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Jian-Ming Zhou's Ninth Publication by the EU Commissioner on Budget

14 June 2008

(http://ec.europa.eu/budget/reform/library/contributions/us/20080614_US_41.pdf)
(http://ec.europa.eu/budget/reform2008/library/contributions/us/20080614_US_41.pdf)

The Protectionism-Reducing Proposals by the Health Check Report Are at Danger

To: Commission President Dr José Manuel Barroso
Commissioner on Budget Dr Dalia Grybauskaitë
All Members of the European Parliament
All Members of the EU Council of Agricultural Ministers
All Members of the EU Council of Trade Ministers
All People Concerned with the EU, WTO, Protectionism and Developing Countries

Dear Friends,

I. It is imperative for the EU leaders to present effective and appropriate solutions to the irrational production abandonment while phasing out protectionism.

May I present you the newest data of the EU-25 from the Eurostat. In 2004, according to Table 1, there was an ***increase*** (percentage on previous year) of the price indices of agricultural products output: in nominal value, ***seven*** of the 13 categories of products, and in deflated value, ***four*** of the 13. Correspondingly, as Table 2 demonstrates, of the indices in the volume (preceding year = 100) for the 13 categories, only ***three were lower***, while 10 were higher than in 2003, showing a general increase of agricultural output.

In 2005, the starting year of the wider (although still partial) decoupling, as shown by Table 1, there was an ***increase*** (percentage on previous year) of the price indices of agricultural products output: in nominal value, ***five*** of the 13 categories, and in deflated value, ***two*** of the 13. However, as displayed by Table 2, of the indices in the volume (preceding year = 100) for the 13 categories, ***10 were lower***, and only three were higher than in 2004, starting a general trend of higher prices but lower production.

In 2006, as revealed by Table 1, there was a ***wider increase*** (percentage on previous year) of the price indices of agricultural products output: in nominal value, ***nine*** of the 13 categories, and in deflated value, ***eight*** of the 13. But, as introduced by Table 2, of the indices in the volume (preceding year = 100) for the 13 categories, ***11 were lower***, and only two were higher than in 2005, strengthening the general trend of higher prices but lower production.

In 2007, as displayed by Table 1, there was an ***even wider increase*** (percentage on previous year) of the price indices of agricultural products output: in nominal value, ***ten*** of the 13 categories, and in deflated value, ***nine*** of the 13. But, as introduced by Table 2, of the indices in the volume (preceding year = 100) for the 13 categories, ***five were lower*** than in 2006, continuing the general trend of higher prices but lower production. Moreover, the EU turned from a net exporter of agricultural products in 2006 to net importer in 2007 (http://ec.europa.eu/agriculture/publi/map/brief8.pdf).

That is to say, farmers have NOT responded ‘to market signals’, just opposite to the kind expectation of the EU Commissioner on Trade Dr Mandelson (2 December 2005), and the persistent belief of the EU Commissioner on Agriculture and Rural Development Dr Fischer Boel (10 June 2008) that ‘it's still true that decoupled direct payments are a ***powerful*** tool. They leave farmers ***free to respond*** to whatever the market tells them’ (http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/08/322&format=HTML&aged=0&language=EN&guiLanguage=en). These facts display that ‘The currently high prices of agricultural commodities’ did NOT ‘trigger a more intensive use of agricultural land and much of

the less intensively used land is now' NOT 'converted into intensive use again.' Rather, farmers have used land LESS and produced LESS while the prices have been HIGHER. Therefore, 'those farmers who leave the sector' have NOT used the 'possibility to transfer the land to those who want to expand its [their] business', and 'This decentralized way of shifting ownership and use has' NOT 'been working very well', just contrary to the benign trust of the EU Commission Director-General for Agriculture and Rural Development Dr Demarty (9 October 2007).

