Estimating National Percentages of Indigenous and Community Lands

Methods and Findings for Europe

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This document details the findings of the literature reviews used to estimate the area of community lands in Europe (formally recognized or not).

General Notes:


2. **Indigenous and community lands combined.** No distinction is made between community lands as customarily held by Indigenous Peoples (self-identification) or the customary lands of other communities in the final estimates. However, when disaggregated data are available, these are presented in the country notes.

3. **Area estimates of indigenous and community lands are conservative.** The estimates are based on information found in literature reviews and from personal communication. Area estimates
are often available for formally recognized indigenous and community lands only. Estimates of not formally recognized land areas are often partial or non-existent, in such cases, the best information available is recorded, such as the number of formal land petitions requesting demarcation and titling. Thus, the amount of indigenous and community lands per country presented here shall be considered a baseline.

4. **Percentages of the country area apply strictly to lands.** Many coastal and lakeside Indigenous Peoples and communities claim rights to adjacent foreshore and waters, These are not included.

5. **Plural sources of findings.** Literature review research of the assessor may lead to different estimations from different sources. Space only allows most recent sources accessed to be recorded in country notes.

6. **Information is under periodic review.** Findings are current as of 1st October 2015 based on research conducted over 2014-2015. More information improving reliability of figures is continuously coming out. Dated additions and adjustments will be made periodically.

7. **Estimates are presented per country.** The estimates are detailed below along with relevant notes. Countries are sorted by region and country name, using the UN division of the World (including necessary adjustments as needed for data presentation). Only countries that have been assessed or where some partial information has been found are presented.

8. **Indigenous Peoples in Europe are fewer than in other parts of the world** (with the exception of Russia). The most well-known peoples self-identifying as Indigenous in the continent are the Sami, whose traditional territory spreads across the Northern parts of Norway, Sweden, Finland, and Russia’s Kola peninsula, and other Indigenous groups living in the Eastern part of Europe, such as the Tatars of Crimea in Ukraine.


Thus, Indigenous Peoples’ lands have been considered non-existent in the other regions of Europe, until more information indicates otherwise.
In Bulgaria, common lands are areas on which common rights are exercised by the holdings, without having ownership over the land itself. These lands are managed by different administrations: municipalities, the State, and the forestry agency. Administrative steps are under way in order to allocate common land to holdings with animals for individual use. Thus, the amount of common land in Bulgaria is expected to decrease in the future. Their total area was estimated by Eurostat to be 856,025 hectares in 2013 (7.71% of the country land area).

As of 2015, only 541,368 hectares of common pastures in Bulgaria have been registered in the Land Parcel Identification System for Bulgaria. This represents 61% of all grassland in this register, and about 4.9% of the total country land area.


According to the Eurostat Farm Structure Surveys, common lands does not exist as part of the utilised agricultural area in Czech Republic. However, the provided information is not enough to declare that common lands do not exist at all in the country.
**HUNGARY**

Eurostat collected data on lands used by several agricultural holdings in Hungary (the areas used exclusively by a single agricultural holding were discarded). These common lands cover 73,975 ha of permanent grassland and meadow-rough grazing, 201,192 ha of wooded area, and 352,058 ha of unutilized agricultural lands. Thus, common lands in Hungary totally cover at least 627,225 ha (6.86% of the country total land area) as not all such lands have been covered by the study.


**POLAND**

According to Eurostat, common lands are almost inexistent in Poland’s utilised agricultural area. The survey wasn’t able to gather statistics on their extent.


**ROMANIA**

**Obsti** and **Composesorate** are large areas managed in collective ways by community-based institutions throughout the Carpathian Mountains of Romania. They cover at least 873,000 ha of forestland and an estimated 150,000 ha of pastureland (totalling about 4.4% of the country land area) within 1,700 registered associations with 600,000 members.


As of 2012, it is estimated that communities own 744,000 hectares of forests.


**RUSSIAN FEDERATION**

Cossack Associations in Shared Ownership are formally recognized forms of community land ownership covering 0.02 Mha, 72.15 Mha of lands are designated for Indigenous Peoples and local communities as Traditional Indigenous Collectives under State or Municipal Ownership and Cossack Associations under State or Municipal Ownership. Thus, 4.41% of the country land area is formally recognized as Indigenous Peoples and community lands.


No data could be found regarding the land area not formally recognized to Indigenous Peoples and rural communities. Nevertheless, ethnic Russians are mainly living in urban areas, while Indigenous Peoples are mainly rural dwellers. Beyond the 40 peoples officially recognized as “indigenous small-numbered peoples” in Russia (accounting for only 0.2% of the country population but largely scattered across the North, Siberia and the Far East), other peoples are pursuing recognition. Still, their self-identification as indigenous varies.
SLOVAKIA

According to the Eurostat Farm Structure Surveys, common lands does not exist as part of the utilised agricultural area in Slovakia. However, the provided information is not enough to declare that common lands do not exist at all in the country.


