



Co-Design of innovative contract models for agri-environment and climate measures and the valorisation of environmental public goods

## **Agri-environmental contracting on the Commons**

### Knowledge exchange between French, English and Flemish stakeholders

Report of the international exchange meeting in the Valley d'Aure, France 11-13 July 2022

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## EXECUTIVE SUMMARY

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Collective approaches of agri-environmental contracting takes several forms in Europe. In a very simplistic manner, they can be classified as:

- Approaches that consist in promoting the coordination of individual Agri-environmental and Climate Measures (AECMs) contracting over a specific area through a system of bonuses,
- Collective contracts can consist in creating new forms of collective management across a landscape through the creation of collective organizations in charge of coordinating the actions of farmers,
- Collective contracts resulting from the implementation of AECMs on common land<sup>1</sup>, where, the collective management of the land and collective entities pre-exist the CAP.

This last approach is the case of AECMs contracted on the summer grazing highlands in the Pyrénées and on the UK commons. Therefore, the French and UK teams of the Contracts2.0 organized an interCIL meeting to learn each other from the experience of contracts implemented on common land and to discuss shared issues / interest in other socio-ecological contexts in Europe. The interCIL "Agri-environmental contracting on the Commons" took place on 11-13 July 2022 in the Valley d'Aure of Pyrénées, France. Participants included 10 project partners from France (GIP-CRPGE, CIRAD), the UK (Natural England and Aberdeen University) and Belgium (INBO) as well as the inclusion in the field of farmers, locally elected officials, representatives of pastoral groups, hunters, environmental NGOs and a national park.

The first day was dedicated in **comparing contextual elements of the 3 case studies**. The UK and France share similar farming systems on marginal hill land, a history and cultures of pastoral grazing that goes back in centuries. It is important to note that the UK doesn't have the equivalent of public ownership of land with the involvement of a 'commune' and accountability to the local community. Both countries' uplands are characterized by their multiple uses such as strong sporting/shooting interest, resource pressures from tourism, succession planning, and the economics of hill farming which is highly dependent on CAP subsidies. They share a similar agri-environmental contract implementation process. However, a significant difference which we have uncovered through our inter-cil is **where facilitation/ advice sits in the collective contract process**. In Flanders, there is no high mountain grazing or extensive grazing land. Nevertheless, there are common grazing areas. More and more municipalities let a shepherd graze their road verges, verges of watercourses, parks and nature reserves. The Belgium case represents a European tendency towards the development of grazing on common areas, owned by municipalities as a means to maintain open landscape and manage high nature value areas (wetlands, protected areas, ..). Cases are being documented in the Western wetlands and the scrublands of the central region of France (WP2) and the field visit in June's

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<sup>1</sup> 'Common land is land owned by one or more parties, where others have the right to take products, such as grazing, wood and turf'.

Copenhagen cross-WP meeting related to this issue as well. Therefore, the experience of uplands collective management could be mobilize although the socio-ecosystems are quite different.

UK and Flanders partners participated in the **French final inter CIL-PIL meeting**, presenting their experience in contractual innovation and exchanges pursued on the field with the visit of two sites managed respectively by a commune and a pastoral group. **Videos** were produced to capture the very interesting reactions of the UK and Belgium partners.

### **Key messages were formulated during the last day of brainstorming**

Collective approaches can build on the experience of existing collectives (i.e. common land managers) and various forms or structures of collective land management in the contract should be recognize.

In France, farmers are formally organized through collective structures (which are the contractors) but social pressure has been lost. On the contrary in UK, commoners are not formally structured through their rights but are linked through a social contract. There is often a reluctance to formalize these associations in the form of a legal AE contract, as it can lead to falling out because the relationships are fragile.<sup>2</sup>

When contracting on common pastoral land (collective contracts), key actors to be considered alongside farmers are: i) the landowners (the commune/or others owning the land) having an important role in land management, administrative tasks and agency (decision making), and ii) the communal shepherd/s in charge of implementing the contract.

Intermediaries take several roles that will vary across situations (given the institutional and policy context). To fully explore these roles, particularly essential in complex situations, intermediaries need time and financial support throughout the whole contract implementation process.

### **Read and watch the related Blogpost:**

<https://www.project-contracts20.eu/key-insights-from-a-contract2-0-multi-stakeholder-meeting-in-the-hautes-pyrenees/>

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<sup>2</sup> Most commons in the UK do have a 'Commoners Association' through which they can discuss their collective management, but this Association only takes on a legal form through the implementation of an AE contract.

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## ABBREVIATIONS

**AECMs** - Agri-environmental and Climate Measures

**CAP** - Common Agricultural Policy

**CS** - Countryside Stewardship

**CSFF** - Countryside Stewardship Facilitation Fund

**ELMS** - Environmental Land Management Schemes

**GP** – Pastoral Group

**NE** – Natural England

**SHP** - Systèmes Herbagers Pastoraux , a French AECM aiming at maintaining pastoral practices

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## INTRODUCTION

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Within the WP3' activities "Contract Innovation Labs" of the Contracts2.0 project, we organized a number of international exchange visits between the Contracts Innovation Labs (CILs). The objective of these meetings (InterCIL) is to favor the exchange of knowledge and experiences around a particular novel contract. The participants engage in site visits, direct observation of how the contracts and their governance works, and discuss first-hand with farmers, land managers, advisors, facilitators and policy makers. A first visit organized in Galway, Ireland, from 16-18 May focused on contracts with a payment-by-results (PBR) element.

This report covers the interCIL **"Agri-environmental contracting on the Commons"** that took place from 11-13 July 2022 in the Valley d'Aure of Pyrénées, France. It focused on contracts mobilizing a collective approach. In particular, we wanted to discuss what lessons could be taken from the experience of contracts implemented on common land, mobilizing pre-existing collective entities and to discuss common issues / interest in other socio-ecological contexts in Europe. Participants included farmers, locally elected officials, representatives of pastoral groups, hunters, environmental NGOs and park representatives from France as well as project partners from the UK (England) and Belgium (Flanders).

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## LEARNING FROM 3 CASE STUDIES

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The first session, on Monday (see program in Annex), was dedicated in presenting contextual elements of the Pyrenean, English and Flemish case studies as well as the main principles of the agri-environmental schemes/ measures contracted by the farmers / collectives in each site.

### French case study

The summer grasslands high up in the mountains are used for 6 months a year, farmers move (practice the transhumance) their animals up in June/July and down before the first snow in October. These lands are all collectively owned. The lands in intermediate altitude where the animals stay for a while in spring and autumn are sometimes private, sometimes collective. The lands in the valley, where hay is harvested, are all private.

Grazing is primarily undertaken by cows and sheep. The sheep are on the steepest slopes, the cows on the easier ground. Sometimes there are also horses and ponies, rarely goats. These are often local breeds from the Pyrenees. Predators (bears and for the first year, wolf) are a concern as each year attacks on flocks result in hundreds of animal deaths. There is controlled burning, because the vegetation is then more palatable for grazing.

In most high lands, a shared shepherd guards the animals of all farmers for the whole season. On the summer lands, the animals stay naturally in groups on certain areas in the mountains every year through shepherding and habituation. The animals know the way and know the places. Young animals learn from older animals. Many sheep go up during their pregnancy and give birth in September-October, when they are back down again. Animals are fattened on the plains together with animals from intensive livestock farming and sold to the slaughterhouse. So there is no added value from their healthy mountain environment (with a few exceptions).

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Due to climate change, weather conditions are more changeable (e.g. snow in June, frost in August), which sometimes makes it difficult to fulfil the agreements in the contracts. In the past it was possible to set precise dates, but not anymore. The quality and quantity of the grass is experienced as stable. Climate change is particularly noticeable in regard to animal health issues. Diseases that used to be absent in the high mountains are now present. There are no restrictions on the use of anti-parasitic agents, for example, even in Natura 2000 sites. People are aware that this is unfavorable for biodiversity, so it is also being investigated.

In France, collective entities are entitled to contract agri-environmental measures since 1992. Today two types of AEEM are contracted on collective land with the goal mainly to maintain grazing in these high lands (in a context of undergrazing in the Hautes Pyrenees):

- Basic measure (SHP, Systèmes Herbagers Pastoraux): this is for rewarding the continuation of current practices by maintaining the stocking rate within a minimum and maximum levels. In a context of land abandonment, the target is to maintain a minimum stocking rate on the land.

- Improvement measures (MAEC localisées: Herbe 09, Ouvert 03): these measures support additional public services, e.g. the reopening of abandoned land (e.g. by temporarily holding cattle on a small overgrown area so that they trample the rhododendron, for example, proves more effective than cutting it down). These funds are used to employ a shepherd in charge of implementing the measure or compensate farmers concerned. Farmers find it difficult that payments are temporary (in contrast to Flanders, where the payment for the management of a type 4 or 5 grassland remains high). Management agreements can only be concluded in Natura 2000 or nature reserves. In Flanders, it is just the opposite: management agreements are not used in Natura 2000 or nature reserves (under the influence of the idea that agriculture has no place there). In the management agreements, only the most elementary things are laid down. People go further sometimes (ie. field visit 1, GP Vielle Aure), but without laying this down in a contract. This is done as a precaution, so that if the agreements cannot be met (due to force majeure), there will be no repercussions.

