingent features that make the program work in the original setting (Williams & Dzhekova, 2014). These are what Mossberger & Wolman (2003) refer to as contextual variables, which may be social, economic, political, or legal, or concern the wider policy context. Contrasting the context factors between the original and new policy setting allows for judgement of whether and to what extent a policy transfer is appropriate (Williams & Dzhekova, 2014). Williams & Dzhekova (2014) conclude their paper with a framework for policy transfer assessment, divided into two sets of indicators: transferability and applicability (Table 2). In this study, the questions in this framework serve as a guide to answer the research question.

Table 2

Framework for the evaluation of policy transferability and applicability. Source: Williams & Dzhekova, 2014, p. 12, adapted from Buffet et al., 2011.

Construct	Factors/Criteria (may be given Different Relevance/ Weight)	Questions to Ask
Transferability and adequacy ("generalizability")	Magnitude of issue in target context	Does the need exist? Is it already addressed by other policies?
		What is the prevalence of the issue in the local context?
Can we expect similar results?		What is the difference in the risk status/issue prevalence between the donor and target setting?
	Objective of the intervention	Is the measure targeting the same priority objective in the donor and target context?
	Magnitude of "reach" vs. cost effectiveness of the measure	Will the intervention broadly "cover" the target group? Is it proportionate to the costs involved?
	Target group characteristics	Are they comparable to the country of origin?
		Will any differences in characteristic affect implementation in the target setting?
Applicability (feasibility) and enforceability in local context	Political acceptability	Does the objective of the measure match with political priorities?
		What are the government's indicators for success of the measure?
		Is there political opposition in the current climate?
Can it work for us?	Social acceptability	Will the target population be interested in the intervention?
	Impact on other affected interest groups/stakeholders: winners and losers	Does the measure contradict the interests of any important stakeholders/interest groups? (trade unions, etc.)
	Existing institutional/policy infrastructure	Is the measure's potential impact contradicting/ cancelling out/overlapping with existing policies? Is the institutional and legislative infrastructure in place?
	Available resources	Financial, human resources, training required? Administrative/enforcement capacity in place?
	Other local barriers and implementation risks (structural constrains)	Risk of deformities in implementation due to other structural/cultural constraining factors, inefficient institutions, immaturity of the economic/financial system, political volatility.

Source: adapted from Buffet *et al.* (2011).

3. Analytic framework and research questions

From the previous literature review, the framework by Mossberger & Wolman (2003) is particularly useful for structuring this analysis of policy transferability: awareness, assessment, and application. From these criteria, this study focuses on the criterion of assessment, given its aim is to assess the potential of Safer policy transfer from France to the Netherlands. The assessment component can be analyzed separately from awareness and application and addresses three components: similarity of problems and goals, policy performance, and differences in settings.

3.1 Analytic framework

3.1.1 Similarity of problems and goals

First, studying the similarity of problems and goals between both countries is necessary to justify any form of policy transfer in the first place. This component requires no adaptation.

3.1.2 Assessment of policy performance

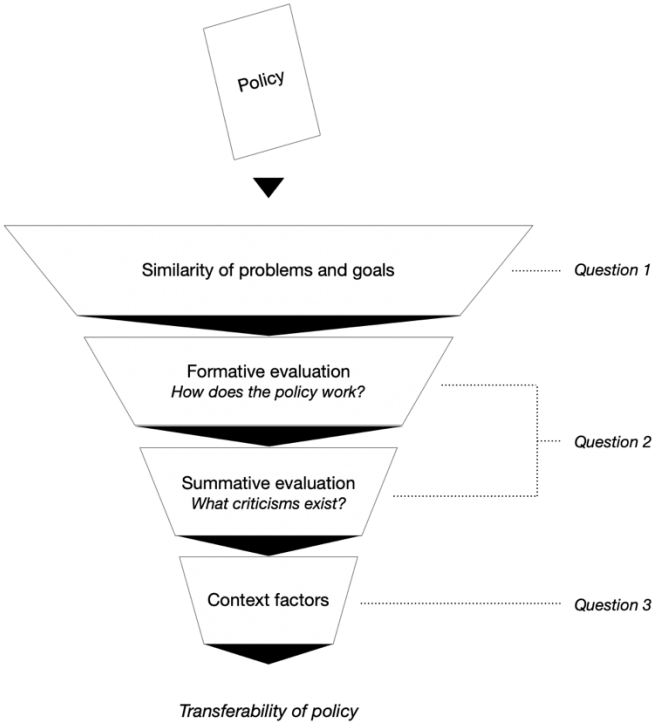
Second, assessment of policy performance generates knowledge of how successful it has been. Williams & Dzhekova (2014) assert that assessing policy performance is the most difficult part of a prospective policy evaluation, "especially when program goals are unclear and there are a number of designs operating under the same label" (p. 8). As elaborated further upon in this paper, Safer policy fits this description well. Its implementation varies considerably between the sixteen French regions, especially because the Safers' actions are dependent on the composition of their regional committees (Heubuch, 2016). A systematic, summative evaluation of how Safer policy has performed since its inception in 1960 is beyond the scope of this study. Therefore, the 'policy evaluation' component of the Assessment criterion by Mossberger & Wolman (2003) will mainly consist of a formative evaluation: a detailed analysis of how the policy mechanisms work. However, this formative evaluation will be complemented by an overview of policy limitations and criticisms of the current functioning by various stakeholders.

3.1.3 Assessment of contextual differences

Third, the assessment of contextual differences has been mentioned by the literature as an essential consideration to determine transferability. This final component draws upon the theory

about context factors and the associated guiding questions outlined by Williams & Dzhekova (2014) to assess their importance in affecting policy success.

Figure 1 Analytic framework for the assessment of policy transferability



3.2 Research questions

The primary goal of this thesis is to answer the following question: *What is the potential of Safer policy transfer to improve farmland market governance in the Netherlands?* Based on a review of the scientific literature on policy transfer and on the resulting analytic framework, the following three sub-questions arise:

1. What factors currently affect (aspiring) farmers' access to land in the Netherlands and France, and to what extent are these factors similar to those addressed by the Safers?
2. What policy mechanisms support the Safers' aim to facilitate farmers' access to land, and what are their limitations and criticisms?
3. How might contextual differences between the Netherlands and France influence the transferability of Safer policy?

4. Methodology

4.1 Data collection

Several data collection methods were used to answer the research questions, particularly literature review of policy documents to understand the policy functioning, and semi-structured stakeholders interview to fill knowledge gaps and explore context factors and policy windows.

4.1.1 Policy data

The policy mechanisms and functioning of the Safers were analyzed through a review of various Safer publications including websites, multi-year activity programs, internal documents, and leaflets. This was supplemented by third-party gray literature, particularly by Sanglier et al. (2017) and Shields (2023). The remaining knowledge gaps were filled through semi-structured interviews with regional and departmental Safer representatives. These interviews also served to validate previous findings. Finally, non-participant observation during a Technical Committee meeting further validated the understanding of how the policy is applied.

4.1.2 Comparative data on goals and problems

The Dutch and French National Strategic Plans (NSPs) were used to identify and compare nationally determined policy problems and goals related to farmland access. Published in 2023, they outline concrete targets and strategies for applying the European Union's 2023-2027 Common Agricultural Policy (CAP) at the national level. Their recency, comprehensiveness, and goal-oriented nature make these documents a relevant source of data. The Safers' multi-year activity programs for the period 2022-2028 complemented the information about their goals and the problems they address. Their recency, forward-looking nature, and regional diversity make these publications particularly useful to understanding the scope of goals and problems. This combination of sources allowed for an assessment of the appropriateness of policy transfer.

4.1.3 Data on weaknesses, limitations, and criticisms

Weaknesses, limitations, and criticisms of Safer policy and functioning were identified through analysis of academic and gray literature, as well as the Safer multi-year activity programs, which

contain SWOT analyses for each French region. This analysis was supplemented with interview data with Safer directors and other experts on the topic.

4.1.4 Identification of context factors

Identifying context factors and pointing out obstacles to a successful transfer of the policy requires a comprehensive insight into the Dutch national agricultural and policy context. Therefore, semi-structured interviews with a brainstorming component were conducted with a variety of experts and stakeholders, listed in Table 3. Interviewees were selected based on their involvement in farmland governance or through academic literature. Policymakers and governance authorities were particularly identified through Google and LinkedIn searches. In addition, several interviewees, including the farmers, were selected through a snowballing process in which they were referred to by readily selected participants. All participants were provided with an overview of the Safer goals and policy mechanisms beforehand to enable a discussion about the policy.

Table 3

Participants in the semi-structured interviews

Category	Expert or stakeholder	# participants	Reference number
France			
Regional Safers	Safer directors	3	01, 11, 17
Land funding organization	Land funding organization	1	7
Netherlands			
Government	Ministry of Agriculture	2	02, 05
	Provincial land expert	2	06, 13
	Land tenancy authority	1	19
Land funding organizations	Dutch land funding organizations	3	04, 14, 15
Interest groups	Green farmers' and growers movement	1	10
	Farmers' and growers organization	1	9
Experts and practitioners	Dairy farmer	1	12
	Arable farmer	1	18
	Legal expert	1	3
	Financial expert	1	8
	Steward (Dutch: rentmeester)	1	16
	Land registry and mapping agency	1	20

4.2 Data analysis

The literature and interviews were analyzed in Atlas through a combination of deductive and inductive coding, as some codes were developed based on the framework and some during the analysis. The different policy mechanisms, policy problems, and goals were identified and coded deductively. The same process took place for identifying weaknesses, limitations, and criticisms. Finally, in the search for Dutch context factors that affect policy transferability, inductive coding was used. Context factors were mainly coded into the categories of economic, political, societal, ecological, agronomic, organizational, philosophical, and policy infrastructure. A code for policy windows was used to identify windows of opportunity for Safer-inspired farmland policy.

4.3 Ethical considerations

Before conducting each interview, participants were asked for written permission to record the interview, store the recording, and generate a transcript. Participants had the opportunity to decline to answer questions or stop participating without providing a reason. Until the publication of the final report, interviewees had the right to withdraw from the study. Participants' personal data was stored separately from interview transcripts, and these files could only be matched through a securely stored identification sheet. Participants' names are not used in this publication.

4.4 Validity, reliability, and methodological limitations

First, data analysis, especially of complex qualitative data, is prone to interpretation error and unconscious bias. The results of the coding process are, in theory, shareable, and therefore a way of ensuring transparency about decisions made during part of the analysis and writing process. Second, this study relies heavily on stakeholder participation. Information provided by participants may be biased, particularly given the political nature of the research topic. Finally, the complexity of land access as a topic means that its full scope and detail are not addressed. Despite the use of gray literature, policy texts, legal texts, and interviews, results are never fully comprehensive. However, a maximum degree of validity and reliability has been strived for through data triangulation using a variety of sources, as well as follow-up questions in cases of conflicting information.

5. Problems and policy goals in the Netherlands and France

5.1 Introduction

The first step in a prospective evaluation of policy transfer is to analyze to what extent the targeted problems and desired goals correspond between the new and the original policy setting. This determines whether and to what extent policy transfer is appropriate (Mossberger & Wolman, 2003). Therefore, this chapter investigates the similarities between France and the Netherlands regarding the barriers to farmland access. It reviews to what extent the existing problems and policy goals in both countries are similar as indicated in the literature and the National Strategic Plans.