UKRAINE

The 2014 World Bank Land Governance Assessment Framework synthesis for the country states that 0.02% of Ukraine land area is communal land, the rest being private land (51%) and public lands (49%).

ÅLAND ISLANDS (FINLAND)

0.155 Mha out of the total Åland land area (1.33 Mha) are recognized as Local Community Ownership. Thus, 11.65% of the archipelago land base is formally recognized as owned by Indigenous Peoples and local communities. It represents 0.51% of the total Finland area.


DENMARK

According to the Eurostat Farm Structure Surveys, common lands does not exist as part of the utilised agricultural area in Denmark. However, the provided information is not enough to declare that common lands do not exist at all in the country.


ESTONIA

According to the Eurostat Farm Structure Surveys, common lands does not exist as part of the utilised agricultural area in Estonia. However, the provided information is not enough to declare that common lands do not exist at all in the country.


FINLAND (ÅLAND ISLANDS EXCLUDED)

According to the Eurostat Farm Structure Surveys, registered common land is non-significant in Finland (as part of the utilised agricultural area). However, there are indigenous and community lands formally recognized in the Åland islands. They total 1.33 Mha (0.51% of the total Finland area).
country area). This data is displayed here for the country level, but is a double counting of the separately treated Åland islands.

Nevertheless, Indigenous Peoples are known to live in the country; the Sami are the Indigenous Peoples of Europe, living in the Northern part of Norway, Sweden, Finland and Russia.


IRELAND
Commonages are lands jointly owned and used by more than one person. They are mainly constituted of pastures and are estimated by to cover about 423,000 hectares. However, the geographic data of the National Parks & Wildlife Service show a wider extent of about 440,000 hectares (6.48% of the country land area).


LATVIA
Common land in Latvia existed in the 1990s (common land of local municipalities), but since 2000 all such land is leased out individually to several agricultural holdings, and the Eurostat surveys do not provide their area in a separate category. Still, the provided information is not enough to declare that common lands no longer exist in the country.


LITUANIA
According to the Eurostat Farm Structure Surveys, common lands does not exist as part of the utilised agricultural area in Lituania. However, the provided information is not enough to declare that common lands do not exist at all in the country.


NORWAY
5.18 Mha are owned by Indigenous Peoples and local communities in Norway (representing 14.19% of the country land mass). These land rights include Indigenous/Local ownership (Svartskogsaken), Indigenous/Local ownership of the Finnmark Estate, and the Bygd Commons (Bygdalmenning).

SWEDEN

0.94 Mha are designated for Indigenous Peoples in Sweden (representing 2.31% of the country land mass), as Indigenous Co-Management of Laponia Tjuottjudus (Laponia World Heritage Site).

The Sami are the Indigenous Peoples of Europe, living in the Northern part of Norway, Sweden, Finland and Russia.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

According to the Eurostats study on common lands in Europe of 2010, common lands in the UK is always permanent grassland in the form of rough grazing. Much of these lands are found in the remote upland areas, and in many instance they have at least one special designation preventing their agricultural improvement.

The area of these common lands across the UK are:
- 591,901 ha in Scotland
- 427,889 ha in England
- 180,305 ha in Wales
- 36,438 ha in Northern Ireland


There are also some lands held in in community ownership in Scotland. The latest figure of their total area is 0.19 Mha (470,094 acres). Based on a land mass of Scotland of 7.79 Mha (19,25 M acres), this would represent 2.44% of Scotland’s land mass. This figure has been calculated using the definition of Community Ownership that was agreed by the Scottish Government Short Life Working Group on community land ownership (1 million acre target group) in September 2015.

The component countries of the United Kingdom have been treated separately on LandMark.
CROATIA

Use of common land is frequent practice in Croatia, and are mainly grazing lands. Farmers have problem to estimate the share of common land they are actually using, and thus data can are hardly accessible. Combining data from models calculating on the farm level and from administrative sources, Eurostat estimates that common lands in Croatia cover a total of 438,891 hectares (7.75% of the country total land area). As of 2015, only 10,406 hectares of common pastures were registered.


CYPRUS

The Eurostat study on common lands in Europe reveals that in 2010, this land tenure officially covers 805 ha of agricultural lands, 53 ha of unutilized area, 4 ha of wooded area, and 27 ha of other lands. Thus, common lands in Cyprus total 889 ha (which represents 0.1% of the land area of the country). Still, it has to be noted that only the common lands for which data were available are covered here. Thus, their actual total area is likely to be higher.

GREECE
The Eurostat study on common lands in Europe reveals that 1,475,268.16 hectares are common land in Greece (11.22% of the country land area). These lands are usually rough grazing of permanent grassland used as pasture for cattle, sheep and goat (arable land and permanent crops are not part of Common Lands). Common lands are areas used jointly by several holdings without possible assignation of specific sections to each farmer.