The amount of both measure is calculated per area of palatable vegetation (a pro rata is applied to rocky, moors or forest areas).

## English case study

Commoning is an ancient land management practice that dates back to 1215. It involves a group of farmers – from one or two to over 100 – having “commoners rights” to graze their animals (mostly sheep but also cattle, pigs, horses) on a shared piece of land – the common – without fences or boundaries between them. The sheep don’t need fences, through flock memory passed down through the generations they stay on their patch of the common, known as a *heaf* or *heft* in northern England, and a *lear* in the south-west. Different regions have different local breeds, e.g. Galloways (who can live permanently outdoors), South Devon (transhumance needed). Ponies also have an added value for grazing rough land.

Common land now accounts for 3% of England, and this includes ecologically-rich landscapes including Dartmoor, the Lake District, Yorkshire Dales and Shropshire Hills, which are also often designated

protected areas such as National Parks or Areas of Outstanding Natural Beauty (AONBs). All grazing land is privately owned. The farmers have to pay a limited fee for it, which is fixed by law.

Today, Commoners are mostly economically dependent on government support payments, though their value to history and landscape is not rewarded in livestock prices. If Commoners leave the land, ancient knowledge will be lost, and the equilibrium of these ecosystems and breeds will break down irretrievably. In order to deliver environmental goals, Commoners are often required to graze fewer animals than their grazing rights stipulate. Commoners also receive a basic payment for grazing, usually with sheep, and additional payments for grazing cattle and/or ponies. This incentive aims to achieve more variety between animal species, where each species' grazing habits support a different ecological function.

With Brexit, the UK is busy developing its own replacement for the CAP and farmers face big uncertainties with the level of public funding in the future, but also about how the markets for agricultural products will be affected. The total budget for farming and the environment over the 7 year agricultural transition period will remain constant. But the money being saved from the direct payments will be recycled and put back into agri-environment schemes and other schemes to improve productivity and animal welfare.

By 2025, payments will be completely decoupled from land area; by 2028, pillar 1 should be phased out completely. Then there will be only the equivalent of 'pillar 2', the **Environmental Land Management Schemes (ELMS)**, which will come through 3 new national agri-environment schemes that are still in development:

- The **Sustainable Farming Incentive (SFI)** support simple actions that achieve environmental outcomes as a foundation. The measures will be based on standards that farmers have to meet, with 3 different 'ambition levels' for each standard, with different payment rates. It is the most developed so far: a national pilot is in progress and limited standards have been offered to farmers in a national rollout.
- The **Countryside Stewardship 'plus'** scheme<sup>3</sup> is based on locally-targeted environmental goals and will be more focused on higher value areas for biodiversity. This scheme should eventually support and enable collaboration between farmers, but there isn't much detail yet on how that might be supported.
- The **Landscape Recovery** scheme will support ambitious, large-scale, one-off, long-term projects that will involve multiple land managers and actors in order to promote long term change in land use at a much larger scale than is currently supported through conventional AECMs.

Currently, two types of contracts relate to collective approaches in England:

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<sup>3</sup> The Countryside Stewardship 'Plus' (CS+) Scheme currently under development within ELMS will be an evolved version of England's existing Countryside Stewardship Scheme, running since 2014. CS+ is thus being developed instead of the 'Local Nature Recovery' (LNR) scheme which was originally set out by Defra in the Agricultural Transition plan. The announcement to replace LNR with CS+ was made by Defra Secretary Theresa Coffey in December 2022 ([see here](#)).



- **Countryside Stewardship (CS):** CS is England's Rural Development Programme, launched in 2014. Within CS, 'Higher Tier' agreements are the contracts which aim to deliver more ambitious nature recovery goals (as opposed to 'mid tier' agreements which have less demands and requirements on farmers). Higher Tier is the only current CS agreement which can be contracted by commoners organized in an Association. Currently there are 230 such 'collective' contracts. One of the key issues with CS Higher Tier on commons is that, despite the collective nature of the group, a single individual (on behalf of the Association) is the signatory (as with all Higher Tier agreements) and therefore has all of the legal responsibility for the contract. A second, private contract must then be made between all commoners to hold them to the agreement. They do not fall back on a collective legal entity (in contrast to France): the lack of a purpose-built contract design for collectives in England emphasises that our current AECMs are not fit for the purpose of collective contracts.

- **Countryside Stewardship Facilitation Fund (CSFF):** The Facilitation Fund is another scheme within CS, which provides funding for a facilitator to a group of local farmers, with the aim of nature restoration across multiple farms. The impact of the facilitation fund depends very much on the person chosen and their background (or organisation, e.g. national park, land agency). Sometimes facilitators have their own agenda, or work for another organisation with a particular focus which affects the group's agenda. Another issue with CSFF has been that the facilitator can provide group training, but is not allowed to give 1 on 1 advice through the project funding, which would enable farmers to better implement their training on the individual holdings.



Photo 1. Working session on the Monday.



## **Belgium: two collective cases**

In Belgium case studies portrays quite different environment from the Pyrenean and the English highlands, with territories characterized by dense population, urbanized landscapes, and little tradition in working collectively.

Nevertheless, common grazing areas exist and more and more municipalities let either their own cattle or cattle from farmers graze their road / watercourses verges, parks and natural reserves. Usually, they work with temporary contract, which is difficult for farmers as they cannot build their business on it. Long-term agreements with grazing groups could also be made. The manager sets the conditions (period, type of animals, number of animals), and the members of the grazing group decide together how they will fulfil these conditions. This contract can bring advantages as it is easier for the manager, it builds long-term cooperation with the group and it can bring farmers closer to each other and to managing the area. It can also lead to joint derivatives.

Myriam presented two new collective initiatives:

In Berverhoutsveld: A municipality owned area with beautiful landscape and faces a problem of biodiversity losses due to pesticides. AECM supports late mowing and continuation in pasture. 13 farmers are collectively involved in partnership with an NGO. Contract is made with the municipalities: the more results there are, the more they are paid according to a scale of 3 different prices with 5 biodiversity categories. Questions concerned the long term viability of the scheme, if all farmers reach the higher rate, would there be enough funds to maintain the scheme? The parallel with the Irish result-based scheme was made where farmers can choose to stay at an intermediate level of engagement.

Maarkedal: is an area characterize by fertile soil and intensive agricultural subject to soil erosion. AECM aim to protect the soil with flower strips but it lacks efficacy due to the discontinuity of contracting on the fields. A collective approach is then promoted with a bonus payments. To attract farmers, the contract duration has been reduced to 2 years (instead of 5). Farmers organize themselves together: one farmer does all the sowing, all the mowing. Flower strip became popular on social media, and several communes are willing to copy the concept.

## **Presentations to the French CIL-PIL participants**

The French project team used the opportunity of the English and Flemish partners' presence to organize the last CIL/PIL workshop on the morning of July 12th. Both cases were presented to the 15 CIL-PIL participants.

They considered that the Flemish case could be interesting to consider on private lands in the lowlands or even to promote the DFCI AECM. The DFCI consists in maintaining some bands of land "clean of vegetation" within forest areas to minimize the fire risk. Pastoralists do contract AECMs to graze these bands and are paid conditional to the result i.e. the vegetation height.



Photo 2. Jennifer presenting the EN case to the final French CIL-PIL participants on Tuesday.

The commoners' case raise a lot of interest within the participants, arousing a lot of additional information on commons governance as well as on AE contacting modalities.

## TWO FIELD VISITS

Field visits were organized during the meeting and consisted in presenting two contrasted cases of agri-environmental contracting on communal land should it be managed by a pastoral group (Vielle-Aure) or by a commune (Aulon).

### Collective summer pastures managed by the pastoral group (GP) of Vielle-Aure

The pastoral domain of 2 600 ha is managed by a group of 7 breeders, their herds and flocks are grazing 6 months per year on altitudes varying between 1 400 m and 2 700 m.

### The GP is contracting an AEMC on the sector of Estibère to preserve habitats

This requires high adaptation and flexibility of the practices. In addition, the group is experimenting new grazing practices (on bogs), not contracted as the impact is uncertain.

Read more details in Annexe 3

Watch partners' reactions : <https://youtu.be/tHjV2b7p9Q8>



Photo: M. Dumortier

### Collective summer pastures managed by the rural municipality of Aulon

The pastoral domain of 2 400 ha is managed by the municipality which is coordinating the grazing of 26 breeders whose farm is localized on the municipality's land as well as on other villages.

### Co-implementation of a AEMC to preserve wild fauna (gray partridge).

Multiple actors (hunters, natural reserve facilitator, municipality) in addition of farmers and shepherds have contributed to the design of the AECM management plan and are implied in the monitoring and assessment of the contract.