5.2 Barriers to farmland access in the Netherlands

The price of farmland differs strongly between France and the Netherlands. Figure 2 shows the average price of arable land and permanent grassland for France and the Netherlands over the period 2013-2023. During this period, Dutch farmland prices increased by 60%, compared to 8% in France. Not only have farmland prices in the Netherlands increased much faster, but at €78,800 per hectare they are also considerably higher compared to France's €6,200 (Kadaster, 2024a; Safer 2024b). In the second quarter of 2024, the average price of Dutch farmland increased by another 7.1% compared to that same year's first quarter, reaching €84,400 per hectare. Arable land increased to €98,300, while permanent grassland reached €76,800 per hectare. Today, a record average of €185,100 is paid for the mostly arable land in the fertile Flevoland polder (Kadaster, 2024c). The average lease per hectare, too, is more expensive than anywhere else in the EU, with an average annual price of €843 per hectare in 2022 compared to €154 in France (Eurostat, 2023).

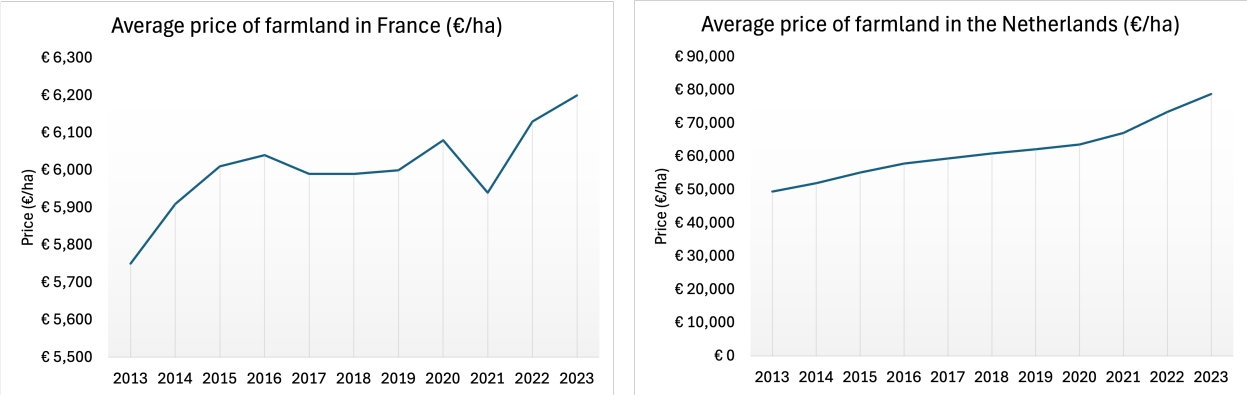


Figure 2

Average prices of arable land and permanent grassland in France and the Netherlands over the period 2013–2023. Sources: NVM (2024), Eurostat (2024b), Safer (2024b).

The high farmland prices in the Netherlands are due to several factors. First, the scarcity of land (Smit & Bekamp, 2023) and low land mobility (Oppedijk van Veen et al., 2019) lead to increased demand and prices for available farmland. Farmland has become an increasingly attractive investment opportunity for institutional investors, particularly after the 2008 financial crisis (Oppedijk van Veen et al., 2019), with now half of the sold land acquired by non-agricultural buyers, compared to 42% in the period 2012-2016 (Smit & Bekamp, 2023). Farmland prices are now largely determined by their investment value (Oppedijk van Veen et al., 2019; Van Zandbrink, 2024). As such, a plot's productive potential no longer justifies its price (Smit & Bekamp, 2023). Competing land uses drive up prices and decrease the availability of farmland, as land is needed for functions such as housing, energy production, climate adaptation, infrastructure, and water storage. Land prices skyrocket once a plot of land undergoes a zoning change, such as to residential area or solar production, driving speculation on farmland (De Jonge, 2024; Smit & Bekamp, 2023), especially around urban areas (Van Zandbrink, 2024; Oppedijk van Veen et al., 2019). Such price increases are not taxed as profit (Van Zandbrink, 2024). Moreover, the need for extensification to reduce nitrogen deposition in nature areas is posing another stress on the agricultural sector (Planbureau voor de Leefomgeving, 2021). Extensification entails lower yields, but farmers' labor capacity, income, and infrastructure tend to be tailored to a certain number of livestock (Smit & Bekamp, 2023). Manure rights, too, are tied to land, further increasing farmers' need for more land (Van Zandbrink, 2024). Amid the speculation by institutional investors, Van Zandbrink (2024) concludes that farmers have little choice but to operate as real estate investors. As a result of these developments, an individual purchase of Dutch farmland is "virtually out of reach for young, starting or small-scale farmers" (Oppedijk van Veen et al., 2019, p. 14), and is

often also difficult in cases of family succession (Van Zandbrink, 2024). In contrast, larger enterprises can more easily acquire farmland, as they can finance new acquisitions using the excess value of their land as collateral to obtain bank loans (Oppedijk van Veen et al., 2019).

5.3 The Dutch National Strategic Plan

5.3.1 Problem assessment

The Dutch National Strategic Plan (NSP) recognizes the issues of high land prices and limited farmland access. It states that young farmers (below the age of 40), as well as new entrants[1], "play a key role in keeping agriculture viable in the Netherlands and in the transition to agriculture with a more sustainable mode of production" (Ministerie van Landbouw, 2022, p. 192). The proportion of young farmers has declined by 16% since 2000, with only 8% of farm managers under 40 years of age in 2020, and 52% older than 55 years. The NSP points at the risk of farms not being taken over by a new generation as, in 2020, 60% of enterprises led by a farm manager 51 years or older did not have a prospective successor. This will in the near future lead to land consolidation, as the number of farms and their average size increase when farms are taken over by existing farms, further increasing the capital required for future succession. In the period 2010-2020, the average farm size increased by 31% (Compendium voor de Leefomgeving, 2011; Compendium voor de Leefomgeving, 2021). Therefore, the report points out that generational renewal is an urgent matter that requires investment. However, several barriers exist. First, required capital in a farm takeover is the largest bottleneck for young farmers, especially new entrants, who do not benefit from a family connection that enables them to acquire a farm under its market value. Second, agriculture has an uncertain outlook, partly because of uncertainty around the future possibilities in specific areas. High lease prices, the difficulty of securing capital, and a low return on equity are mentioned as additional barriers.

5.3.2 Goals

The main goal outlined in the NSP is to stimulate generational renewal, for which the government aims to "facilitate takeovers, improve access to capital, and stimulate collaborative projects" (p. 192-193). The most concrete proposal is to finance "bottom-up ideas" that include at least one young farmer and in which actors look for creative ways to facilitate access to land, including for

[1] New farmers with no agricultural background

new entrants. Such projects may include innovations in enterprise structures, such as a separation of land ownership and farm exploitation, connecting new entrants to landowners, or developing new tenancy systems. The aim is to finance five such projects per year at an average of €50,000 per project. Regarding sustainability, the NSP aims to "stimulate young farmers to choose for sustainable agricultural entrepreneurship" (p. 192). As such, the goals are to "provide economic perspective for farms, attain environmental and climate goals, and preserve and strengthen the livability, employment and cultural identity of rural regions" (p. 109).

5.4 Barriers to farmland access in France

In France, too, farmland is sometimes considered an investment opportunity (Safer Auvergne-Rhône-Alpes, 2022), even though price increases are more controlled. In some regions, commercial investments and a strong demand for recreational land have led to price increases that pose an obstacle to farm transfers and new installations. So-called 'hidden land consumption' is a source of concern, with buyers typically paying prices that exceed the general agricultural price. Such developments not only lead to decreased affordability, but also reduce the availability of farmland (Safer Auvergne-Rhône-Alpes, 2022). In some regions, another factor driving up land prices can be the limited availability of land for sale (Safer Hauts-de-France, 2022). Issues of generational renewal are also pressing, with significant difficulty in financing farm takeovers, especially in the case of large farms and new entrants without family ties. Moreover, banks are hesitant to finance projects, farm takeovers are insufficiently anticipated by retiring farmers, and local resistance to new projects may occur (Safer Auvergne-Rhône-Alpes, 2022). As in the Netherlands, many farm heads will reach retirement age in the coming years (Safer Nouvelle-Aquitaine, 2022), and the country has already lost 21% of its farms in the period 2010-2020 (Safer n.d. c). Competition over land occurs here, too, as solar projects, environmental measures, and road infrastructure all require land (Safer Nouvelle-Aquitaine, 2022).

5.5 The French National Strategic Plan

5.5.1 Problem assessment

As in the Dutch NSP, the French NSP states that "generational renewal is a key challenge for French agriculture" (Ministère de l'Agriculture, 2023, p. 111). The country deals with an aging

farming population, with an average farmer age of 52 years in 2016. 45% of farmers are expected to reach the legal retirement age by the end of 2026, and nearly a third of farmers will not find a replacement, according to projections. As a result, the decline in farmer population is expected to continue at a rate of 1.7% to 3.3% annually over the period 2023-2027. This, in combination with land access and financing difficulties, leads to a declining farming workforce and an increase in the average farm size, with average increases from 55 to 69 hectares. The NSP mentions several major obstacles to generational renewal. It indicates that, despite the country's relatively better control over land prices compared to other EU member states, they remain the principal obstacle to the installation of new farmers, with prices ranging between €2,430 and €15,050 per hectare in 2020 (Agreste, 2023). Indeed, new farmers' borrowing capacity, as well as the expected return on investment, remain limiting factors in the financing of farm takeovers. As in the Netherlands, the NSP states that the aging farmer population is a phenomenon partly driven by insufficient attractiveness of the agricultural sector among young people. It is especially difficult to take over large farms, and retired farmers tend to hold onto their land and CAP subsidies.

5.5.2 Goals

An important objective in the NSP is to stimulate generational renewal by facilitating the installation of new farmers, guiding farm transmissions, and encouraging a decrease in land retention by retired farmers. Such renewal is not limited to young farmers and may also include career changes into the agricultural sector. Regulatory bodies such as the Safers play an important role in this facilitation, as well as in maintaining land availability by preventing farmland artificialization. An associated aim is to increase the attractiveness of the agricultural sector. Finally, the NSP cites the goal of matching installation projects to the societal, economic, and agronomic context of the territory to increase projects' added value. Actions to meet the proposed objectives include a program to support candidates for farm installation and transmission, a voluntary professionalization process featuring internships and courses, and consultancy support and benefits for farmers reaching retirement age and transferring their farms to a young farmer.

5.6 Comparison of problems and goals

Both countries experience problems of farmland being a speculative investment object and competition by energy transition and infrastructure projects. Both NSPs point out the high capital requirements and the difficulty obtaining capital for takeovers as major obstacles. Other obstacles

mentioned are the low financial returns and the lack of attractiveness of the sector. Both countries aim for generational renewal, better access to farmland, and its preservation. However, an important difference between France and the Netherlands is that the latter struggles with the environmental problem of excessive nitrogen deposition in Natura2000 areas. While France, too, has shown to have sustainability goals, this specific Dutch problem is likely to play a significant role in a potential policy transfer and will, therefore, be of relevance as a context factor. Another notable difference lies in the level of development of each country's approach to stimulating generational renewal. France aspires to actively guide farm transmissions through government and Safer intervention. In contrast, the Dutch approach seems more limited, funding several partnerships to experiment with creative ways of farmland ownership, thereby not addressing market problems but leaving the sector to address these problems on its own.

5.7 Appropriateness of policy transfer

Table 4 provides an overview of the problems identified in the National Strategic Plans of both countries. The table shows significant overlap between national problems. The targeted problems and aforementioned NSP policy goals correspond considerably between the new and the original policy setting. These results confirm the relevance of studying the transferability of Safer policy.

Table 4

Land access barriers and key data in the Netherlands and France

Factor	Netherlands	France
Land price barrier	++	+
Lease price barrier	++	0
Increase in farm size (2010-2020)	31%	25%
Need for extensification	+	0
Drivers of land prices		
Scarcity and loss of farmland	++	+
Institutional investment	++	+
Land use competition	++	+
Land mobility (2022-2023)	1.62%	1.81%
Generational renewal		
Low succession rate	+	+
Retiring farmers hold on to land	n.d.	+
Ageing farmer population	+	+
Uncertain outlook	+	n.d.
Difficulty securing capital	++	+
Low return on equity	+	n.d.