ITALY
Eurostat has estimated the total area of common lands in Italy, focusing on grazing and therefore excluding forest and non-agricultural communal lands. Common pastoral lands cover 610,165 ha (2.05% of the total country land area), but including non-grazing common lands could lead to a higher figure.

MALTA
The Eurostat survey of common lands in Malta stipulates that such lands do not exist in Malta as part of the utilised agricultural area. However, the provided information is not enough to declare that common lands do not exist at all in the country.

SLOVENIA
The Eurostats study on common lands in Europe reveals that in 2013, 8,733 hectares were formally recognized as common land in Slovenia. The area of common land consists only of pastures (rough grazing). Thus, these lands cover about 0.44% of the country total land area. As it is delicate to provide data on common land on each agricultural holding when conducting surveys, only the data at national level were published. Thus, the total area of these lands may be higher.

SPAIN
In Spain, Montes Vecinales en Mano Comun (Forests in Common Hand) are private forest of Germanic nature, regardless of their origin, their productive potential, its current use and its agricultural vocation, belonging to neighbourhood communities as social groups rather than as administrative entities, and which has been customarily communal exploited by the neighbours as members of a community without allocation of quotas”. They are indivisible, inalienable, imprescriptible and nonsieizable goods, held in collective private ownership.

In Galiza (North-West of Spain), there are 2,800 registered and recognized Forests in Common Hand, covering 700,000 ha (24.1% of the Galiza territory, and 1.4% of Spain land area), and the ORGACCMM, an association of FCH communities, estimates that there are another 400,000 ha of common land to be recognized (13.8% of the Galiza territory, and 0.8% of Spain land area).
Although concentrated in Galiza, Forests in Common Hand may exist in other parts of the country, as well as comunales (Commons) which share the same origins as Montes Vecinales but are state-owned.

Sources:
João Evans Pin (Iniciativa Comunales), personal communication on 2016.12.14

PORTUGAL

While Common land (baldios i.e. "free land") existed in the whole continental and insular Portuguese territory, they are now almost restricted to the north half of the continental territory. In 1875, they covered more than 4 million hectares, but consecutive land reforms and individualized privatisations drastically reduced their number and coverage. If the communal property was abolished in the 1966 civil code, the new Portuguese constitution of 1975 now enshrines this form of property, as well as private and public property and the current legal framework of the common land has been passed in 1997 (Act nº 68, amended in 1997 by Act nº 89).

Currently, there are 6057 registered Baldios with a total area of 352 506 ha, thus covering about 3.9% of mainland Portugal. They are owned and managed by local communities.

AUSTRIA

According to a Eurostat study, common lands in Austria are owned by an association of real estate property owners. They are managed by a plenary assembly of all its individual members, all having an affiliation as “portion right”. These lands can be managed as one unit or divided in independent units for each member. Some agrarian communities are a few centuries old, but the legal form “agrarian community” has only been in existence for some decades. Most of these lands are located in the alpine region and are made up of grassland. As of 2013, common lands in Austria covered a total area of 782,071 ha (thus representing 9.42% of the country total land area).


BELGIUM

The Eurostat survey of common lands in Belgium stipulates that such lands do not exist in Belgium as part of the utilised agricultural area. However, the provided information is not enough to declare that common lands do not exist at all in the country.

FRANCE

In France, 1,272 common land farms cover 675,128 ha, of which 99.2% is still grassland (see Eurostat report). These lands are managed collectively by pastoral land associations, pastoral groupings, communes, and other groupings. Thus, common pastoral lands in the country cover 1.24% of its total land area.

More generally, a research paper from Nicole Vivier examines the historic evolution of common lands in France, and show that although their size has been critically reduced since the 18th century - largely due to privatization - these lands still cover 10% of the country area as of today. Common lands in France are lands owned by municipalities (communes) over which all inhabitants have access and use rights. They are mainly made of pastures and forests lands, which are managed collectively by the communes.


GERMANY

According to the federal ministry of food and agriculture of Germany, as of 2014, 19% the 11.4 million hectares of forest in the country are communally owned (the balance being 48% private, 25% State, and 4% owned by the federal government). Using these numbers, we can calculate that communal forest ownership cover about 2.166 million hectares (thus about 6.2% of Germany land area).

Still, it has to be noted that some of the forest classified as ‘private’ is also owned by communities, but in a different legal form. Thus, the numbers calculated for communal forest ownership in Germany should be considered a baseline.

Sources: Federal Ministry of Food and Agriculture. 2014. The Forests in Germany: Selected Results of the Third National Forest Inventory. 54 p.
Evelyn Dietsche. 2014. Personal communication on 2016-11-07.

LUXEMBOURG

According to the Eurostat Farm Structure Surveys, common land existed in Luxembourg in the Middle Ages, but has since disappeared due to a specific evolution of agricultural laws. However, the provided information is not enough to declare that common lands do not exist at all in the country.


NETHERLANDS

According to the Eurostat survey of common lands in Europe, there is (virtually) no common lands in the Netherlands. However, the provided information is not enough to declare that common lands do not exist at all in the country.