Read more details in Annexe 4

Watch partners' reactions: <https://youtu.be/DT9ivMiGre0>



## DAY 3: COMPARATIVE ELEMENTS & KEY MESSAGES

This final session's objective was to build an initial comparison of the French and English cases, with additional elements from the Belgium case. First, the team identified several themes that are common to the three countries and then decided to focus the discussion on two of them : the role of intermediaries and the governance of the commons and collective contracts.

### Identification of themes

- **Governance of the commons and collective contracts (and differences between countries)**
- Generational management of the land: New entrants/ succession/ passing on of skills
- Defining objectives and environmental outcomes of contracts
  - Combining shared visions of the landscape (in context of multiple uses)
  - Livestock as benefits to landscapes
  - Complementarity with other schemes/ public policies
- Contract governance
  - Stakeholders involvement and agency, partnership building
  - **Subsidiarity** : a principle of social organization that holds that social and political issues should be dealt with at the most immediate (or local) level that is consistent with their resolution. A central authority should have a subsidiary function, performing only those tasks which cannot be performed at a more local level. There is a need for a subsidiary framework that is real and not a façade.
- **Role of intermediaries**
- Contract specific aspects
  - who are the beneficiaries, top-down vs bottom-up design approaches,
  - results-based in uncertain environment / hybrid contracts (mix between maintaining and changing practices),
  - Monitoring and controls, contract permanence.

### Governance

The team decided to zoom on the French and UK cases and compare the modalities of the commons governance in order to better identify the resulting challenges in contracting on these collective lands. Comparisons was done following the structure in Table 1.

#### Land Management

In England, two groups are involved in management: the farmers and the sporting interest (hunters). The sporting interests are often linked to the landowner and they have more power than the farmers. They are in charge of controlling predators and managing the burning of moorland vegetation to favour the birds they shoot.

There are few collective decisions. There are also no common investments (e.g. no fences anywhere, water is naturally available everywhere, the land is accessible to everyone, including the public). Only where there is a commons association does this happen to a limited extent (e.g. agreements on period of grazing, number of animals). These associations exist as a result of management agreements (e.g. on SSSIs and Natura sites). Only there is attention paid to nature objectives, which are imposed top down (with the necessary financing). Where there is no such association this does not happen, each

farmer decides for himself (with a certain social control). There are no legal requirements to manage land in a National Park etc. Restrictions exist only in Natura 2000 areas and/or with AE contracting. Sometimes the owner imposes rules.

**Table 1:** Comparative elements of the Commons and AE contract governance in the EN and FR cases.

	EN	FR
<b>Governance of the commons</b>		
<b>Land tenure</b>	Private land (from unique owners)	95% of grazing highland (145,000 ha) in Hautes Pyrenees is owned by one commune or by several communes (undivided land), 1% is owned by domain (i.e. state), 4% by private owners. The total area is divided into pastoral units.
<b>Land management</b>	Two types of (often simultaneous) managers: - the farmers (with inconsistent levels of coordination across the country) - the sporting interests: gamekeepers, on behalf of the shoot, are in charge of controlling predators and controlled burning.	Collective entities managing the pastoral domain are either: - Landowners (communes, group of communes, pastoral land associations) or - Users of these summer highlands: Farmers organized formally through an association (a pastoral group).
<b>Land use (grazing)</b>	Group of local farmers (not officially organized breeders, but usually loosely grouped as a Commons Association of some form) have rights of access to the common area either for free (Northern commons) or by paying a fee (lowland and South West commons).	Group of local and “outsider” farmers (that can be officially organized or not as a group) have right of access to the common area either by paying a fee or for free (up to the local rule). Individual farmers or farmer association may sign a grazing contract of 5 years with the land owner (the commune).
<b>Governance of collective contracting</b>		
<b>AE contracting</b>	Higher Tier CS contracted for a group, although one person will sign the contract and money is redistributed to individual farmers (@ 230 contracts currently)	AECMs signed by collective entities (currently 85 contracts in the Hautes Pyrénées and @ 1 100 contracts in France), since 2014 there is no more obligation of redistribution so the group can keep the money for its own functioning.
<b>Intermediaries</b>	Natural England involved in AE contracting and monitoring only. Land Agents and solicitors often play a key role in developing both forms of legal agreement.	GIP-CRGPE involved in pastoral management, following the “life” of collective organizations and in AE contracting.

In England, there is no system of communal herdsmen (except in the New Forest, a unique commoning system in the South of England). Many sheep flocks are only on the grazing lands, this sometimes leads to local overgrazing. While sheep attach themselves to a certain area (hefting, an important element in commoning), cows continue to roam everywhere. There are, however, unwritten rules, such as that



entire male animals are never allowed on the grazing lands. There are no rules regarding sick animals, but of course there is social control, since all animals come from the surrounding villages. Therefore, in England there is a much stronger reliance on social control, which is possible because *only local farmers* have access to the common land. Unlike in France where graziers are much more distant and not necessarily connected to each other so closely.

In France, the collective land management is the responsibility of the land owners (the commune) or the land users organised in pastoral groups. The collective entity (= the collective land manager with relative farmer involved) determines the management of each grazing area. They take joint decisions: the number of animals, the dates of the transhumance, animal health conditions, whether male animals may also be taken (and if so, which ones). They decide collectively about the (subsidised) investments to be done in pastoral infrastructures. One person takes the lead (the mayor of the commune or the president of the pastoral group), on a voluntary basis. Traditionally, farmers carry out collective works: paths, fences, signs, shepherd's huts, etc. This is less and less the case, the "chores" are externalised to the employed shepherds or local enterprises.

### Land Use

In France, "local farmers" i.e. farmers with their farm located within the limits of the commune have de facto grazing right to the summer land (they are the right owner). "Outsider" farmers (farmers coming from a neighbouring commune, an other department, region or even from Spain) can also graze to the common area. Some land managers rely on them to maintain the grazing pressure on their land. Local and outsiders access the land either by paying a fee or for free (this is up the decision of the collective entity). Individual farmers or pastoral groups may sign a grazing contract of 5 years with the land owner (the commune).

In UK, farmers and those with sporting interests have the right to manage the land. Regarding the grazing, each commons rights holder will have rights to graze a certain number of livestock (of different types) and these rights are often linked to property i.e. come attached to the farm that the grazier owns and which is physically separate to the common (but often very close/adjacent to it). It is important to distinguish, then, between commons where rights holders have to pay to graze (commons designated in more recent legislation like the lowland commons and all those in South West) from those where they don't have to pay as rights are linked to a property/farm (Northern commons).

### Who is doing the agri-environmental contracting?

In England, Countryside Stewardship contracted on the commons always include the Association of commoners and it should include all the active participants. An active participant may not actually graze (for example, if they've removed their livestock, so foregoing their grazing rights) but still be active in other parts of the management of the common.

One representative signs the contract. Money is re-distributed amongst the active participants. There will be a separate agreement between the commons members that sits alongside the AE agreement. It can be very chaotic at the beginning, but some associations have lasted through 30 years of Agri-Environment schemes. Natural England (NE) will set the stocking limit and timings, and the association will decide amongst themselves who gets what (and that will include the active, non-grazing participants). The stocking limits in AECMs and the multi-year nature of these contracts mean grazing is forgone for the duration of the contract (10 years). Disputes are handled by the head of the

association, or sometimes a land agent, sometimes paid for by NE on 'Sites of Special Scientific Interest (SSSIs)<sup>4</sup>.

Reduction in livestock numbers is negotiated with NE, but often the problems are due to a lack of shepherding, with some areas over grazed and others under grazed. NE identifies the grazing problems (makes the observation) and usually wants a reduction in sheep on the overgrazed areas, which causes further points of tension with farmers who feel the restrictions make it difficult for them to maintain their livelihoods. The knowledge that some areas are undergrazed exacerbates these frustrations. Some of these issues could be resolved through the introduction of communal shepherding practices observed in the French case. In the UK, there's both a 'push' and 'pull' that gets people involved in AECM schemes: a mix of NE encouraging or 'pushing' Commons Associations to apply, but the most significant factor is the 'pull' of the financial incentive, particularly when so many hill farmers are reliant on various forms of Rural Development funding. NE works with the Association rather than the individual farmers, because of resourcing limits on the organisation and also to ensure a single, cohesive message is portrayed to the collective of farmers.

In France, collective entities have been entitled to contract agri-environmental measures since 1992. The collective entity, represented by its leader (the mayor or the president of pastoral group), signs the contract. Since 2014, there has been no more obligation to redistribute the funds to farmers and most collective entities keep it entirely for the community. The money is used to employ a shepherd (in case of the localised AECM) or fund some collective equipment.

The SHP (AECMs) stocking rate are set by the regional authorities while the localised AECMs management plan are developed onsite by the GIP-CRGPE with the collective entities leaders, some farmers, the shepherds, the animator of natural protected areas (N2000, natural reserve, National Park). A key difference with NE, GIP-CRGPE is very active in approaching the collective entities' leaders to propose them to contracts AECMs (they never apply on their own initiative).

## Role of facilitators

All participants consider that facilitators need to be present throughout the whole contract process and need financial support. Besides contracting support, intermediaries may be involved already in supporting collective entities in their pastoral management.