6. The Safers

After the previous chapter's comparison of problems and goals related to farmland access, this chapter provides an overview of the Safers' history, objectives, structure, and policy mechanisms. These are the basic mechanisms that are, in theory, transferable to another context. After this overview, the next chapter contextualizes these policy mechanisms to better understand how differences in each country's context affect their transferability.

6.1 Historical development

6.1.1 Historical context

In 1950, France was suffering from a food production deficit. While the agricultural sector counted 7 million farmers, most farms were small and did not attain their productive potential. As a result of better perspectives in other sectors, a rural exodus led to the liberation of land, but small and young farmers often lacked the financial resources to acquire it. Moreover, retiring farmers tended to hold onto their land, making land acquisition difficult for farmers wanting to scale up their enterprises. As a result of subsidies for land acquisition and mechanization, the farmland market became highly competitive and speculative (Safer, 2024a). Land prices were further increased as a result of price guarantees for agricultural production (Merlet, 2016). This, in combination with high inflation rates, spurred a need for policy change (Safer, 2024a).

6.1.2 Agricultural reform

The creation of the Safers (Sociétés d'Aménagement Foncier et d'Établissement Rural; Land Development and Rural Settlement Companies) in 1960 was part of a wider agricultural reform aimed at modernizing the French agricultural sector and making it competitive on the European common market. It was a response to a shared interest of the French state and the Young Farmers' syndicate to modernize the sector (Safer, 2024a; Sanglier et al., 2017) and ensure equitable attribution of the farmland that came onto the market (Safer Hauts-de-France, 2022). To this end, 26 Safers were set up, which in 2019 merged into a total of 16 regional offices (Ministère de l'Agriculture, 2018). At the time, their primary objectives were to boost the agricultural sector's competitiveness, enable a decent farming income, and promote the establishment of young farmers. The core idea around which it operates to this day is that of

family-size farms that generate sufficient revenue for farmers to make a living (Safer, 2024a). Some important measures to achieve this were to restructure plots and increase the surface area of farms whose small size stood in the way of profitability (Merlet & Levesque, 2008), as well as severance pay for old farmers (Safer, 2024a). The Safer also aimed to achieve revenue parity with other economic activities, so that farming became a more attractive sector (Safer, 2010).

6.2 Objectives

Mandated by the State and supervised by the Ministries of Agriculture and Finance, each region's Safer is tasked with aligning rural land transactions with the public interest. In the 1970s, the Safers' missions expanded to include infrastructure planning. In 1999 it obtained a pre-emption right to favor environmental protection, and in 2010 environmental associations were included in the Technical Committees (Baylac, 2017). As outlined in L141-1 of the Rural Code, the Safers are now mandated with four main missions (adapted from Légifrance, 2024):

1. Protect agricultural, natural, and forest areas; promote the installation, maintenance, and consolidation of farming and forestry enterprises to enable economic viability in combination with social and environmental performance, including organic agriculture;
2. Contribute to landscape diversity, natural resource protection, and biodiversity conservation;
3. Contribute to sustainable rural development;
4. Ensure transparency of the rural land market.

6.3 Structure

Each Safer operates under the supervision of the Ministry of Agriculture and the Ministry of Finance (Baylac et al., 2017). Safers are incorporated as non-profit limited companies (Merlet, 2016). As such, they are owned by a number of shareholders, including the region's Chambers of Agriculture, farmers' unions, municipalities, producer cooperatives, insurance providers, and banks (Safer Grand Est, 2023). Given the Safers' non-profit status, these shareholders do not receive a dividend (Sanglier et al., 2017). The National Federation of Safers oversees the functioning and financial balance of each regional Safer (Cour des Comptes, 2014).

6.4 Policy development

Each regional Safer must develop a multi-year activity program in collaboration with the relevant rural stakeholders (Safer Nouvelle-Aquitaine, 2022). The program includes a review of the previous multi-year program and an intervention strategy for the upcoming period (Safer Auvergne-Rhône-Alpes, 2022), partly based on a SWOT analysis[2] (Safer Bourgogne-Franche-Comté, 2022). By outlining the context in which a given Safer operates, this document functions as a decision support tool for the Technical Committees and the regional Safer administration. The program is set for a seven-year period and requires approval from the regional prefect (Safer Auvergne-Rhône-Alpes, 2022).

To develop the program, a regional Safer conducts a detailed consultation among rural stakeholders, through presentations, working groups, internal consultations among staff, and interviews with regional actors. These include farmer and forestry unions, agricultural cooperations, the water agency, advocacy groups, local government representatives (Safer Auvergne-Rhône-Alpes, 2022), nature parks, hunting unions, research organizations, banks, and insurance companies (Safer Bourgogne-Franche-Comté, 2022). The multi-year program takes into account existing regional and national policy goals related to issues such as biodiversity, climate, and rural development (Safer Auvergne-Rhône-Alpes, 2022). Besides, an annual activity report outlines the actions taken in the past year and the implementation of the multi-year activity program (Safer Bourgogne Franche-Comté, 2022). This document is submitted to the regional Board of Directors for approval of the financial accounts, and, once validated, presented to government officials at the ministries of Agriculture and Finance, who in turn submit it to the regional prefect with their opinions (Safer Bourgogne-Franche-Comté, 2022).

6.5 Financing

Until 2017, the Safers received government subsidies to perform their tasks. Today, however, they must be self-sustaining in their operations (Shields, 2023). Their company status, in combination with an exemption from property transfer tax, allows them to finance their operating expenses by charging a fee on the land they sell (Sanglier et al., 2017). Profit margins on the sale

[2] Analysis of strengths, weaknesses, opportunities and threats

of temporarily stored land, or on land that the Safer sells as a service to a selling party, account for most of the annual budget. The remaining proceeds are derived from temporary rental agreements and rental mediation, as well as a variety of other services, such as taxation of rural properties (Safer Bourgogne-Franche-Comté, 2022). In case of insufficient operating capital, Safers can take out a loan from the major agricultural bank, Crédit Agricole (Shields, 2023).

6.6 Policy mechanisms and instruments

To fulfill their public interest function, the Safers use five primary mechanisms: land market monitoring, intervention in land transactions, land storage, land carrying, and rental mediation. The key instrument used in regulating the rural land market is the pre-emption right, which gives a Safer the right to position itself as the buyer of a property and determine its future ownership.

6.6.1 Land market monitoring

One of the Safers' four key missions is to oversee the rural land market and ensure its transparency. To enable this, notaries are legally obligated to notify the Safer of any proposed rural property transactions and their price (Merlet, 2016), including the sale of shares and transfer of bare ownership or usufruct (Rogge et al., 2018). As a result, the Safers received 374,000 such notifications in 2022 (Safer, 2023c) and 330,000 in 2023 (Safer, 2024b). This land market monitoring provides the Safers with insights into any anomalies in the rural land market, which may lead to intervention by using the pre-emption right. However, the role of land market monitoring extends beyond internal use. The land market data are published on a website that displays the number of transactions, the associated land area, and average transaction prices down to the municipal level. The website also provides an annual document that summarizes the developments of the national rural land market. In addition to public data, the Safers provide real-time market data through a premium online service called Vigifoncier. This service informs local authorities about proposed rural property sales in their area and enables them to monitor and analyze their area's land dynamics (Vigifoncier, n.d.). The service includes information about buyers and their intended use. Using such data, local authorities can adapt their land management policy accordingly. They can also ask the Safer to use its pre-emption right in case of a specific agricultural or environmental objective or apply to purchase a property put on sale by the Safer through a call for applications (Safer Nouvelle-Aquitaine, n.d. a). Aside from this

premium service, it is also possible for people to ask the Safer to notify them when the sale of a particular plot of land is notified (int. 01).

6.6.2 Intervention in land transactions

There are two ways of intervention in land transactions. The first is sales mediation, also referred to as an amicable transaction. The second is a forced intervention, in which the Safer uses its pre-emption right. Figure 3 illustrates these two intervention processes. Amicable transactions through sales mediation generally account for 89% of Safer transactions (Safer, 2024a). The area of annually acquired land has varied between 75,000 and 103,000 ha per year between 1970 and 2022, and today the reallocation of land balances out the acquisitions (Agreste, 2023).

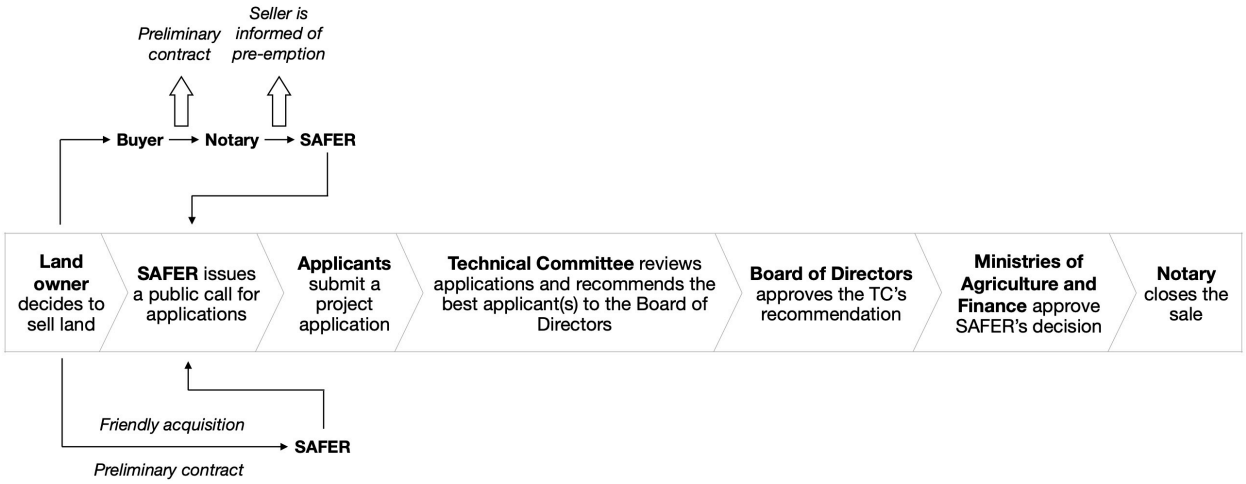


Figure 3

The primary processes of Safer intervention land transactions, through friendly acquisition (below) or pre-emption (above). Adapted from Shields (2023).

Sales mediation

Owners looking to sell land or a farm can opt to sell directly to the Safer, which then serves as an intermediary in what is referred to as an amicable transaction. This process can take place in two different ways. In the case of acquisition-retrocession, the Safer purchases the property, which it can sell directly or temporarily stock. In the case of a substitution, the seller authorizes the Safer to select a buyer. The benefit of this procedure is that only one purchasing contract is needed, reducing cost and time (Sanglier et al., 2017).

Pre-emption

After notification of an intended sale, the Safer may be called upon by a third party to intervene in the proposed transaction by using its pre-emption right. Generally, this third party must be able to acquire or represent a potential buyer of the property (int. 01) and they may be asked to sign a purchase commitment and pay a deposit (int. 17). In many cases, the Safer actively approaches third parties who may want to ask for a pre-emption, such as a farmer adjacent to the plot that is for sale (int. 01). After notification, the Safer has two months to decide whether to use its pre-emption right (Baylac, 2017). A pre-emption must be based on the objectives in the Rural Code, shown in Table 5. In case it decides to pre-empt, the Safer positions itself as the buyer. If the price is considered reasonable, the Safer has the right to purchase the property at the price determined initially, and the owner is obligated to sell. In case the Safer considers the price to be too high, it can come up with a revised price based on recent reference market transactions. The seller then has six months to respond and can either agree to sell at the new price, withdraw from selling, or protest the decision in a court case (Merlet, 2016). In case of a price revision, the seller can choose to sell at the revised price to the initial buyer or to the Safer (int. 11).