This has given evidence to my view in my reply to Dr Mandelson (6 December 2005): 'Even if subjectively full-time farmers [will instead respond to market signals], objectively they would not succeed in so doing, since the Able-bodied Part-time and Absent Farmers Would Refuse to Lease their Insufficiently Producing Land to Them to achieve economies of scale because they could not afford to pay high rents once the present EU guarantee of their high income has been abolished.'

In reality, in order to increase production under the global and EU-wide food supply shortage ever since 2005, while reducing protectionism, the EU Commission has published a Health Check report on 20 May 2008. It proposed 'to remove the remaining coupled payments and shift them to the Single Payment Scheme, with the ***exception*** of suckler cow, goat and sheep premia, where Member States may maintain current levels of coupled support' (http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/762&format=HTML&aged=0&language=EN&guiLanguage=en). 'On the occasion of the integration of the cotton sector into the single payment scheme, it was deemed ***necessary*** that part of the support should continue to be linked to the cultivation of cotton through a crop specific payment per eligible hectare to ***avoid the risk of production disruption*** to the regions of cotton production' (http://ec.europa.eu/agriculture/healthcheck/prop_en.pdf) (p. 20).

If indeed 'decoupled direct payments are a powerful tool. They leave farmers free to respond

Table 1 Price Indices of Agricultural Products Output (annual, base 2000=100) in the EU-25 during 2004-2007 (percentage change on previous year)

	Products	2004		2005		2006		2007	
		Nominal value	Deflated	Nominal value	Deflated	Nominal value	Deflated	Nominal value	Deflated
01000	Cereals (including seeds)	***0.8***	-1.4	-13.2	-15.1	***14.3***	***11.9***	***51.2***	***47.7***
02000	Industrial crops	***0.3***	-2.1	-6.5	-8.6	-1.7	-3.7	***8.4***	***5.7***
03000	Forage plants	***7.8***	***5.3***	-15.8	-17.7	-2.5	-4.7	***15.0***	***12.5***
04000	Vegetables and horticultural products	-8.7	-10.6	***6.1***	***3.8***	***3.3***	***1.1***	***1.8***	-0.4
05000	Potatoes (including seeds)	-4.0	-6.0	-8.0	-9.9	***53.9***	***50.7***	-0.1	-2.3
06000	Fruits	-5.3	-7.6	-4.6	-7.2	***1.7***	-0.8	***9.2***	***6.5***
07000	Wine	-0.8	-3.1	-10.2	-12.1	-0.8	-2.8	***6.6***	***4.6***
08000	Olive oil	***9.0***	***6.1***	***17.0***	***13.7***	***11.5***	***8.3***	-17.0	-18.9
09000	Other crop products	-2.1	-3.9	***0.8***	-1.1	***2.9***	***1.0***	***15.6***	***13.7***
10000	Crop output	***0.6***	-1.6	-7.3	-9.4	***10.5***	***8.2***	***18.0***	***15.5***
11000	Animals	***5.7***	***3.4***	***2.1***	-0.1	***4.6***	***2.3***	-2.2	-4.3
12000	Animal products	-2.0	-4.0	-1.3	-3.3	-0.1	-2.2	***13.3***	***10.8***
13000	Animal output	***2.4***	***0.2***	***0.7***	-1.4	***2.7***	***0.5***	***3.9***	***1.6***

Source: Eurostat - Statistical Office of the European Communities (last update 22 May 2008 Thursday 09:56:50 MEST): 'Price Indices of Agricultural Products, Output: Base 2000=100 (Annual)', date of extraction 28 May 2008 Wednesday 04:38:30, (http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,45323734&_dad=portal&_schema=PORTAL&screen=welcomeref&open=/agric/agri/apri/apri_pi/apri_pi00&language=en&product=EU_MAIN_TREE&root=EU_MAIN_TREE&scrollto=531)
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Table 2 Volume Indices of Agricultural Production in the EU-25 during 2004-2007 (preceding year = 100)