In UK, the team is exploring the role of facilitators in collective contracting by interviewing CSFF and commons facilitators asking about the range of roles – facilitator, intermediary, adviser, and gatekeeper. It will be interesting to further investigate this issue in France to build comparisons. Natural England (NE) can be intermediary and adviser but does not always have resources nor the remit to be facilitator as well, which is a role more about managing relationships between the parties. CSFF Facilitators will never interfere in internal financial arrangements of farm businesses, which means that the responsibility remains with each individual farmer.

This is not the case in France, where intermediaries (*animateur pastoral*) are first of all facilitating the whole process of collective. They can deal with both internal (e.g. agreements between farmers) and external (e.g. management agreements) issues. They provide technical support but also the support for collective organisation to work in addition of having a role of mediation in case of conflicts. They

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<sup>4</sup> SSSIs are a form of protected nature designation in the UK which were first developed through the National Parks and Access to the Countryside Act 1949.



are also supporting the formalisation of new collectives (creation of pastoral groups or AFP). Finally, they help collective land managers in the implementation of AECMs through the development of the management plan, training, monitoring and the administrative tasks.

### What are the vital skills a facilitator needs to put together a dream contract?

- **Communication.** Whatever their background (ecology, surveying, consultancy, government and beyond) all facilitators need to recognise the social dynamics at play in a collective. They must be able to communicate effectively to address the different needs of group members, creating space for transparency and compromise whilst reducing space for dissatisfaction and tension which often results in a failed collective agreement.
- **Adaptability.** Facilitators need to have flexibility to cope with different situations and different levels of competency on the ground (e.g. farmers not understanding the language in forms etc). They need to be able to effectively identify and then adjust practices to assist with the barriers to a successful collective agreement.
- **Translation.** Facilitators also have a key role of ‘**translating**’ the contracts requirements to farmers. For example, in France, facilitators help with the stocking calendars that are not understood by the farmers who are expected to complete them. This ‘invisible’ role is of great value, it needs time so that the facilitator is able to bring people together to deliver a shared vision, to share experiences, and to celebrate success.
- **Support.** Facilitators can play a key role in ensuring that each member of a collective knows what their respective role is in delivering the AECM. They can also provide collective training and offer support and advice to ensure that delivery of the AECM remains on track.

## Key messages

### Key messages from France for UK

- 1- The communes have an important role in land management, communal ownership which is both administrative, management and agency (decision-making) and the role of the commune.
- 2- Communal shepherd - working for the community rather than an individual farmer – plays a key, unbiased, role in land management and land use.
- 3- The contract should be incremental to the environmental outputs due to collective management as this management already exists. More ES provision need to be provided while recognizing the existing collectives i.e. the existing parts of collective management in the contracts. *UK want to move to this position but they need to work on putting in place 1 & 2. In France, policies are moving away from this unfortunately.*

### Key messages from UK for France concerns the role of social connections in the contract –

1. **The value of informal relationships.** The localised structure of commons rights in the UK means that neighbouring farmers often have grazing rights on the same fell. Particularly where these hill farms have been in the same families for multiple generations, there is a strong social bond which exists and plays an important role in commoning in the UK.
  - In France pastoralists are organised in exclusively formalised structures. The social pressure has been lost somehow. In Belgium, farmers are not formally organised as well, they need to recognise the value of this, to then be able to replicate it.
  - In the UK, it is uncertain whether such a formalisation of collectives would work as commoners are linked through a social contract (cohesion). The relationships between commoners are often fragile, and the current types of contracts (with one representative signing to the AECM and a second legal document between

commoners) have a litigious dimension which can play a role in upsetting the local social balance.

2. **Intermediaries** take several roles that will vary across situations (given the institutional and policy context). To fully these roles, particularly essential in complex situations, intermediaries need time and money.
  - For example, CSFF is an example of the **facilitator's potential for providing innovative support**. The design of England's CS Facilitation Fund provides an opportunity for funding more innovative and experimental forms of collective AECMs.

**“Nothing about us, without us, is for us” (Naomi)**

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## APPENDICES

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### Annexe 1: List of participants

**Buffière Didier** (GIP-CRGPE), head of the GIP-CRGPE

**Cheyns, Emmanuelle** (CIRAD), sociologist

**Dumortier Myriam** (INBO), senior researcher

**Dutilly Céline** (CIRAD), socio-economist

**Dodsworth Jennifer** (University of Aberdeen), geographer

**Guede Simon** (CIRAD), PhD student in economics

**Hands Lucy** (Speak Easy), translator

**Lepage Annabelle** (Natural England) Project manager

**Oakley Naomi** (Natural England) Chief Scientist Director

**Sallent Anne** (GIP-CRGPE), pastoralist expert, in charge of AECMs in the Hautes Pyrenees

## Annexe 2 Planning

MONDAY			
9 am-11am	<b>Working session 1: Contexts’ presentation @ 3 dimensions</b> Agriculture activities dynamics & environmental challenges Objectives of AE contracts What forms take the “collective” in your case study?  <b>Case study presentation</b> : Pyrénées / UK / Belgium (10’ each) <b>Brainstorming</b> : which commonalities? (45’)  <b>Introduction to the field trips (15’) (Didier &amp; Anne)</b>	Hotel Val d’Aure	UK: Jennifer, Annabelle, Naomi  Belgium : Myriam  FR: Didier, Anne, Céline, Manue, Simon
11 am-4 pm	<b>Field trip 1 &amp; Pic nic</b>	Néouvielle	
4 - 6 pm	<b>Working session 2 : Challenges and solutions.</b> What type of challenges in terms of collective AE contracting ? What solutions envisaged in the dream contracts? Other types of intervention ?  <b>Case study presentation</b> : Pyrénées / UK / Belgium (10’ each) <b>Brainstorming</b> : which commonalities? (45’)	Hotel Val d’Aure	
7:30 pm	<b>Diner with the presence of local actors</b>		
TUESDAY			
10- 10:20 am	Introduction	City hall of Aulon	Same as Monday + CIL/PIL participants
10:20-	Progress status of the european project and <b>presentation of the results from the UK &amp; Belgium CIL/PIL</b>		
10:50 am -12:30 pm	Presentation of key results of the <b>Pyrenean case study</b> & validation of key messages		
12:30-2:30 pm	Festive lunch	Aulon	
2:30 -5 pm	Fieldtrip 2	Aulon’s summer pastoral lands	
7pm	Diner	Hotel Val d’Aure	UK/BE/Pyr teams
WEDNESDAY			
9 -12 am	Working session 3 : free brainstorming Pyr/UK/BE  Debrief: Key messages from the CIL/PIL cross meeting	Hotel Val d’Aure	Jennifer, Annabelle, Naomi, Myriam, Didier, Anne, Céline, Simon
12:30 lunch & departure to Tarbes or Pau			