Table 5

Objectives outlined in the Rural Code that may justify the use of the pre-emption right.

1. The settlement, the resettlement or the continuation of farmers
2. The consolidation of farms in order to enable them to achieve a financially viable situation with regard to regional directives and the improvement of the pre-existing plot distribution
3. The protection of the stability of farms when it is put at risk by public interest works
4. The protection of the family trait of a farm
5. To fight against real estate speculation
6. The preservation of existing financially viable farms when it is compromised by the separate transfers of the land and the farm house or buildings
7. The promotion and conservation of forests as well as the optimization of forestry activities with regard to the agreements made with the State
8. The protection of the environment, primarily by the implementation of adapted farming methods, in regards to the strategies established by the State or the regional and local authorities
9. The preservation and promotion of peri-urban farms and nature areas

Adapted from Sanglier et al., 2017, p. 6-7 and Safer, 2024a.

The use of the pre-emption right requires the approval of the Ministries of Finance and Agriculture, whose commissioners have a seat on the Board of Directors and dispose of a right of veto (Merlet,

2016). While the pre-emption right is used in less than 1% of transactions (Safer, 2023d), Sanglier et al. (2017) point out its deterring effect as a “strong incentive for sellers to moderate their prices” (p. 7).

Exemption from the pre-emption right

There are several cases in which the pre-emption right cannot be used. This applies when the buyer is either a close relative, a current tenant, or a farmworker. Owners or tenants who have been previously excluded from the property are exempt from the pre-emption right, too (Baylac, 2017).

Transfers of shares

Prior to 2014, the Safers did not have oversight of the transfer of shares in farm corporations, nor the right to intervene unless 100% of shares were sold (Merlet, 2016). The 2014 *Loi d’Avenir* increased the transparency of the share market by obligating alerts of such transfers. Recently, the 2021 Sempastous law has expanded the scope of these obligatory alerts and has given the Safers a limited degree of influence over corporate transactions from 2023 onwards (Safer, 2024b). The law enables them to ask buyers whose future land surface will exceed a fixed threshold to take compensatory measures that favor the installation of farmers or the consolidation of small farms. This may concern selling or long-term leasing a part of their land to another farmer. Donations, transfers between long-term associates, and some transfers between family members are not subject to this provision. The departmental prefect determines whether the proposed measures are sufficient. This new right provides the Safers with somewhat more influence to counter excessive land concentration and favor the installation and consolidation of farmers who need land (Safer, 2024a).

Reallocation

Whether acquired by the Safer through an amicable transaction or using the pre-emption right, the property has to be resold for its intended use. A key aspect of Safer policy is to sell land not to the highest bidder, but to the best bidder (Sanglier et al., 2017). To this end, the Safer issues a call for applications which is announced on its website, in the local town hall, and in at least two newspapers. Applicants are given 15 days to submit their candidacy (Shields, 2023). As this is a public tender, the property at hand is not necessarily awarded to the person or party that activated the pre-emption process (Sanglier et al., 2017). Candidates also have the possibility to apply only to a part of the proposed property. This also applies to rental property (Safer Grand Est, 2022).

A Technical Committee, which functions at the departmental level, reviews the applications based on a set of criteria. This includes the candidate's family situation, professional skills, and financial capacity to acquire and manage the property. The committee also reviews the suitability of the proposed project to serve the public interest and its performance on a social, economic, and environmental level (Safer, n.d. b), albeit in various degrees between different departments (int. 17). Other considerations are the distance between a plot and the farm headquarters, and the ratio between the land surface area and the labor force (Safer Grand Est, 2022). Appendix I presents five examples, based on real candidate profiles, as they are presented to the Technical Committee.

The Technical Committee is a departmental reflection of the composition of the Board of Directors at the regional level (int. 11). It is composed of three colleges: agricultural representatives, authorities at various levels of government, and representatives of other organisms such as forestry, state representatives, banks, and insurance companies (int. 11). It includes the Safer's director, farming union representatives, chambers of agriculture, local authorities, associations for environmental protection or hunting, agricultural banks, agricultural insurance companies, and the commissioners for the Ministries of Finance and Agriculture (Sanglier et al., 2017; Baylac et al., 2017). Committees may include non-member parties that cannot vote but are allowed to be at the meetings and share their opinion (int. 11). The Committee provides a recommendation of the best candidate(s) to the Board of Directors. Once the Board has approved the Technical Committee's choice, the decision requires final approval from the representatives of the Ministry of Finance and the Ministry of Agriculture (Merlet, 2016).

Before the selected candidate can purchase the property, they must agree to comply to one or several commitments for a given period, integrated in the deed of sale (Safer, 2023d). This may concern a commitment to lease the acquired land to a selected candidate, start farming within a given period after the acquisition, use organic farming methods, or respect certain restrictions to protect a water extraction area (int. 11). If the buyer intends to rent out the property, the Safer may supervise the choice of the tenant (Sanglier et al., 2017).

In 2022, the Safers acquired about 102,500 hectares, while reallocating 101,7000. 40.7% of properties were attributed to new farmers, who received an average of 10.1 hectares. 33.3% of reallocations went to the consolidation of existing farms, at an average surface size of 6.2

hectares. The remaining retrocessions were meant for local development projects, forest and environmental development, and plot reorganization (Agreste, 2023).

6.6.3 Land storage

After the acquisition of a rural property, the Safers can stock the property for up to 5 years, renewable twice (int. 01). This may be to protect nature areas, to reserve land for public projects, or to compensate farmers who are impacted by such projects (Safer, 2019). Temporary land stocking can also be useful when a selected candidate still lacks the resources to acquire or manage the property (Sanglier et al., 2017; int. 01). To facilitate in such cases, local authorities can implement setting-up policies covering the financial costs throughout the stocking period. This not only reduces new farmers' acquisition costs, but also gives them time to finalize their education, draw up a business plan, and obtain the funds necessary for the acquisition (Baylac, 2017). Stored land is generally managed through a short-term lease (Baylac, 2017). Since 1995, the total area of stocked land has remained stable at around 40,000 hectares, representing 0.15% of French farmland in 2020 (Agreste, 2023; Agreste, 2022).

6.6.4 Land carrying

Land carrying, or *portage foncier*, is a system in which a third party finances the acquisition of farmland for a starting farmer. Various forms of land carrying exist, ranging from temporary to more permanent forms.

Temporary land carrying

In this case, a revolving fund is created by the Region or the State to enable the Safer to acquire property for the installation of young farmers who cannot yet finance the acquisition (int. 01). This enables them to start farming without the burden of having the purchase the farm immediately. Instead, the new farmer makes an annual payment and can purchase the land after 5 to 10 years, with a deduction of the annual payment (Safer Nouvelle-Aquitaine, n.d. b). On a national level, the National Federation of Safers and its partners in 2023 launched a fund to stimulate generational renewal using this approach. While the fund will only enable the installation of about forty new farmers per year, it has attractive conditions, as it will finance the acquisition for a period of 10 to 30 years, during or after which farmers can purchase the land (Safer, 2023a).

Permanent land carrying

Another process, in which the Safer is involved as an intermediary, is long-term land carrying. In this case, the Safer may decide to sell a farm to a third-party organization that will subsequently lease the farm to a selected candidate. The Safer then supervises the choice of candidate (Sanglier et al., 2017; int. 11). It also occurs that candidates for a farm or plot indicate a third-party investor in their application (int. 17). The latter then signs a commitment to lease the land to the candidate for a given period, ranging from 15 (int. 11) to 20 (int. 17) to 30 years or more (int. 01). A variety of private initiatives are involved in this type of land carrying. An example is Terre de Liens, a non-profit organization that helps the installation of new, small-scale organic farmers by mobilizing private individuals' capital. At the request of aspiring farmers, Terre de Liens acquires land and leases it to starting farmers so they can realize their project (Terre de Liens, 2023). Terre de Liens is also actively involved in anticipating and guiding farm transmissions. As Martin (2013) points out, a frequently occurring problem is the temporal mismatch between the retirement of an existing farmer and the installation of a new farmer. To address such problems, several regional Safers have signed conventions with Terre de Liens to leverage both organizations' capacities and reinforce communication and collaboration (Auvergne-Rhône-Alpes, 2021). While these conventions do not prioritize Terre de Liens over other candidates, they may be considered an interesting party in some cases, especially for organic land for which it is difficult to find a buyer (int. 11).

6.6.5 Rental mediation

A landowner can ask the Safer to act as an intermediary and search for a suitable tenant (Baylac, 2017). This process takes place in the same way as land reallocation: through a public tender, using the same criteria to select a candidate. In this process, both the owner and the candidate pay the Safer a service fee (Sanglier et al., 2017). Rental mediation has been gaining traction in recent years in light of the Safers' goal of facilitating farm transfers to allow for generational renewal. In many cases of farm transfer, a part of the property is up for rent. The Safers' rental mediation, in addition to its sales process, allows it to keep the farm as one unit by selecting the same candidate for both the sale and the tenancy (Sanglier et al., 2017).

6.7 Overall impact

The precise impact that the Safers have had on access to farmland is difficult to quantify, especially given the role of the country's other agricultural policies. However, multiple studies indicate that the Safers' work has led to a moderation of land concentration and land price increases, the preservation of farmland, and the installation of new farmers (Sanglier et al., 2017). Land concentration processes and farmland prices are indeed relatively low compared to other European countries (Shields, 2023). These outcomes are attributed not only to the Safer, but also other agricultural policies such as rental price control and the tenant's right of first refusal (Shields, 2023).

6.8 Criticisms and limitations of Safer functioning

Safer policy and its implementation are subject to various types of criticism. In addition, the policy has several limitations concerning its scope and effectiveness. This section provides an overview of these criticisms and limitations.

6.8.1 Image and communication problems

The Safers struggle with a bad image (Safer Bourgogne-Franche-Comté, 2022), being frequently perceived as a competitor in the rural land market (Safer Auvergne-Rhône-Alpes, 2022). A large part of the image problem is said to be due to an insufficient understanding of the Safer's functioning and its objectives (Safer Bourgogne-Franche-Comté, 2022; Safer Auvergne-Rhône-Alpes, 2022), including among public actors (Shields, 2023; int. 11). This is partly rooted in a general lack of communication (Safer Bourgogne-Franche-Comté, 2022, int. 11). In addition, the tendency to remember the negative outcomes may overshadow the rest of the Safers' work (int. 11).

6.8.2 Opposition to the Safers

Shields (2023) mentions that the creation of the Safers was "highly controversial" (p. 36) with sentiment varying between actors. Farmers are said to have sent numerous complaints about land redistribution decisions they considered unjust, addressing not only the Safers, but also the Ministry of Agriculture and even presidents (Bivar, 2019). Today, Safer decisions are still regularly

contested, particularly in cases in which there are many candidates for a call for applications, as only one or a few can be retained. Agricultural unions, too, are sometimes opposed to Safer intervention in the farmland market, arguing they do not need the Safer and prefer to conduct their business without interference (int. 11).

6.8.3 Lack of transparency

A frequent criticism is the lack of transparency in the process of reallocation of property. Perrin (in Shields, 2023) proposes an increase in the transparency of Technical Committee meetings, for example through the publication of minutes. While these meetings are behind closed doors to ensure the privacy of candidates, this non-transparency causes the fairness of the reallocation process to be sometimes contested. Despite the criteria for candidate selection, the decision of who to recommend is ultimately up to the Technical Committee and the Board of Directors (Rogge et al., 2018). According to Barral & Pinaud (2015, p. 69), “non-respect of priority ranks in the allocation of land” is a well-known occurrence.