	Products	2004	2005	2006	2007
01000	Cereals (including seeds)	116.7771 *e*	***85.8114*** *e*	***95.0855*** *e*	***99.7265*** *e*
02000	Industrial crops	110.7405 *e*	***95.3927*** *e*	***88.9980***	101.3525 *e*
03000	Forage plants	118.4117 *e*	***94.7261*** *e*	***95.4808*** *e*	108.0536 *e*
04000	Vegetables and horticultural products	100.7447 *e*	102.6572 *e*	***98.1613*** *e*	100.3144 *e*
05000	Potatoes (including seeds)	111.5982 *e*	***92.7823*** *e*	***91.8628*** *e*	114.0034 *e*
06000	Fruits	107.3119 *e*	***99.3271*** *e*	103.7991 *e*	***95.2570*** *e*
07000	Wine	123.5462	***93.3301***	***98.2866*** *e*	***96.5989*** *e*
08000	Olive oil	142.0365	***82.0909*** *e*	***88.1631*** *e*	103.2011 *e*
09000	Other crop products	110.8344 *e*	105.6712 *e*	104.7566 *e*	***99.3885*** *e*
10000	Crop output	112.0250 *e*	***94.7476*** *e*	***96.5847*** *e*	100.9396 *e*
11000	Animals	***98.9983*** *e*	100.2587 *e*	***98.9529*** *e*	102.0796 *e*
12000	Animal products	***99.7145*** *e*	***99.2706*** *e*	***99.0223*** *e*	***99.8507*** *e*
13000	Animal output	***99.2770*** *e*	***99.8836*** *e*	***98.9794*** *e*	101.2327 *e*

Notes:
e - Estimated value.
Value 01 Value at basic price.
P_adj vol Volume.
Geo eu25 European Union (25 countries).
Base year n_1 n-1 = 100.

Source: Eurostat - Statistical Office of the European Communities (last update 29 October 2008 Wednesday 08:43:18 MET): 'Economic Accounts for Agriculture - Indices: Volume, Price, Values', date of extraction 2 November 2008 Sunday 03:36:01, (http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,45323734&_dad=portal&_schema=PORTAL&screen=welcomeref&open=/agric/agri/aact/aact_eaa&language=en&product=EU_MAIN_TREE&root=EU_MAIN_TREE&scrollto=319).

to whatever the market tells them', why not abolishing the coupling on suckler cow, goat, sheep and cotton as well? How could 'the risk of production disruption' happen under the decoupling? Therefore, even the EU policy-makers have ***de facto*** recognized that the decoupling ***cannot*** 'avoid the risk of production disruption'.

Now that farmers have not fulfilled the nice expectation, belief and trust of the EU policy-makers, it is imperative for the EU Commission to present all the possibly effective and appropriate solutions to the irrational production abandonment while phasing out protectionism to the whole EU for a discussion. The Commission might choose to declare whether a proposal is from itself, or someone else, so that the responsibility for the proposals will remain with their respective authors. It would be necessary to include my Proposals, now that so many policy-makers have found them interesting, while no alternative has ever been raised ever since their publication in my 2001 book.

Dr Demarty (9 October 2007) also commented: 'We simply do not have the problems of land absenteeism and abandonment in the EU to a scale which is comparable to that in many and differently organized developing countries. Against the background, I can't see how your proposal of a massive intervention into ownership- and user rights of land particularly of small farmers will ever find an agreement in a free society such as the European Union.' The current relatively lower extent 'of land absenteeism and abandonment in the EU' is because the EU's protectionism is still

too strong. But it is already higher than before 2005 following the implementation of the wider decoupling in that year. Once protectionism is further reduced, it will develop onto ‘a scale which is comparable to that in many and differently organized developing countries’ (unless effective and appropriate measures are adopted). It will not be in the interest of the EU to see it from happening. The new trend as revealed by Tables 1 and 2 should have convincingly shown that finding an agreement in the EU now with my Proposals (which are based on the former and existing laws of a number of free and democratic Western European countries and the USA) would be possible.