# Pastoralism in the commune of AULON

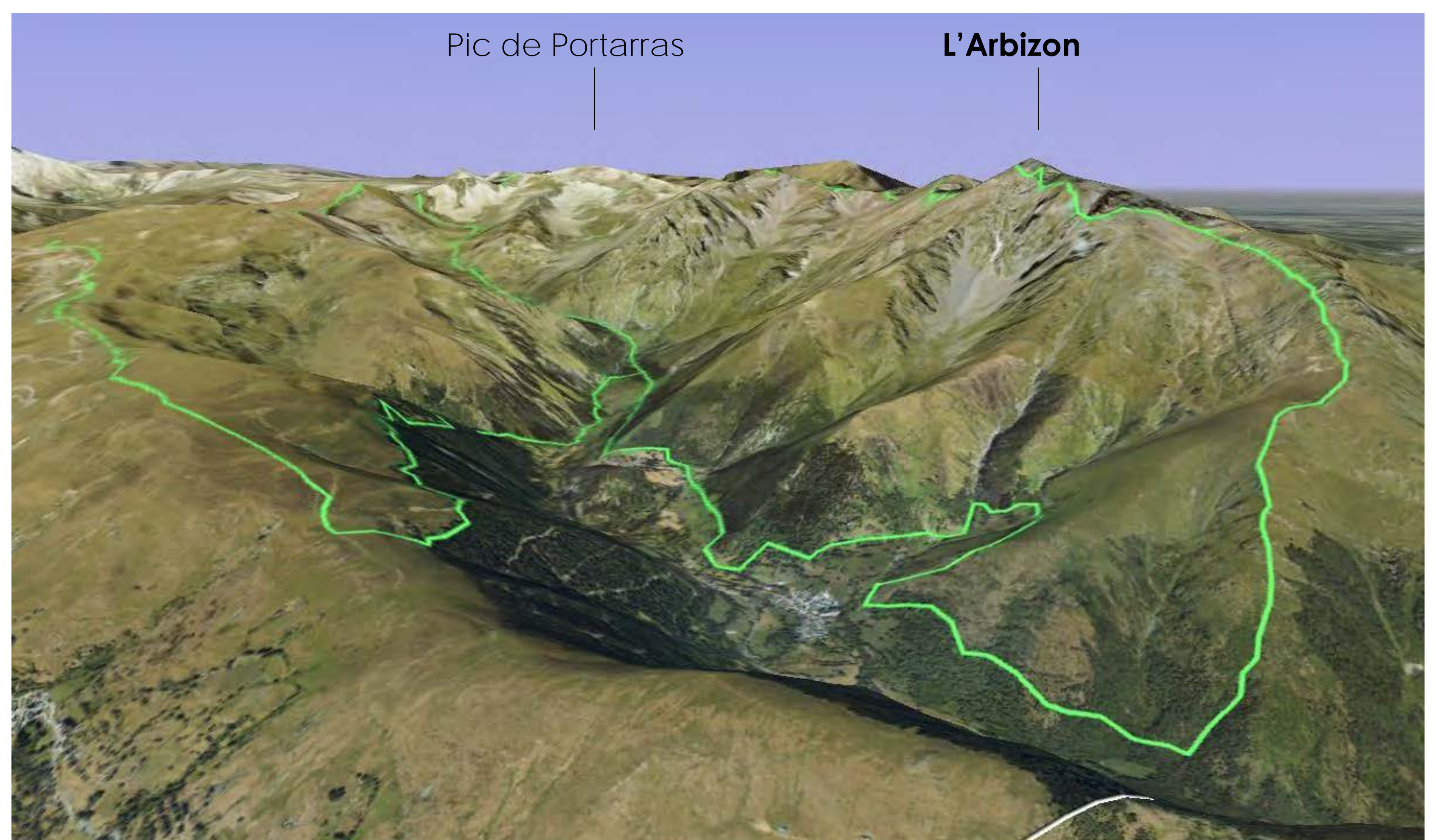
## The pastoral domain

The pastoral area of the commune of Aulon represents more than 2,400 ha (nearly 85% of the municipal territory). It is divided into two distinct Pastoral Units:

Pastoral Unit 155: "Arbizon – Portarras"

Pastoral Unit 156: "Rabat – Auloueilh"

It is a very large area whose altitudes vary from 1,300 m above sea level to more than 2,500 m. It is dominated, to the north, by the Pic de l'Arbizon (2,831 m).



## Frequentation of summer pastures :

In 2018, 26 breeders brought their herds to Aulon. The majority of these breeders are outside the municipality.

From June to October, the animals in the summer represent:

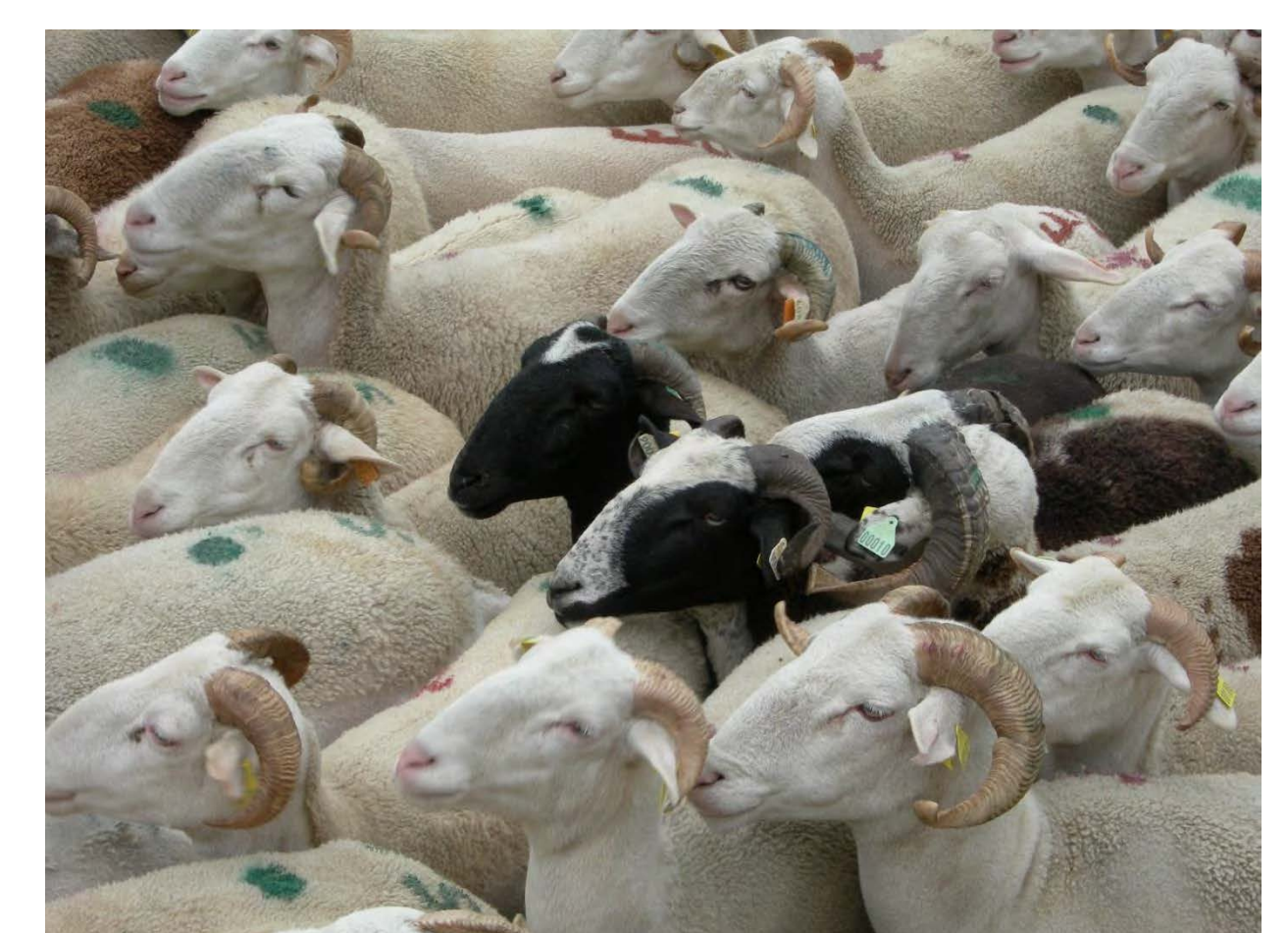
343 cattle, 3 971 sheep (exculding lambs) et 62 goats.

The main production is turned towards the "Meat" system with cattle of the Blonde d'Aquitaine or Limousine or Gasconne and Tarasconnaise or Auroise breed for sheep. However, a farmer in Aulon produces cheese from his dairy sheep.

Currently, the summer pastures of Aulon are well frequented by herds.



The transhumant of Aulon



Highlights for the Aulon summers:

The Summer Fair



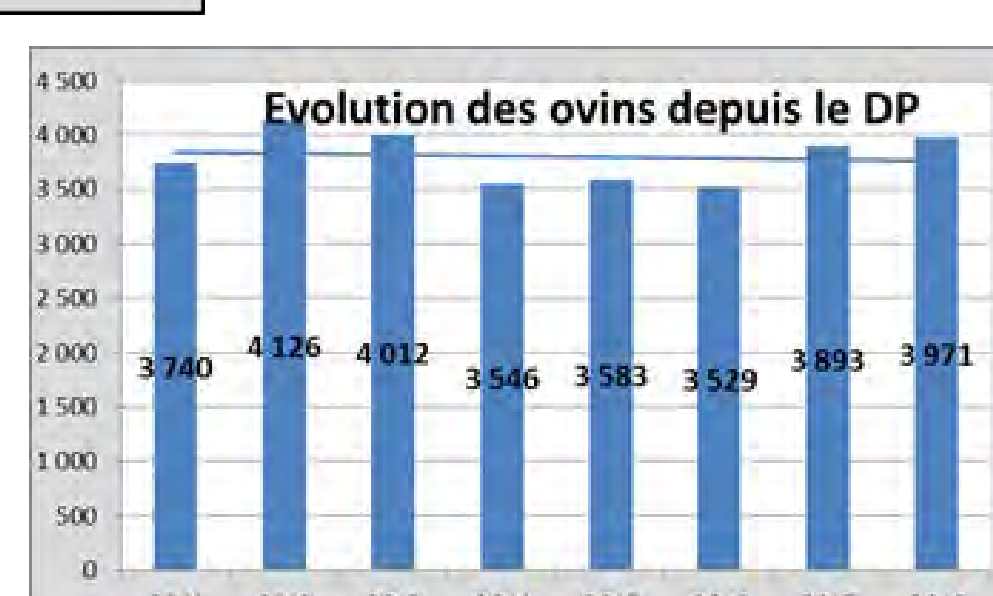
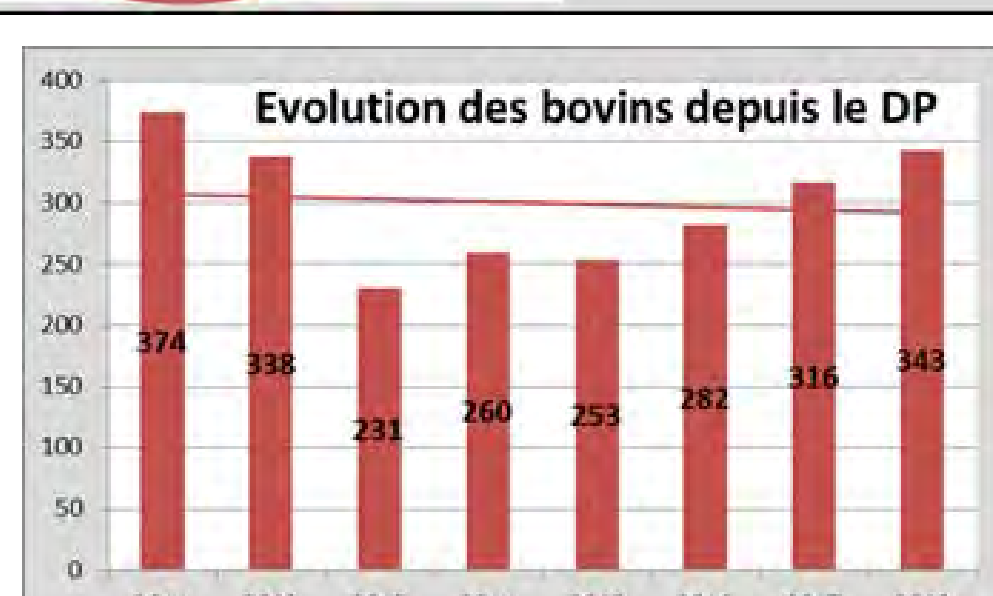
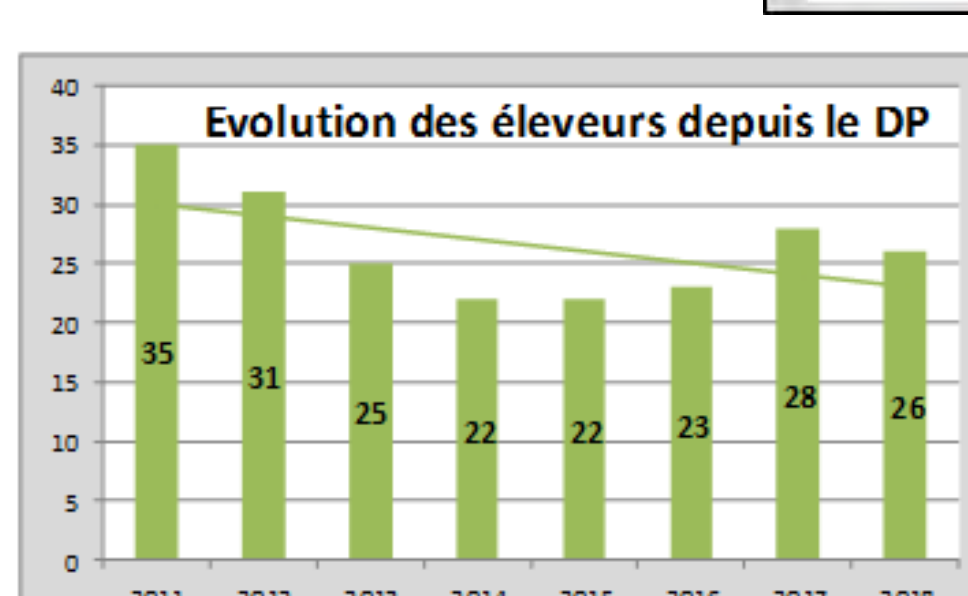
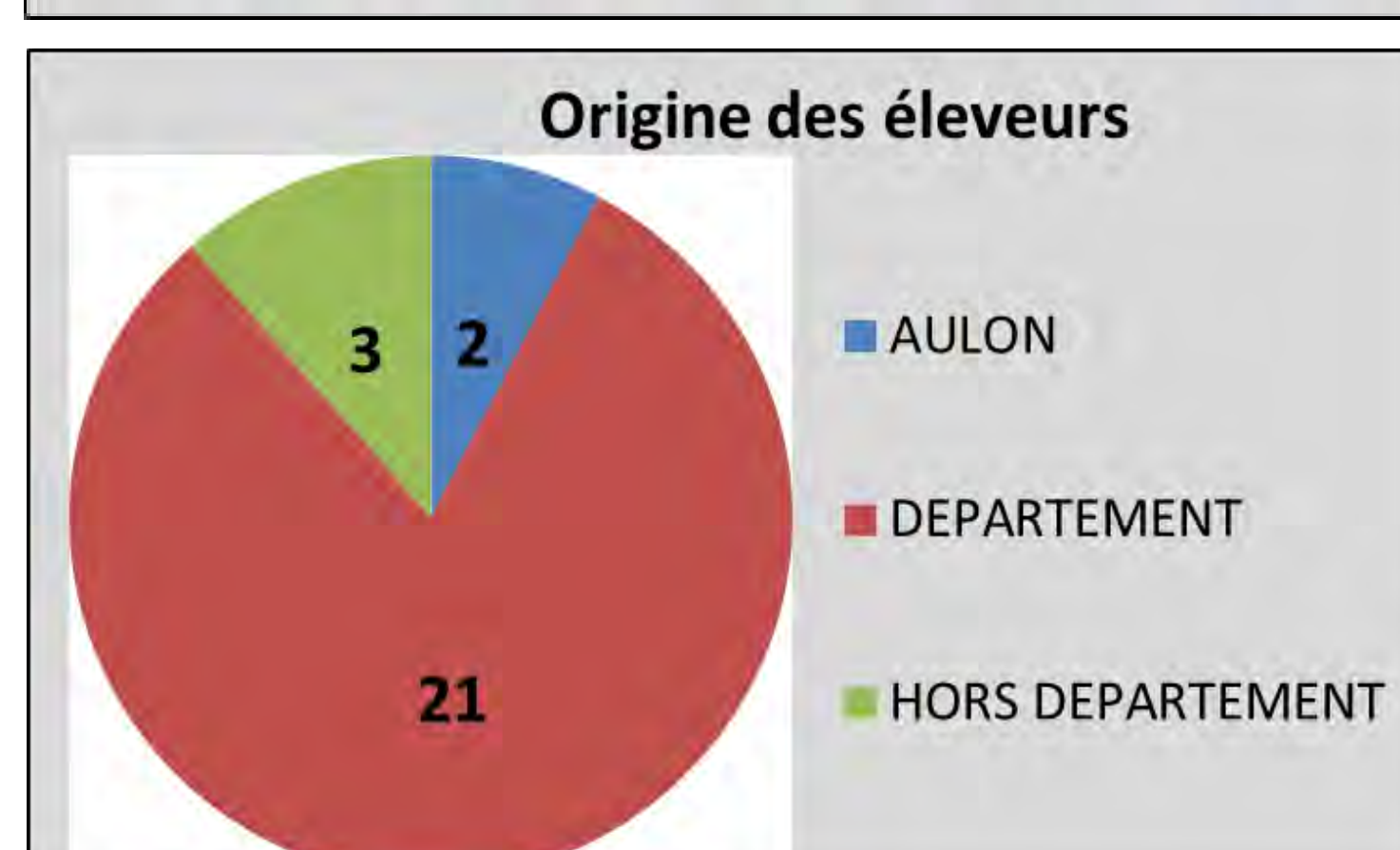
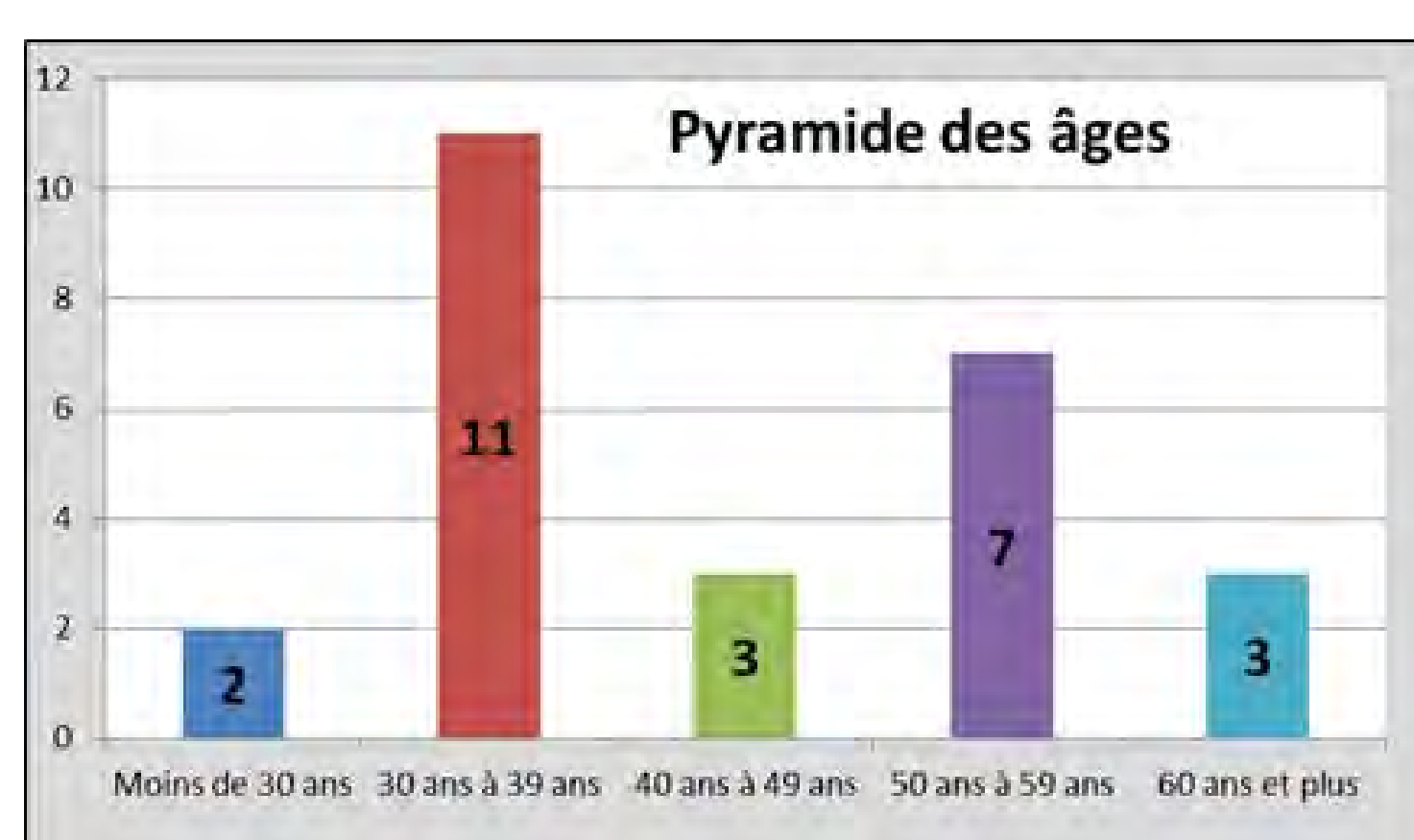
Sheep of the Tarasconnaise breed in Arbizon