6.8.4 Limited monitoring of candidates’ commitments

The supervising ministries impose a check of new farmer installations after several years, as well as randomized controls to determine adherence to the commitments signed by selected candidates (int. 17). However, various multi-year activity programs point at insufficient monitoring of the commitments (Safer Bourgogne-Franche-Comté, 2022, Safer Auvergne-Rhône-Alpes, 2022), potentially resulting in a loss of credibility towards stakeholders (Safer Auvergne-Rhône-Alpes, 2022).

6.8.5 Tenant’s pre-emption right

In 2021, 85% of French farmland was leased to tenants (Farm Accountancy Data Network, 2021). As tenants have a right of first refusal when the land they lease is up for sale, a significant part of the land market is beyond the scope of the Safers. This concept is sometimes exploited to avoid a potential pre-emption by the Safer. In this process, a landowner and an intended buyer will agree on a future sale in advance of signing a tenancy contract. This is sometimes the result of previous price revisions imposed by the Safer, which can lead to a withdrawal of a sale, followed several years later by a sale to the initial buyer, who is now a tenant and therefore enjoys the right of first refusal (int. 17). While such an agreement requires considerable trust in the future buyer, this phenomenon arguably leads to a lower degree of price revision to avoid a further decline in the Safers’ scope of action.

6.8.6 Transfer of corporate shares

Despite increased transparency of the corporate share market since 2016 and, from 2023 onwards, the ability to demand compensatory measures in cases of large transfers, the Safers' control over the share market remains limited and land concentration remains an issue (Safer Bourgogne-Franche-Comté, 2022). The National Strategic Plan indicates that such developments lead to farm expansion at the expense of new installations (Ministère de l'Agriculture, 2023).

6.8.7 Results of fewer subsidies

While the Safers received government subsidies until 2017, these had already declined dramatically in the period between 1981 and 2011 (Cour des Comptes, 2014). Today, they have to be virtually self-sustaining in their operations (Shields, 2023). Limited financial resources reduce the Safers' capacity to intervene, especially in cases of large farm transactions (int. 01). Moreover, the lack of subsidies is supposed to have led to several undesirable developments pointed out by the Cour des Comptes, France's independent auditor of organizations that receive public funds. First, it was pointed out that "some Safers intervene on a "substitution" basis, even though the sale of a property has already been concluded in principle" (p. 101). In such transactions, the Safer does not acquire the property but acts as an intermediary. As a result, buyers are exempted from property transfer tax. In 2012, substitutions accounted for 68% of the traded land area and 78% of the transaction value. The obtained tax advantage from substitution operations amounted to more than €46 million in 2012, representing more than three-quarters of the total tax advantages generated by the Safers. On average, the gross margins on the substitutions represented nearly half of the Safers' budget. The auditor also noted an increase in Safer activity in high-value residential building transactions and argued that the use of the tax exemption is unjustified for non-agricultural transactions, as well as transactions in which the Safer merely functions as an intermediary (Cour des Comptes, 2014).

6.8.8 Environmental protection

The Safers' ability to pre-empt for environmental reasons is little used. This may sometimes be due to the environment being considered secondary in some Technical Committees (Safer Bourgogne-Franche-Comté, 2022), but it is largely due to the fact that the Safers' environmental pre-emption right is limited to purely agricultural reasons. In other words, the Safer can only pre-empt if a link exists between an environmental issue and an agricultural activity. In natural zones, the Safers cannot use their pre-emption right, despite regularly being called upon by environmental protection organizations to do so (int. 11).

6.9 Conclusion on policy relevance

The previous chapter analyzed the similarities of the barriers to farmland access between France and the Netherlands and to what extent each country's problems and policy goals are addressed in the National Strategic Plans. After a review of the Safer policy mechanisms, Table 6 summarizes how Safer policy plays a role in addressing these problems and attaining these goals.

Table 6

Land access barriers and key data in the Netherlands and France

Factor	Netherlands	France	Safer action
Land price barrier	++	+	Limit price increases
Lease price barrier	+	-	
Farm size increase (2010-2020)	31%	25%	Prioritize installations over consolidation
Need for extensification	+	-	
Drivers of land prices			
Scarcity and loss of farmland	++	+	Maintain agricultural status
Institutional investment	++	+	Prioritize farmers over investors
Land use competition	++	+	Maintain agricultural status
Land mobility (2022-2023)	1.62%	1.81%	Anticipate and guide farm transmissions
Generational renewal			
Low succession rate	+	+	Prioritize and accompany installations
Ageing farmer population	+	+	Anticipate and guide farm transmissions
Uncertain outlook	+	n.d.	
Difficulty securing capital	++	+	Land carrying
Low returns	+	+	

7. Analysis of context factors

The previous chapter described the policy instruments and mechanisms used by the Safers. To contextualize the policy, this chapter offers an overview of context factors – relevant differences between both countries – that should be considered in a prospective transfer of Safer policy into the Dutch context. First, it provides insights derived from expert interviews on factors concerning political and cultural acceptance, economic context, agronomic differences, and institutional capacity. Second, it presents considerations of past policy, current policy, and ongoing policy developments. The implications of these results for the transferability of Safer policy are discussed in the next chapter.

7.1 Acceptance

The potential to introduce a new regulation of farmland is contingent upon political, public, and especially agricultural stakeholders' willingness to have such a system (int. 01). The Safer was created as a result of professional will; still, not everyone in France agreed to its implementation and in some regions, some stakeholders remain opposed (int. 17). While various interview participants realized the potential benefits of a Safer-like system, the overall narrative was that its restrictive effects would meet significant opposition. Reasons included the destruction of capital (int. 08), a reduction in landowners' options to sell (int. 09), the financial disadvantage of price revision (int. 09), and the idea of "building a new corporatist structure, a new bureaucracy, with people who may not know anything at all who make decisions about the future of farms" (int. 04). Starting a high-level discussion about Safer policy is difficult, especially in the current political climate with the Farmers and Citizens Movement (BBB) dominant across government (int. 05, 06, 20).

7.1.1 Cultural and political

Market intervention is considered by some participants as (potentially) unfitting to Dutch culture (int. 02, 14), and the idea of the Safer is referred to as "somewhat socialist" (int. 02), "un-Dutch" (int. 02, 04), "bureaucratic and very French" (int. 04). Some participants expressed their doubts of whether the Dutch market is ready for a Safer-like regulation (int. 03, 04), with one participant arguing that many people would see it as a step backward, rather than forward (int. 04). Other

cultural differences that were pointed out were the fact that the Netherlands is a trading country that does not value self-sustenance as much as France (int. 10). In a similar vein, the Safer model is said not to fit the Dutch liberal ideal of entrepreneurship (int. 02, 12). Moreover, participants point at a relatively higher independence of French regions and departments compared to Dutch provinces (int. 03, 05), a more interventionist French government (int. 04, 15), and a more corporatist French society (int. 04).

7.1.2 Philosophical

Many participants referred to the right to own property as “very important” (int. 05), “the most comprehensive” or “greatest” right (int. 09, 16), “more or less declared sacred” (int. 03) and even “holy” (int. 13). Not only does the country’s neo-liberal economy give rise to resistance to market regulation (int. 12, 18), but the topic of property rights has been said to be very difficult to talk about, much less to be restricted (int. 13). Regarding the role of land, there is an important philosophical difference between both countries. According to one Safer representative, in France, people tend to understand the somewhat superior interest of not letting the market determine farmland distribution and use (int. 01). Indeed, a core tenet of the Safer system is that free markets alone cannot regulate the use of land to ensure their best use in line with the collective interest (Merlet, 2016). Another representative argued that the reasoning of a free market simply does not apply to a resource like land, which, instead of being produced like other items, tends to decline in abundance (int. 17). In reply to the difficulty of Dutch society to accept an intervention in farmland transactions, another representative said: “I'm not a leftist when it comes to French politics, I'm more in favor of liberalism and the law of the market and demand regulating prices. But when it comes to land issues, given that land is a commodity used by everyone for reasons of territorial sovereignty, it's important to regulate it.” (int. 11).

7.1.3 Psychological

The role of trust and emotion are important factors in the acceptance of regulatory processes. Several interview participants referred to the psychological impacts of land governance processes, albeit to varying degrees. Processes of land consolidation are said by some to have been emotional processes (int. 08) that have resulted in past grievances and a certain degree of suspicion towards the government, driving a general preference to sell to a neighbor (int. 09). There seems to be a lack of trust among farmers to work with the national or provincial government in land development processes (int. 12), although this is contested by one land steward (int. 16). Besides, not everyone agrees on the severity of past land consolidation impacts.

One participant (int. 10) who used to work at the Bureau of Farmland Management (BBL) to govern these processes indicated: "There was hardly any discord from the farmers. The farmers were always content with that. We worked really well with the farmers there, they were always positive about it, positive also about the results, the outcomes, et cetera." It is difficult to quantify the sentiment that such processes bring along. However, it can be stated that opposition arising from emotional factors or a lack of trust is not unique to the Netherlands. As one Safer representative said: “The Safer’s job isn't easy, because land is a passionate matter. It often touches on family and personal matters, and it's hard for people when you tell them, "Well, no, you can't." They see it as a personal attack.” (int. 01). Besides some difficulty in imagining a different system, some participants interpreted the Safer as a purely governmental institution and quickly confused pre-emption with the idea of expropriation, despite having been informed of the policy functioning.

7.1.4 Uncertainty

One farmer’s union representative (int. 09) pointed at the lack of knowledge about the impacts of a pre-emption right on land prices and land mobility, suggesting the government first conduct a thorough study of its effects on land prices. Another participant said: “It is not clear what the benefits of this could be in solving the current problems when it comes to agriculture, nature, climate, water, etc.” (int. 10). On top of the uncertainty about the potential of a Safer-like policy, future policy outcomes are also determined by the intended use of such instruments. One farmer (int. 18) argued that France has a lot more “empty space” than the Netherlands, logically resulting in a desire to vitalize the countryside. Given the relative absence of “empty spaces” in the Netherlands, he expected a Safer-like system to “become very patronizing” and a way for governments to “again apply more pressure” in pursuit of goals other than agriculture, considered more important or urgent, such as housing, roads, climate, and water management. This idea was also proposed by a representative of a green farming movement, who suggested that the current land banks do not include agriculture as an objective and are seen as something that is against, rather than in favor, of farming (int. 10). Finally, policy outcomes are influenced by those who execute it. Various participants mentioned the risk of perceived or actual favoritism in the land attribution process (int. 02, 04, 18) and the potential for people trying to influence committee members (int. 04).

7.2 Economic context

7.2.1 Effect on land mobility

An important uncertainty to be considered is the effect of a pre-emption right on land mobility. Price revision might lead to a decline in the land transaction volume, as it may increase retiring farmers' preference to lease rather than sell (int. 08). Currently, however, land mobility is similar in both countries. Land mobility levels in the Netherlands were 1.71% and 1.53% in 2022 and 2023, respectively (Kadaster, 2023; Kadaster, 2024a). In France, the corresponding values were 1.85% and 1.76% (Safer, 2023b; Safer, n.d. c).

7.2.2 Potential effects on tenancy proportion

The share of rented farmland differs strongly between countries. In 2021, this share was large in France (85%) compared to the EU average of 58% and especially compared to the Dutch average of 44% (Farm Accountancy Data Network, 2021). Within France, there are strong regional differences between the north and the south, ranging between 54.3% and 88.9% on a departmental level in 2010. After the new tenancy act of 1946, which gave tenants significant protection, the share of rented land remained relatively stable, climbing from 45% to 51% until 1980, but growing to reach 75.9% in 2010 (Courleux, 2011). Based on expert interviews, Shields (2023) indicates that the Safers have led to a lower number of open-market land transactions, and that "as a result of SAFER mechanisms farmers are more likely to lease land than to sell it" (p. 30). A study of the impact of a higher tenancy proportion is beyond the scope of this study. Regarding the high proportion in France, Courleux (2011) states that tenants' rights under the French tenancy law guarantee a level of stability that is almost equal to that of land ownership. However, given the prevalence of liberal tenancy in the Netherlands, the implications of a higher tenancy rate would arguably be more severe there.