II. The proposals by the Health Check report are not effective against the polyopoly in agriculture, and monopoly/oligopoly around agriculture.

In order to increase production, the Health Check report raised a proposal - abolition of set-aside. Although correct, it may not be effective because ‘Setting the rate at zero does not oblige farmers to cultivate all their land. They can continue with voluntary set-aside and apply environmental schemes’ (http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/1402&format=HTML&aged=0&language=EN&guiLanguage=en). Therefore, many part-time and absent farmers would still exercise polyopoly in land use, i.e., refusing to lease the under-producing land beyond their family consumption need to the full-time farmers at low rents.

Its another proposal, also correct but not effective, is that ‘Milk quotas will be phased out by April 2015. To ensure a “soft landing”, the Commission proposes five annual quota increases of one percent between 2009/10 and 2013/14’.

Immediately on 27 May 2008, nearly 1,000 Dutch milk cow farmers demonstrated against the low milk purchasing price in front of the biggest Dutch dairy producer Friesland Food Group. The organizer - the Dutch Dairy Board which represents about one third of the Dutch milk cow farmers, pointed out that since the end of 2007, while the prices of forages, fuels, and chemical fertilizers have been increasing, the milk purchasing price by the main dairy producers has been reduced from 0.5 euros to 0.34 euros per liter, lower than the production costs. It demanded to raise the price to 0.43 euros per liter to match the costs. But the Group refused to discuss with the farmers on the price. Thus the Board appealed to the farmers to destroy milk and stop supply to the dairy producers. Milk cow farmers in France, Germany, Italy, Luxemburg, and Spain have also launched similar protests to demand dairy producers to raise milk purchasing prices. However, the Dutch Organization for Agriculture and Horticulture criticized destroying milk as a wrong signal because currently the global food prices are so high and numerous people do not even have enough to eat. (http://news.sohu.com/20080529/n257159025.shtml)

Although Dr Fischer Boel (14 September 2007) has been aware that ‘Still others blamed the retail giants’, ‘I also note complaints from some farmers that higher retail revenues are not being passed on to them’, ‘Producers must be able to stand together if they want to bargain effectively with the retail giants’ (http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/07/533&format=HTML&aged=0&language=EN&guiLanguage=en), the Health Check report did not propose how to abolish the monopoly and oligopoly of the giants in the inputs (backward) and outputs (forward) linkages around agriculture, including those in the dairy sector.

Therefore, as long as the monopoly and oligopoly of the giants in the inputs (backward) and outputs (forward) linkages around agriculture are not abolished, the milk farmers would continue to suffer from the low purchasing prices even though their milk production quotas have been lifted (more output might make their farm-gate selling prices even lower), and consumers would still endure the high retail prices, while these giants could keep enjoying the huge monopolistic and oligopolistic profits.

III. Failing to propose effective and appropriate solutions has endangered the protectionism-reducing proposals of the Health Check report.

I myself support the protectionism-reducing proposals by the Health Check report. But because the report did not provide any effective and appropriate solution to avoid the irrational production abandonment following the adoption of them, they might either be partially rejected; or if fully adopted, would lead to the loss of food basic self-sufficiency of the EU, both of which would cause to keep protectionism. As a result, they might repeat the unpleasant fate of the retreat to keeping a partial coupling on 26 June 2003 from the complete decoupling proposal by the EU Commission on 10 July 2002 just 'to avoid abandonment of production' (http://ec.europa.eu/agriculture/capreform/index_en.htm). Actually, worried about the irrational production abandonment, resistance to the protectionism-reducing proposals of the Health Check report has already been underway.