Cap de Testé cabin



Gascon cows



## The management of summer grazing:

Guarding: the municipality hires three shepherds and a cowherd to ensure the guarding of the herds. It provides them with three cabins: Espigous, Cap dé Testé and Auloueilh.

Pastoral improvement works: to improve the working conditions of pastoralists, the municipality invests in pastoral equipment (access track, sorting park, fences, brush clearing, hut ...) and implements innovative equipment such as a hydroelectric pico-power plant to power the Cap De Testé cabin.

The Pastoral Diagnosis: in order to draw up an objective inventory of its summer territory and to develop concrete proposals with management recommendations, the municipality of Aulon commissioned the GIP-CRPGE a Pastoral Diagnosis of its summer pastures in 2011.



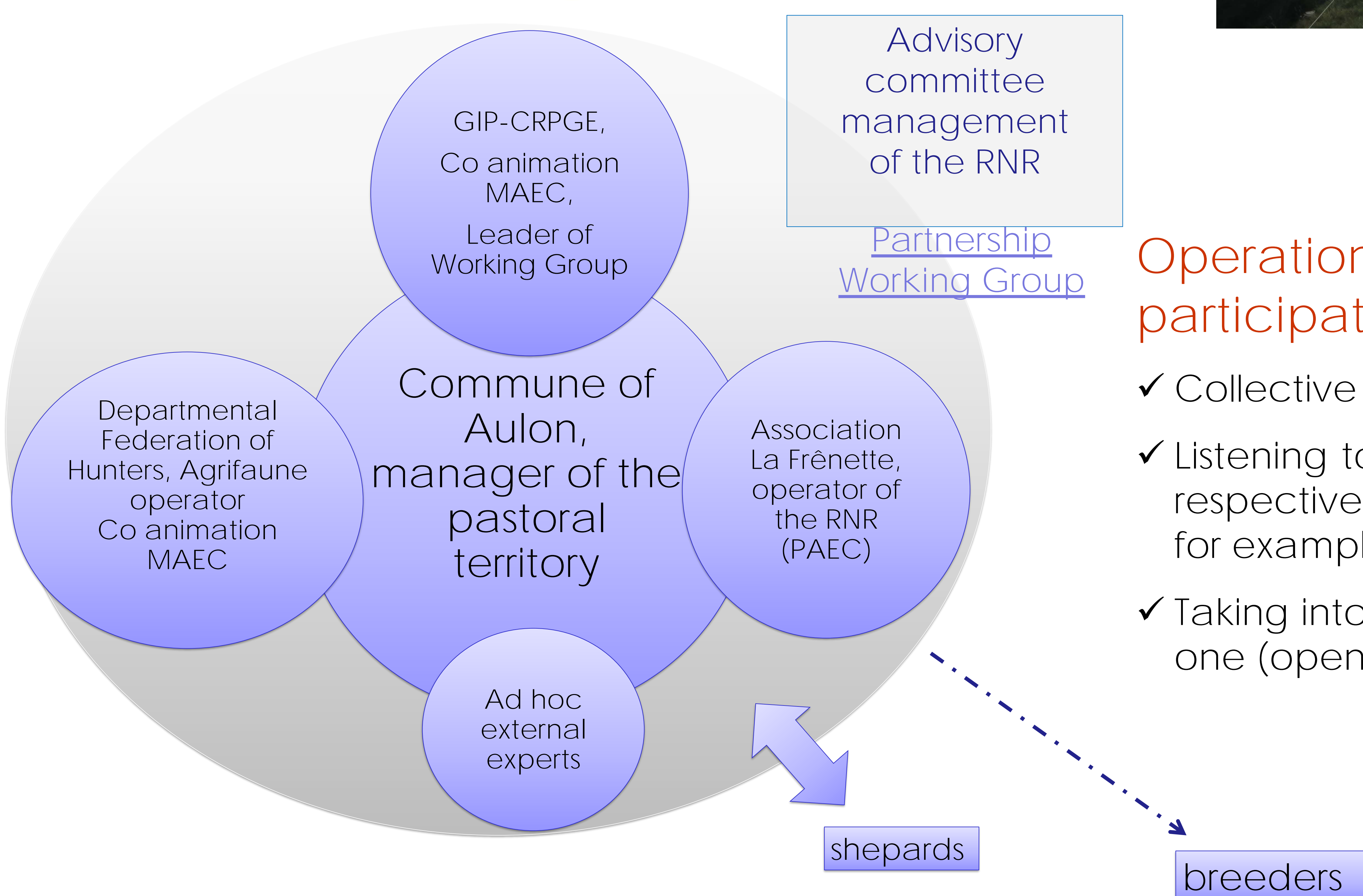


# MAE of AULON: a very favorable and unprecedented context

## Pasture management motivated by environmental issues:

An appropriation of environmental and pastoral issues (implementation of the Pastoral Diagnosis)

- ✓ Respectful of contractual obligations
- ✓ A real investment in the project and a desire to deepen these issues that interface pastoralism/environment
- ✓ A long-term vision: preserving the climate
- ✓ Responsiveness to expressed needs (sorting fleet on the MAE for example)



## Operational partnership and participatory governance :

- ✓ Collective and shared reflection
- ✓ Listening to each other, getting out of our respective cultures (notion of "biodiversity" for example)
- ✓ Taking into account the problems of each one (openness, no dogmatism ...)



## Negotiated and experienced actions :

New framework: extension of habitat to species issues (impossible in Natura Site 2000) → Flexibility in the choice of objects

A regulatory anchor	A space for discussion and experimentation
Response call for projects (PAEC)	Creation of a decision-making system
Formatted specifications	Valuing work already led by shepherds
"Administrative" management plan Commitment and results	Ambitious experiments rooted in complexity (environment, multi-stakeholder collective organisation)
Control device	Cultural references, work habits Technical Solutions to find together

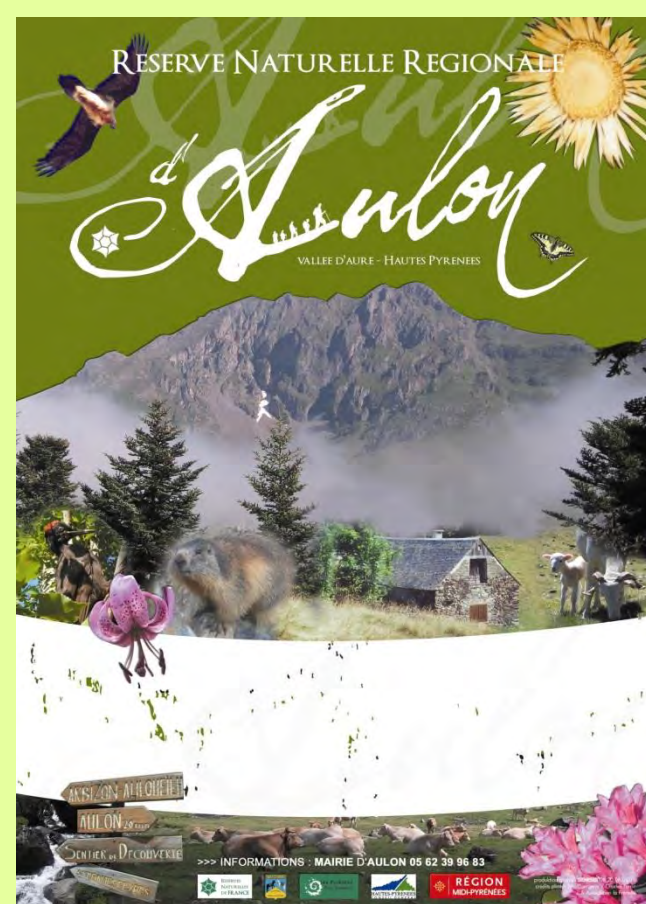
- ✓ Prioritisation of issues at stake for more in-depth work
- ✓ Work in stages, with successive validations for better appropriation by the actors concerned
- ✓ Possibility to go back and forth
- ✓ Need for significant animation time in this co-construction process