7.2.3 Taxes on farmland transactions

In the Netherlands, the acquisition of farmland is exempted from property transfer tax, as long as the buyer farms or leases the land for at least ten years after the acquisition (Zuidema, 2024). In France, the property transfer tax is up to 5.81% (Ministère de l'Économie, 2023), but transactions through the Safers are exonerated from this tax. If a Dutch Safer-like structure had to autofinance its operations, the margin it would have to take on land sales would increase the price for the buyer, without the possibility of compensating for this price increase in the form of an exoneration

from property transfer tax. However, given the higher land prices, this margin would be proportionally much lower than in France.

7.2.4 Effect on prices and investment portfolios

The effect of a pre-emption right with a price revision instrument is uncertain. In a study of the potential implementation of a Safer in Belgium, Rogge et al. (2018) note that a limitation of access to the rural property market will logically lead to a decrease in property prices. Resistance can be expected from large landowners and retiring farmers, as they would experience a loss of capital. As such, the creation of a compensation scheme would be an essential measure to address such losses. In the Netherlands, many farmers tend to rely on their land as a retirement provision (int. 05, 08, 13, 18). Besides, future financing could become more difficult if the collateral value declines and it would also impact current loan structures. In addition, the land value may be an important buffer to compensate for current or future problems in farm operations, especially on farms that are unprofitable or economically unsustainable.

7.3 Agronomic and environmental context

With a much higher density of cows, sheep, goats, and pigs than in France (Centraal Bureau voor de Statistiek, 2022; Agreste, 2023), the Netherlands has an environmental problem that France does not. An important part of the excess nitrogen deposition in the Netherlands is attributed to nitrogen emissions from livestock, and the task of reducing these emissions affects land market dynamics, as farmers and the government are facing the need to move towards extensification of the livestock sector (Planbureau voor de Leefomgeving, 2021). This proposed transition comes with substantial impacts on the economic viability of many enterprises, as extensification requires either a reduction in livestock or an increase in the associated land area (int. 16), and therefore a decrease in output per hectare. The ability to acquire or rent more land is limited to financially viable enterprises, which are often the larger ones (int. 08, 16). This current development ought to be considered in case of a potential policy transfer: prioritizing the installation of new farmers over the consolidation of existing farms is arguably undesirable in cases when such prioritization leads to bankruptcy. The question of whether to prioritize one or the other should, therefore, be based on a detailed understanding of a region’s economic context and the implications for the sector as a whole.

7.4 Institutional capacity

7.4.1 Organizational capacity

Implementation of Safer mechanisms requires several organizational aspects and considerations that are different in each country. These include the desired operating level of an individual Safer, the capacity of employees to inform the decision-making process, and a determination of stakeholder representation.

Employee skills

Land advisors play a key role within the Safers. They negotiate and conduct transactions, collect candidate applications, and present cases to the Technical Committee, taking into account the property's agronomic value and context. Their well-developed network informs them of potential buyers and market opportunities (Safer Auvergne-Rhône-Alpes, n.d.). Besides, they must have good knowledge of the territory (Safer Hauts-de-France, 2022) and anticipate future market developments (Safer Bourgogne-Franche-Comté, 2022). Generally, departments have between three and six land advisors, each with their own assigned sector, which may reach 2,000 square kilometers of total land (Safer Grand Est, n.d.; Safer Bretagne, n.d.; Safer du Centre, n.d.).

Operating level

In total, the Safers have about 1,100 employees and 4,500 representatives at the regional and departmental levels (Safer, 2024a). Translated to the agricultural surface of the Netherlands, this amounts to just 70 employees and 286 representatives (CBS, 2024b; Agreste, 2023). In the Netherlands, the provincial scale is comparable to the French department scale. The provincial scale is relatively large in comparison to past area processes in the order of magnitude of 1,200 hectares (int. 16). Participants argued that the operating level should be small enough to ensure social cohesion between farmers (int. 12) and take into account stakeholder needs (int. 16, 20). However, a too-small area could pose problems, as the interests of committee members may frequently be at hand (int. 20). Given the Netherlands' experience with much smaller-scale area processes, characterized by significant amounts of debate to reach consensus, the land surface per Technical Committee should arguably be smaller than in France.

7.4.2 Importance of self-governance

To ensure trust and support, a Safer-like policy must arguably be executed by rural society and especially farmers. This importance of self-governance is confirmed by all three Safer

representatives and several interview participants (int. 05, 12). One dairy farmer (int. 12) developing a local land bank stressed the relevance of referring to it as the Farmers' Land Bank*,* "because it is really very important that we see it as something of our own, as something of the farmer, as something of the countryside." Another participant added: "[Farmers] will struggle with the fact that they don't have control over [the allocation of land] themselves, but that it is allocated through an agency over which they themselves have no control." (int. 10). The interviews made clear that the Safer is quickly thought of as a form of government intervention (int. 02, 04). Indeed, the Safers include a college of governmental authorities and are ultimately mandated by the state. However, one Safer director (int. 11) stressed that the Safer is *not* the state, which also makes it important that they are not financed by the state but by their own activity. Instead, the Safer can be viewed as "a tool for self-regulation and land democracy", used by rural actors to decide what needs to happen. The director added: "In fact, the Safer brings together all the actors in the area, and it's up to them to come to an agreement, even if it can be complicated from time to time. And sometimes people get angry and shout at each other at the Safer. But at least there's room for discussion." (int. 11).

7.4.3 Stakeholder representation

Several participants saw similarities between the Safer's Technical Committees and the land use committees *(Landinrichtingscommissies)* which can be created to inform land development and land consolidation processes, but which are not used frequently anymore (int. 06, 13, 20). A parallel was also made with area committees (int. 16), whose role is to advise the provincial government on land use policy (Slangen et al., 2010). Such committee members may include representatives of water agencies, farmer organizations, municipalities, business associations, and the State Forestry Service. The committee may be supported by several advisors, governmental working groups, and a Land Commission that advises the committee and alerts them of opportunities to acquire land (Gebiedscommissie Zuidelijk Westerkwartier, 2024). The composition of a Technical Committee would undoubtedly differ from the composition in France, also because several actors are not present in the Netherlands. For example, the Netherlands does not have Agricultural Chambers *(Chambres d'Agriculture),* public institutions that represent the rural sector and strive to improve its economic, environmental, and social performance (Chambres d'Agriculture, n.d.). Besides, the Netherlands is not familiar with the type of agricultural union elections that are held in France. While representative organizations such as LTO, NAJK, and Biohuis exist (int. 05), they do not necessarily reflect the entire agricultural landscape. Other

representative organizations that were mentioned are NGOs, water agencies, citizens (int. 10), and nature organizations (int. 20).

7.5 Past policy

The results outlined in the previous section indicate limited political and societal support for stronger farmland market regulation. However, several policies governing farmland transactions have been in effect in the past. Indeed, Dutch land experts see similarities between the Safer and policies from the period 1958-1963 and 1982-2015 (int. 03, 06, 09, 10, 20).

7.5.1 Farmland Alienation Act

In the period 1958-1963, the temporary Farmland Alienation Act *(Wet vervreemding landbouwgronden)* provided the national government with a right to monitor and review proposed farmland transactions. It obligated notaries "to submit for review to the Land Chamber any deed of transfer involving agreements to transfer agricultural land, or to establish, modify or transfer a right in rem on land" (Spijkerboer, 2024). Approval could be withheld if the proposed compensation exceeded the permitted value, based on the net tenancy value, or if the agreement would counter the general interest of the agricultural sector, for example through inefficient subdivision of plots or small farm sizes (Spijkerboer, 2024). Public sales of land were only possible with the prior authorization of the Land Chamber, which would set a maximum price for the property. In case multiple candidates were willing to purchase at the maximum price, a draw would be held. However, prior to the draw, the Land Chamber would "assess whether allocation to one of the bidders would lead to the consequences that were supposed to be counteracted within the concept of transaction review" (Spijkerboer, 2024). After various debates on removing the temporary character of this act, the House of Representatives decided to disband it in 1963. Arguments included fears of a stifling effect, inhibition of desirable agricultural developments, the absence of such price control mechanisms in other EEC countries, and the fact that in some regions, in 1958, "farms were being sold far below the maximum price" (Spijkerboer, 2024, p. 11).

7.5.2 Agricultural Land Transfer Act

In 1982, the Agricultural Land Transfer Act *(Wet agrarisch grondverkeer, or Wag)* was passed. Its goals were to review land transactions through a Bureau of Farmland Management *(Bureau Beheer Landbouwgronden, or BBL)*. As part of the Ministry of Agriculture, the BBL was supposed

to be granted a pre-emption right and was tasked to acquire, temporarily manage, and sell land and buildings (Spijkerboer, 2024). The goal of the land exchanges was to improve the agricultural plot structure, striving for continuous plots of land, with goals around nature and infrastructure added later on (Van Zandbrink, 2024). A so-called Land Bank Scheme would enable the BBL to issue tenancy agreements for periods of at least 26 years. Of these components, only the establishment of the BBL and the Land Bank Scheme came into effect. The latter was temporarily suspended later on (Spijkerboer, 2024). The agency responsible for executing the BBL policy was the national Rural Service *(Dienst Landelijk Gebied, or DLG)* (Spijkerboer, 2024). It would assess at a national level, on behalf of the state, whether a certain transaction was useful in cases of land consolidation and land development projects (int. 03, 06). Just like the Farm Alienation Act of 1958, the *Wag* states that land transfer agreements require approval of the Land Chamber. However, this provision was never activated and the required designation of the pre-emption right was never made (Spijkerboer, 2024). Overwater & Lucassen (2023) indicate that declining land prices in the 1980s were a cause of this. So, while the DLG and the BBL were similar to the Safer policy in several ways, the critical difference was the lack of an active pre-emption right (int. 03).

7.5.3 End of the BBL

In 2015, the BBL was dissolved (int. 06) as a result of the decentralization of farmland governance to the provincial level, along with the sale of most of the remaining property to those provinces (Spijkerboer, 2024). However, the Agricultural Land Transfer Act is still in effect today and, from a legal perspective, little would be needed to establish the instruments used by the Safer (int. 03, 20). As an agricultural legal expert (int. 03) suggested, a combination of BBL, DLG, and an activation of the *Wag* would be most of what is needed. These three elements would be the structure for the management (BBL), the organization for the assessment of applications (DLG), and the supporting legislation (Wag). Important to note, however, is that these components are governmental, and are different from the Safer tool, which is considered a form of autoregulation by the rural sector, with representation of its various actors.

7.6 Current policy context

7.6.1 Vision for the agricultural sector

The analysis in Chapter 5 concluded that farmland-related policy goals in both countries' National Strategic Plans are similar. However, the contents of an NSP do not necessarily reflect the political

reality. Ultimately, the implementation of new policy instruments is inherently dependent on a country's vision for agriculture. As Rogge et al. (2018) point out in an exploration of implementing the Safer model in Belgium, such visions can differ, even within a country. If the predominant vision does not require a change in land transfer governance, or if a vision is lacking altogether, implementation of such policy mechanisms will not occur. Various participants referred to the Dutch political attitude as laissez-faire (int. 05, 08, 10, 14). However, this attitude cannot be fully attributed to a liberal political climate. Indeed, given the various economic, social, and environmental challenges that the government and the agricultural sector acknowledge, part of this attitude can be described as temporary immobility in decision-making. Interview participants pointed out the need for a vision for the future of agriculture and land use (int. 01, 04, 05, 06, 13), as well as a lack of such a vision (int. 06, 14) and inaction by decision-makers (int. 06, 15). In contrast, with its Agricultural orientation law and Structures Policy, France arguably has a much clearer vision on agriculture.