(I) Concerning the increase of decoupling and decrease of coupling, the CPE-COAG (European Farmers Coordination - Coordinator of Organizations of Farmers and Ranchers) (20 May 2008) immediately lodged a protest: 'decoupling is an important factor for ***abandoning the production*** and we expect from the Commission an assessment backed up by figures of its implementation regarding the production structures, for example in the case of dairy production. We ask to the Council to ***re-couple*** the direct payments.' (http://www.cpefarmers.org/w3/article.php3?id_article=172)

The general public has realized the intrinsic problem of the decoupled subsidy, i.e., now that a farmer can enjoy it without production (but only planting tress and grasses to avoid soil erosion), nor leasing his land out (otherwise it will go to the tenant), he would rather keep the land out of production, while spending his time to earn higher off-farm income, as double income.

(II) Regarding the reduction of the direct payments to the large farmers, MEP (Member of the European Parliament) Jens-Peter Bonde (Chairman of the Independence/Democracy Group) (13 October 2007) informed me that he had tabled an amendment for the budget to cut all spending above 40,000 euros per legal unit receiving money from CAP (Common Agricultural Policy) funds as a beginning, but last time got only around 100 votes out of the totally 785 MEPs.

(III) As for the exclusion of the smallest farms from the decoupled payments, the CPE-COAG (20 May 2008) protested that 'It is scandalous to propose to delete the smallest payments'. 'The smallest farmers, especially in Romania, Poland, Italy would be excluded by the increase of the floor to 1 ha.' 'We propose the institution of a minimum fixed sum of direct payment for the very small farms.' (http://www.cpefarmers.org/w3/article.php3?id_article=172)

(IV) About the production of biofuels, Dr Fischer Boel (14 September 2007) stated that 'Many members of the general public worry that biofuel feedstock competes with food crops for land, and that this could have implications for food production.' 'If we want biofuels to make up 10 per cent of our transport fuel usage by 2020, our studies estimate that this would use about 15 per cent of our arable land by then – some 17.5 million hectares.' (http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/07/533&format=HTML&aged=0&language=EN&guiLanguage=en)

The press release from AEFJN, Biofuelwatch, Carbon Trade Watch, COAG, Corporate Europe Observatory, CPE, Ecologistas en Acción, Econexus, FIAN, GRR, the Soya Alliance, and the Transnational Institute (28 May 2008) presented that 'A key report from the European Parliament [by MEP Claude Turmes] has called for the EU's 10% biofuel target to be scrapped, amidst growing evidence over the impact on wildlife, people and the world's food supplies.' 'Campaigners from a range of Europe-wide organizations welcomed the proposals'. 'Sofia Monsalve Suárez from FIAN said: "European demand" "for fuel is already helping push up food prices and creating a serious food crisis in some parts of the world. Land use for agrofuels is forcing small farmers and indigenous peoples off their lands, causing poverty and hunger. Agrofuels will not solve the hunger problem in the world. They will make it worse."'

'Anders Wijkman MEP', 'has also called for the target to be reduced, but campaigners say his proposal of eight per cent - designed to "create a market" - cannot be justified. Nina Holland from Corporate Europe Observatory said: "An eight per cent target will cause almost as much

damage as a ten per cent target. Pushing up food prices is causing hunger and that fact is inescapable. The EU's targets should be dropped."' 'Civil society organizations present in Bonn are calling on the Parties to ban agrofuels from industrial monocultures.'

However, the protesters have not paid enough attention to the fact that the production of biofules is aimed to bypass the monopoly and oligopoly of the petroleum exporting countries, which have been regarded as one of the most important causes of the rise of the oil prices and food production costs world-wide. Therefore, the production of biofuels itself in principle should not be perceived as wrong. What are not correct are (1) to turn food crops into biofuels when global human food consumption has not been matched, as biofuels should be produced from non-edible stuff (progress should be accelerated to develop such technology into commercially applicable), and only in case the global demand for food by human consumption has been satisfied, could food crops be turned into biofuels; and (2) to use the sufficiently food producing farmland for biofuels, as Brazil, the USA, EU and all the other countries should have used the idled or under-utilized land for biofuels.