7.6.2 Rural policy in development

A major program for the future of the country's rural sector is the National Program for the Rural Area *(Nationaal Programma Landelijke Gebied, or NPLG).* The program uses an area-specific approach through which the government seeks to address a host of economic and environmental challenges at once. These include climate, nature areas, soil and water quality, and nitrogen emissions while providing economic perspectives for entrepreneurs (Ministerie van Binnenlandse Zaken, n.d.). The NPLG is in the process of being rolled out to a provincial level through the development of Provincial Programs (PPLGs). One provincial policymaker argued that, within the context of the NPLG, the unwillingness of various government levels to show their colors causes immobility. Even after about two years of talks, a clear spatial component is still lacking (int. 06). However, one should take into account the fact that the national government fell just one year ago and that a new coalition with different visions on agriculture has just formed (int. 06). However, reluctance to take decisions appears to apply to a wider scope of land issues over time, for example illustrated by the fact that a new tenancy bill has been in development since an evaluation in 2014 (Schouten, 2019) and is still pending (int. 18). Moreover, some participants suggested that since the end of the Den Uyl government in 1977, which fell as a result of disagreement on land policy, there has been no further discussion or decisions on land market policy within the government (int. 10, 15) and that little scientific research has been conducted to study other governance models (int. 10).

7.6.3 Governmental pre-emption right

The Dutch state, provinces, and municipalities hold a passive pre-emption right outlined in the Area Law *(Omgevingswet).* However, this right only applies to land whose function will change from agricultural to non-agricultural and its use requires a previously established spatial planning vision (int. 06). Having sold off much land during the housing market crisis of 2008-2013, municipalities have become increasingly dependent on other landowners in processes of land development, making current development projects slow and expensive. For this reason, in April 2024, the Minister of the Interior announced an exploration to expand the scope of the pre-emption right to include lands whose function is to remain agricultural (De Jonge, 2024) (see Section 7.7).

7.6.4 Land banks

Several provinces have land banks that can be used to compensate in processes of land rearrangement and to provide the provincial government with a better position in such processes. A prime example is the Bureau for Plot Exchange (*Kavelruilbureau)* in the province of Zeeland, in which a commission guides voluntary land exchanges among farmers and governments. Stakeholders make land deals that ensure the future of farms, reach provincial goals, and prevent subsequent claims on land (int. 13). However, many provinces do not have a land bank, and the amount of land they contain varies (int. 03). A national land bank was launched in 2023 to increase land mobility and facilitate the land development processes needed for a transition of the rural area as outlined in the NPLG. These objectives include relocation, extensification, land exchanges, and land use rearrangement (Rijksdienst voor Ondernemend Nederland, 2023). Operated by the State's Real Estate Company *(Rijksvastgoedbedrijf, or RVB),* the national land bank can make strategic land acquisitions to meet the NPLG goals, for relocation purposes, or in the context of farm termination schemes (Ministerie van Landbouw, 2024), also at the request of provinces (int. 05).

7.6.5 Tenancy law

Almost all tenancy agreements of plots larger than 1 hectare must be submitted for review by the Land Chamber *(Grondkamer)* (RVO, 2024). For regulated tenancy, the government determines price standards annually for five different regions based on the production value of the past five years (Tymersma & Van der Vis, 2023). Agreements before September 2007 are provided with a maximum rate of change, while newer contracts are given a regional maximum price (RVO, 2015). This tenancy system is very similar to the French one, which features annual indexation of minimum and maximum rates, an initial lease term of nine years, automatic renewal, the right to

transfer the lease to a spouse or descendant, and continuation of the tenancy by the tenant's descendants after the former's death (Chambre d'Agriculture Normandie, n.d.; RVO, 2024). However, a major contextual difference is that in 2007 a new, liberal tenancy system came into effect. This form of tenancy introduced more leeway for landowners, as it excluded the automatic contract renewal, the tenant's right of first refusal, the melioration right, and the right to transfer the tenancy to a direct family member (RVO, 2024). Unlike regulated tenancy, liberal tenancy agreements for six years or shorter do not have a price cap and prices may be two to three times higher than for regulated tenancy (int. 19). While regulated tenancy contracts can still be made, this rarely occurs (int. 16).

7.6.6 Tenancy of public lands

The Netherlands has roughly 1.85 million hectares of farmland (Vijn et al., 2023). In 2023, Dutch governments owned about 190,000 hectares, or 10%. Among these governments, the largest public landowners are the State Forestry Service and the RVB, followed by provinces, municipalities, and water agencies (Kuiper et al., 2024). Currently, farmland managed by the RVB is leased with short-term contracts in a bidding process under the liberal tenancy system. The RVB does strive for soil quality preservation by increasing the weight of bids by tenants who hold a sustainability certificate such as Better Life stars or organic certification (Vijn et al., 2023). Like the RVB, the State Forestry Service uses short-term lease contracts. These can be renewed annually up to five times, which ensures flexibility in light of potential changes in provincial goals and enables contract amendments. So-called nature-inclusive farmers may obtain a twelve-year contract (Staatsbosbeheer, n.d.). Results of these short lease periods, however, include uncertainty for tenants, high prices, and potential exploitation of soils (int. 18).

7.7 Policy developments

7.7.1 More national governance

After the dissolution of the DLG, the national government has been struggling to meet the objectives now included in the NPLG (int. 08, 09). As a result, the need for a better grip on spatial development has spurred a gradual shift of land policy to the national level (int. 09). The latter is exploring how to increase its influence on land mobility and land use (int. 05). After a previous decentralization of land policy to the provincial level, more centralized forms of governance are

now taking shape with the creation of a Land Policy team at the Ministry of Agriculture (int. 05), a national land bank, and numerous new hires in various ministries (int. 09).

7.7.2 Extension of the governmental pre-emption right

To increase governmental influence in the farmland market and meet NPLG goals, there are plans to expand the pre-emption right to include lands whose function is to remain agricultural (int. 03, 05, 09). Such a pre-emption right would provide governments with a stronger intervention capacity in the land market and is said to maintain the status of agricultural land while simultaneously serving NPLG goals, such as extensification and "interweaving of nature and agriculture" (De Jonge, 2024, p. 11). In one province, a motion was passed for the provincial deputies to discourage the minister from investigating this, further demonstrating the sensitivity of land policy (int. 13).

7.7.3 Developments in tenancy policy

A new tenancy act

As the current liberal tenancy system leads to shorter contract periods, farmers' costs and uncertainty increase, while their incentive and capacity to invest in sustainable soil management decline. Therefore, in 2023, former Minister of Agriculture Adema proposed an inversion of the current price regulation, capping the prices of short-term contracts and removing price caps for long-term agreements. This should lead to fewer contracts shorter than six years (Van Rossum, 2023).

Increased transparency and equal chances

A 2021 ruling of the Supreme Court, known as the Didam ruling, has had a significant impact on the way government property can be sold (Nuijen, 2022). The court determined that, in case of a sale of government real estate, authorities have to abide by the principle of equality. As such, they must enable other potential or expected buyers to participate in the bid through a public selection procedure (Hoge Raad, 2021). In 2023, the North-Holland Tenancy Chamber ruled that the principle of equality also applies to the *tenancy* of public land, causing upheaval in existing agreements between governments and long-term tenants, as governments started to rent out their lands in public selection procedures (Benes, 2023; Janse, 2023). This ruling affects the way that other government parties, including the State Forestry Service, must go about renting out their land (int. 19, 20).

Challenges in shaping the attribution process

Currently, governments use different methods and criteria in the assessment of tenancy applications (int. 18, 20). Instead of a committee, the selection occurs based on pre-determined criteria that vary among governments, as this is a more workable system than case-by-case assessment (int. 04). In cases of multiple suitable candidates, final attribution can be done via a draw (int. 04) or based on candidates' distance to a plot (int. 18). Governments have been struggling with shaping this attribution process, sometimes leading to the exclusion of new entrants, small farmers, and certain land use types (own observation).

7.7.4 Bottom-up initiatives

Land bank initiatives

In recent years, various organizations have developed ideas for land banks to better govern farmland access and use. In 2022, Dutch land-carrying organizations proposed the creation of a national land bank that acquires and rents out farmland for periods that fit farmers' career durations, at prices that reflect a plot's productive potential under sustainable land use. A pre-emption right would enable targeted acquisition of farmland, based, among others, on farmers' need for land and the realization of NPLG goals. Financing would be secured among government and institutional investors or through long-term government bonds (LandNL, 2022). Agricultural advocacy group Agractie proposed a similar idea to mitigate competing land uses and investor-led price hikes. In 2022, the group called for the national government to create a land bank and lease the land at reduced rates to farmers meeting pre-defined criteria, using a draw process. The aim is to create more perspective for young farmers while meeting extensification goals and other environmental criteria (Agractie, 2022). In the Alblasserwaard and Vijfheerenlanden region, a group of farmers is exploring a local variant of this. By acquiring land from retiring farmers, the Farmers' Land Bank could resell or lease it to other farmers, providing discounts for tenants who commit to sustainability measures such as water protection. The farmers are currently in discussion with the province about the potential for such discounts, acquisition funding, and potential fiscal measures to make selling to the land bank more attractive for retiring farmers. Like the other land bank initiatives, the Farmers' Land Bank moves away from automatically awarding land to the highest bidder (int. 12).

8. Discussion

The aim of this study was to determine the potential for Safer policy transfer from France to the Netherlands. Both countries' farmland problems and national policy goals correspond considerably. This particularly applies to the phenomena of farmland as an investment object, competing land uses, and difficulty in acquiring farms or land. The associated goals are generational renewal, better access to farmland, and farmland preservation. As a regulatory organism, the Safers address these issues by ensuring land market transparency and intervening in cases of transactions that jeopardize these goals. Important context factors to consider include cultural and political differences, the past, current, and future policy context, and aspects regarding the agronomic, economic, and institutional environment. Reflecting on these insights, this chapter aims to answer the main research question: *What is the potential of Safer policy transfer to improve farmland market governance in the Netherlands?* After analysis of negative and positive indicators for policy transfer potential, it reflects on limitations to the research design and proposes several research questions.

8.1 Negative indicators for policy transfer potential

The interview results suggest that restrictions to a free market can expect limited support considering the Netherlands' tendency to favor liberalism and free market philosophy. This particularly applies in the current political climate, dominated by liberal parties, one of which is particularly conservative regarding agricultural reform. In addition, the implementation of new policy instruments requires a vision for agriculture which, according to interview participants, is currently lacking in the Netherlands. The political context is marked by immobility among decision-makers to act on the sensitive topic of land. Indeed, political volatility and priorities are factors also advanced by Williams & Dzhekova (2014). Besides, uncertainty about the actual use of Safer policy instruments and the impacts of their implementation is further cause for reluctance, as well as caution. In their framework for evaluation of policy transferability, Williams & Dzhekova (2014) pose the question of whether a new measure contradicts the interests of important stakeholders. This study finds that this may be among the most important considerations. Indeed, landowners and institutional investors would have to deal with a limitation of financial upside, lower returns, or even capital loss. Moreover, the fact that many farmers rely on their land as either a pension

fund or as collateral is a major consideration, as any policy leading to the devaluation of farmland would affect their asset value and, potentially, their financial viability. Clearly, while policy transfer is a method of reducing the uncertainty of the policy-making process (Dolowitz & Marsh, 1996), a significant degree of uncertainty regarding policy outcomes remains. This especially applies to the socio-economic impacts of a pre-emption right and a land reallocation process.