For example, in Brazil, there are 224,900,000,000 acres (91,013,800,940 ha) of idled farmland in 2008. But instead of using it, the biofuels program started in 2004 has led to slashing the Amazon forests! (http://news.sohu.com/20080407/n256138649.shtml)

After the 11 September 2001 attacks, the USA would like to reduce its rely on the petroleum import under the monopoly and oligopoly of the exporting countries. Higher prices of biofules have induced farmers to sell corn for biofuels. Rising prices of food and biofules have also induced them to use the idled land, the environmentally sensitive land, and seek land abroad. However, the USA has the largest per country area of cultivable land in the world, as it reaches 197,450,000 ha, accounting for 13.15% of the total of the world. Its per capita cultivable land is 0.7 ha, 2.9 times that of the world. (http://news.wenxuecity.com/messages/200805/news-gb2312-611039.html), (http://www.voanews.com/english/2008-05-14-voa45.cfm). Therefore, if it could abolish its huge protectionist subsidies as the rest of the world has been demanding in the WTO Doha negotiations, and as its government has accepted on 19 September 2007, many farmers would have no incentive to produce so much as they have done so far. Thus their idled or under-producing normal land could be used by the true full-time farmers with less or no subsidies for sufficient production of food, and biofuels from non-edible stuff or even from food crops in case the global demand for food by human consumption has been satisfied, without using the environmentally sensitive land or seeking land abroad.

In the EU, now that following the implementation of the wider decoupling in 2005, so many farmers have produced less food, at least they could use the production-abandoned land for biofuels from non-edible stuff, or even from food crops in case the global demand for food by human consumption has been satisfied.

The EU should really endeavor to investigate and publish the annual data of its normal, and environmentally sensitive, rural land, cultivable land, sufficiently- and under-producing land.

(V) Relating to opening the EU agricultural market in exchange for wider NAMA (Non Agricultural Market Access) of the developing countries, on 26 May 2008, in the EU Council of Foreign Ministers, France, Ireland, etc., as minority of the EU-27, were against the latest WTO proposals, because they thought that the proposed concession by the EU in opening agricultural market and cutting farm subsidies was more than that by the developing countries in NAMA. (http://news.sohu.com/20080527/n257103749.shtml)

Suppose the developing countries have opened NAMA more (or even by 100%), in exchange for the EU to open its agricultural market more (or even by 100%) and cut its farm subsidies more (or even to just 5% of the total value of production as permitted by the WTO), then the EU farmers would have to compete against their cheap products in both the internal and external markets. Other factors being equal, the lower costs would win. If the EU farmers could not reduce their costs once protectionism has been abolished, then they would lose a large part of both the internal and external markets, and the EU would lose food basic self-sufficiency, which would be

strategically too dangerous. Therefore, to maintain food basic self-sufficiency without protectionism is an absolute task for the EU no matter whether it could get less or more in NAMA. Therefore, the EU (and other developed countries) should not seek more NAMA, but should instead take effective and appropriate measures to abolish agricultural protectionism without losing food basic-self-sufficiency.

EU full-time farmers are intelligent and competent in both the internal and external markets even without protectionism. But if they could not use the under-producing land beyond family consumption need of the able-bodied part-time and absent farmers to increase farm size, achieve economies of scale, and reduce costs, then they could only choose to either press for keeping protectionism, or quit agriculture. But protectionism is not a solution, while quitting agriculture is too dangerous for the EU, and letting other farmers occupy the EU and global markets would be a pity for the EU. This pity has already happened as the EU turned from a net exporter of agricultural products in 2006 to net importer in 2007, while the EU full-time farmers cannot have access to a part of the under-producing land of the part-time and absent farmers for sufficient production. Therefore, the UNIQUE solution would be to give them use right to such land, according to my Proposals.

IV. Internationally neglected laws for efficient and competitive land use in the USA and Western Europe.

It is claimed that the USA is the most liberal and democratic country of the world. But I have dug out the following laws Covering all the states, (1) there is a time effect on turning occupied private property into ownership - adverse possession, which means that if a private person has occupied a private property (e.g., farmland) without agreement of the owner, while the owner has not sued the occupier during a limited period, then this property will belong to the occupier. For example, in Texas, if the owner of a farmland has not sued the farming occupier within 10 years, he will lose his right to claim it and the occupier will own it legally. [See (http://tlo2.tlc.state.tx.us/statutes/cp.toc.htm) Civil Practice & Remedies Code. CHAPTER 16 LIMITATIONS. SECTION 16.021 DEFINITIONS. SECTION 16.022 EFFECT OF DISABILITY. SECTION 16.023 TACKING OF SUCCESSIVE INTERESTS. SECTION 16.024 ADVERSE POSSESSION: THREE-YEAR LIMITATIONS PERIOD. SECTION 16.025 ADVERSE POSSESSION: FIVE-YEAR LIMITATIONS PERIOD. SECTION 16.026 ADVERSE POSSESSION: 10-YEAR LIMITATIONS PERIOD. SECTION 16.027 ADVERSE POSSESSION: 25-YEAR LIMITATIONS PERIOD NOTWITHSTANDING DISABILITY.] (2) There is a ‘squatters' rights’ law for turning occupied public land into private ownership, which denotes that if a person (squatter) has occupied a public land for over 25 years and paid taxes, the Secretary of the Interior may issue a patent for 160 acres (64.75 ha) of such land upon the payment of not less than 1.25 dollars per acre (0.40 ha). [See (http://www.hg.org/redir.asp?url=http://www.law.cornell.edu/uscode/) U.S. Code collection. Title 43 Public Lands. CHAPTER 25A - LANDS HELD UNDER COLOR OF TITLE. § 1068 Lands held in adverse possession; issuance of patent; reservation of minerals; conflicting claims.]

These laws are still exercised. Their main significance is to encourage the efficient use of the idled private and public land resources. Their main imperfections are that (1) If the private landowner has found that his idled land is being used by another farmer without his agreement within the limitations period, he may sue to get the land back, while still idling it. (2) Even if an adverse possessor or squatter has successfully gained ownership of a private or public land, he may idle or under-utilize it later on, without leasing it to those full-time farmers who wish to produce sufficiently on it. (3) People in general may not wish to lose private property including farmland even if they do not use it.

In Western Europe, (1) there has been a law to give right to other farmers to produce sufficiently on any under-producing land (i.e., less than 40% of the normal output): in the EU Council Regulations 1963/262, 1967/531 and 1963/261; Italy 4 August 1978 (still valid but not

applied); and Switzerland from the Middle Ages that any farmer can bring his cattle to graze in the private pastures of the Alps (still valid but not applied). Its main shortcoming is that it obliges landowners to lease out all their inefficiently used land, so that part-time and absent landowners would not be able to produce for family consumption and keep farming skills; and once lost off-farm jobs, would either have no access to their land rented out, or have to withdraw it within the contractual period, affecting the lessees. (2) There has also been a law to oblige landowners to either use their land or lease it out for sufficient production: in Germany 31 March 1915 (until 1961); UK 6 August 1947; Norway 18 March 1955, 25 June 1965, and 31 May 1974 (still applied due to continuing under-self-sufficiency with the cold weather), and Denmark 17 July 1989. Its main shortcomings are that it may cause overproduction, plus the above-mentioned one. Both laws have been suspended at the overproduction stage.

In comparison, my Proposals (I) Give full-time farmers access to the under-producing land beyond family consumption need of the part-time and absent farmers, by creating a Dual Land System, and (II) Convert the environmentally sensitive farmland back to the nature forever once a country has encountered constant overproduction (http://www.icarrd.org/en/proposals/Zhou.pdf) (p. 4) are much more lenient, hence both effective and appropriate.

I should be most grateful if any distinguished reader of this article could gently write me valuable comments. Looking forward to hearing from you. With many thanks and best wishes.

Sincerely yours,

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