Mossberger & Wolman (2003) suggest that the existence of conflicting policies or the absence of supporting ones may also be context factors. One conflicting policy is the drive for the extensification of Dutch livestock farms, which entails farm size expansion. The Safer's aim to prevent strong increases in farm size may, therefore, frequently prove difficult to implement in the Netherlands. The need for extensification requires careful consideration of selection criteria for land reallocation to prevent bankruptcies of enterprises that need additional land to extensify. Important to note is that livestock extensification is not the only route to move towards lower nitrogen emissions and that this dominant notion may overshadow alternative ways to make agriculture future-proof. An important supporting policy in France is the prioritization of tenants' rights, whose counterpart has been suspended in the Netherlands. The Dutch liberal tenancy system may turn out to be a bottleneck in ensuring access to land, especially in the event of a higher tenancy percentage resulting from a Safer-like policy.

8.2 Positive indicators for policy transfer potential

Several findings constitute positive indicators for Safer policy transfer into the Netherlands. First, the Netherlands has experience with stronger farmland market regulation in the past. While relatively short-lived, the Farmland Alienation Act *(Wvl)* showed strong similarities with Safer mechanisms, such as land market monitoring, price caps, and public calls for candidacies. The Agricultural Land Transfer Act *(Wag),* although never provided with an active pre-emption right, shows that a certain degree of political will has existed in the past. As a guide for the prospective evaluation of policy transfer, the framework by Williams & Dzhekova (2014) could benefit from adding the factor of 'past policy' as a proxy to be used in such research. It would allow for a more detailed analysis of how and why such past policy was developed, adopted, or rejected, and later disbanded. Such an analysis could generate temporal context factors, rather than only geographic, which could be compared to their current counterparts. Second, existing committees for area processes can provide a base for committee composition. Third, important stakeholders recognize the need for a revision of farmland market policy. Indeed, farmers, NGOs, and

governments are working on ideas for land banks with many similar objectives and mechanisms. Moreover, the need for tenancy reform to steer prices, durations, and land use practices seems to be widely recognized. At the governmental level, too, developments take place: the national government is increasing its grip on the farmland market, has developed a land bank, and is exploring an expanded scope for the governmental pre-emption right. Besides, a provincial government has commissioned research into Safer policy's potential in the Netherlands. However, concerning these governmental developments, a major question is to what extent stakeholders will be involved in the associated decision-making processes. Based on the data, the development of instruments such as governmental land banks and an extended pre-emption right does not seem to provide rural stakeholders with more governance ability but rather increases the control of local, regional, and national government on the land market. This was asserted by several interview participants (see Section 7.1.4). For a country that values the importance of freedom and independence, this appears counterintuitive.

As Rose (1991) points out, a complete policy transfer rarely occurs. Instead, emulation is more common, which entails the adoption of a policy with adaptations to the context of the new setting. This study finds several concrete examples of how Safer policy could be emulated to work in the Dutch context, primarily based on recent policy developments. First, applying Safer mechanisms to the rental market may obtain significantly more support than to the sales market, as the sums involved are lower and it is less permanent. A more targeted selection of tenants for public farmland has been gaining traction with governments, as such selection can steer land use practices (int. 13). One farmer (int. 18) said: "The Safer idea would actually fit very well in the new tenancy act. […] It is one of the ways that leads to a fairer use of land." The fallout of the Didam ruling also provides an opportunity for governments to favor the maintenance of soil quality (int. 09), prioritize new installations (int. 05), and develop various environmental criteria.

Building on this, the need for a public selection procedure in cases of public land sales and tenancy contracts comes close the Safer's public call for applications in cases of land reallocation. Given the current lack of a homogenized allocation process, there is a window of opportunity to shape such processes using the Safer's Technical Committees as a source of inspiration. An example of a simple criterion that requires little assessment is to prioritize organic farmers, matching the country's goal to reach 15% of farmland under organic cultivation by 2030 (Rijksoverheid, 2022). A relatively feasible method of assessing candidates without a committee is to include easy-to-identify criteria such as organic certification, prioritization of buyers who will

farm the land themselves over those who will rent it out, and prioritizing small farmers over those whose existing land area exceeds a pre-defined threshold. More detailed assessment would be required when it comes to cases of vulnerable areas such as water extraction areas and the prioritization of farmers who have lost land to area processes. However, as mentioned in section 7.3, the implications for existing farmers who need to extensify should arguably be considered.

Finally, inspiration can be taken from the Safer's prioritization of farmers over investors. In response to the invasion of Ukraine, the Dutch Agriculture and Horticulture Organization in 2022 called for a better protection of the national strategic interest. One of the suggestions was to protect farmland from acquisition by foreign investors (LTO, 2022). Moreover, one farmer (int. 18) and a land expert (int. 20) indicated they were in favor of wider exclusion of industrial investors. In the case of such a policy, non-profit investors such as land-carrying organizations could receive special status as public interest investors, allowing them access to the farmland market. Like in the case of the Safer, such investors would not be prioritized over farmers but could be proposed by applicant farmers as financing parties. A diluted version of this policy would be not to exclude investors but to prioritize any candidates wishing to use the land themselves.

8.4 Limits to methodology and scope

From a social science perspective, this thesis provides a case study of a practical approach to prospective evaluation for policy transfer. It is a concrete effort to apply the ideas proposed by various authors in the field, especially those by Mossberger & Holman (2003) and Williams & Dzhekova (2014). This thesis may provide insights into how their analytical methods can be applied and propose concrete examples of context factors that may be relevant in other cases of land policy transfer. Nevertheless, some limits to the methodology should be discussed.

To evaluate the potential of a policy transfer, a thorough understanding of the policy is essential in order to understand its implications, explain the policy to stakeholders in the target country, and identify context factors. Several observations can be made after going through this process. First, despite an initial literature review of the policy theory, new questions arose during the interviews in the target country. This required reiteration of the policy theory through supplementary questions to Safer representatives. Second, it regularly occurred that interview participants misinterpreted policy goals or mechanisms. This finding suggests that the explanation of the policy to participants may be a weak link in the evaluation process. This calls for better insights

into the best practices of sharing and explaining policy theory with a wide variety of stakeholders. Third, it occurred that authors who had written about the policy had incorrect information in their work or had misinterpreted specific policy elements, sometimes resulting in significant disparities between the real and perceived situation. Fourth, disparities exist between the on-paper theory that is described, often in little detail, and the reality of the policy's functioning and execution. This especially applied to the functioning of the Technical Committee. Non-participant observation of this decision-making process has been valuable to better understand the application of the policy. Finally, while a high level of detail was strived for in this study, this aim also poses an increased risk of inaccurate reporting about both the policy theory and its practical application. Nevertheless, a high level of detail has shown to be necessary to enable a comprehensive analysis of the policy's implications and potential in the target country.

Given the above, I propose the following key elements to be used in a prospective evaluation of policy transfer:

- Start with a literature review of the policy objectives, functioning, and application, preferably based on internal, up-to-date policy documents
- Identify knowledge gaps and address these in preliminary interviews with those who execute the policy, preferably in different regions to maximize insights into regional implementation differences
- Compare and contrast findings, including criticisms and weaknesses
- Draft a comprehensive overview of the policy to present to stakeholders in the target country in advance of interviewees to identify context factors
- Based on the stakeholder interviews, feedback any unanswered questions about the policy's functioning and impacts to those who execute the policy, and ask for replies to participants' objections to the policy

More research on the impacts of the described policy components, especially pre-emption and reallocation, would be needed to better understand the positive and negative implications on the land market and agricultural sector. Therefore, future studies could:

1. assess the socioeconomic impacts of a pre-emption right and a reallocation process, especially their impact on land prices, land mobility, and farmland use, and;
2. forecast the potential benefits of Safer land market regulation on a social, economic, and environmental level, including farm profitability, and use the results to determine the level of acceptance among stakeholders for different policy variations.

9. Conclusion

This study finds that while the direct transferability of Safer policy is relatively limited, there are indeed policy windows that can lead to inspiration being taken from this policy. The Dutch policy landscape is characterized by a trend towards more centralized land market governance. The government's current exploration of an extended pre-emption right to achieve land use goals provides a policy window for a Safer-like policy, although the question remains to what extent this will provide stakeholders with a democratic tool rather than simply increased government intervention capacity. Other policy windows include the revision of the current tenancy act and the recently established requirement for governments to apply the principle of equality to any sale or lease of public land. Finally, various proposals have been developed for land banks that acquire and sell or lease land at reduced rates under certain conditions. Such land banks could stimulate sustainable farming practices, help attain environmental goals, and improve long-term accessibility to farmland for existing and future farmers. Considering the identified context factors and recent policy developments, there is a sizeable window of opportunity for stakeholders to connect and collaborate in new land governance structures to improve farmland access. The French Safer system shows significant potential to inspire such developments.

9.1 Policy recommendations

The findings of this study give rise to several recommendations for policymakers involved in farmland governance to improve farmland access for both current and future farmers:

1. In the event of an extension of the governmental pre-emption right, carefully consider stakeholders' perspectives to ensure that this right serves as a democratic tool. Rather than exclusively using it for area development, ensure that it favors the protection of both the environment and the agricultural sector.
2. Explore options to prioritize active farmers over investors in the sale of public and private land to avoid unnecessary price increases and ensure stewardship of the land.
3. Examine options to decouple the farmland market from the housing market, so that speculation on land prices does not inflate farmland prices.
4. For sales and tenancy of public farmland, consider candidate selection criteria that stimulate new entrants' access, such as sustainability measures and current land area.

Moreover, recognize the importance of long-term tenancy periods and realistic prices that enable sustainable agricultural practices and soil quality maintenance and improvement.

5. Explore new governance structures for facilitating farmland access by assembling public and private stakeholders working on land banks and other land-related initiatives.

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Appendix I

Five examples based on real candidate profiles as presented to the Technical Committee

Candidate	Age	Surface	Motivations
James Smith **Profession:** Farmer 29573 - Haverhill Partner working on the farm 12h/week; 1 child	35	Application for: total surface	Farm consolidation after installation Distance: 2 km
Started in 2022 on 23 ha, 118 dairy sheep and 105 suckling sheep, organic Sheep milk processing and direct sales Proposes J. White as an investor			

Candidate	Age	Surface	Motivations
Sarah Clark **Profession:** Currently studying for an MSc in auditing 71376 - East Lake Family situation: single	22	Application for: total surface	Installation (dual activity) on 1 January 2025 Distance: 3 km
Holds a professional degree in agricultural business management Father: David Clark, 63 years, farms 34 ha, polyculture			

Candidate	Age	Surface	Motivations
John Davis 78365 - Keyworth Married; 3 children Started in 2023	39	Application for: plots C 190, 191, 194	Adjacent to plot C 194 Leaves the priority to Mr. Smith for plot C 196 Farm consolidation after installation Parcel reorganization Distance: 2 km
Partner in a collective farming group with his sister (Jane, 42) and William Brown (38), on 186 ha, polyculture and livestock (60 suckler cows), 700 pigs, 11,000 chickens direct sale, farm shop, 3 full-time workers			

Candidate	Age	Surface	Motivations
Regional Directorate for the Environment, Development and Housing		Application for: plot C 493 - 42 a 06 ca	Request to set aside land to compensate for the farmland lost to the widening of the N43 highway

Candidate	Age	Surface	Motivations
Robert Johnson **Profession:** Farmer 20566 - Duffield Married; 2 children	50	Application for: total surface	Farm consolidation Distance: 3 km
Farms 84 ha in a collective farming group with his wife, polyculture, milk : 530,000 L - 61 dairy cows. Has a son who is a potential successor, aged 21, with a farm business management diploma			