# Reconciliation of pastoral activity and galliform stakes

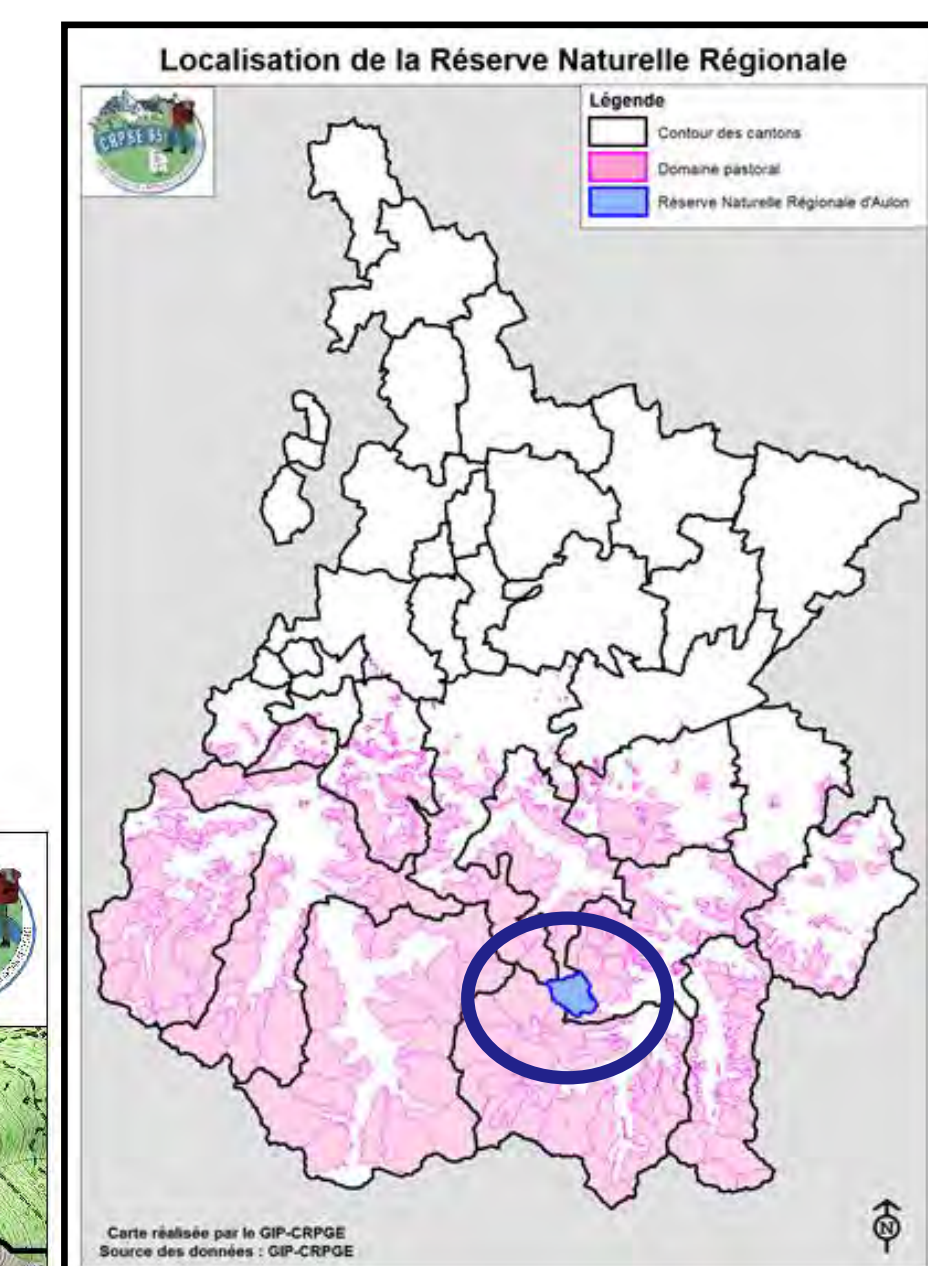
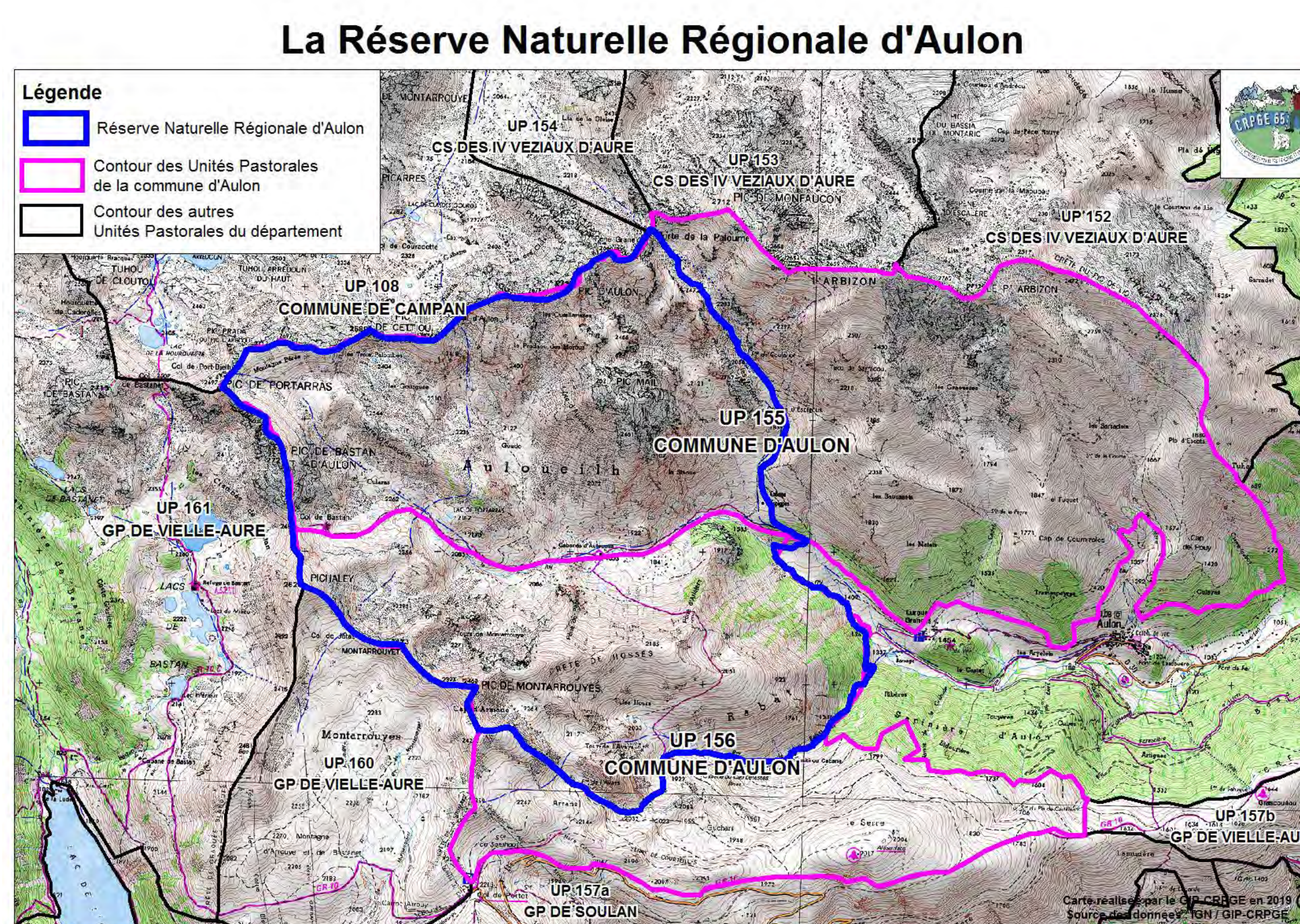
## Environmental zoning on the Aulon pastures

- ✓ Accession Zone of the Pyrenees National Park
- ✓ 50% of the pastoral territory in the Aulon Regional Nature Reserve
- ✓ ZNIEFF 1 and ZNIEFF 2
- ✓ Off-site Natura 2000



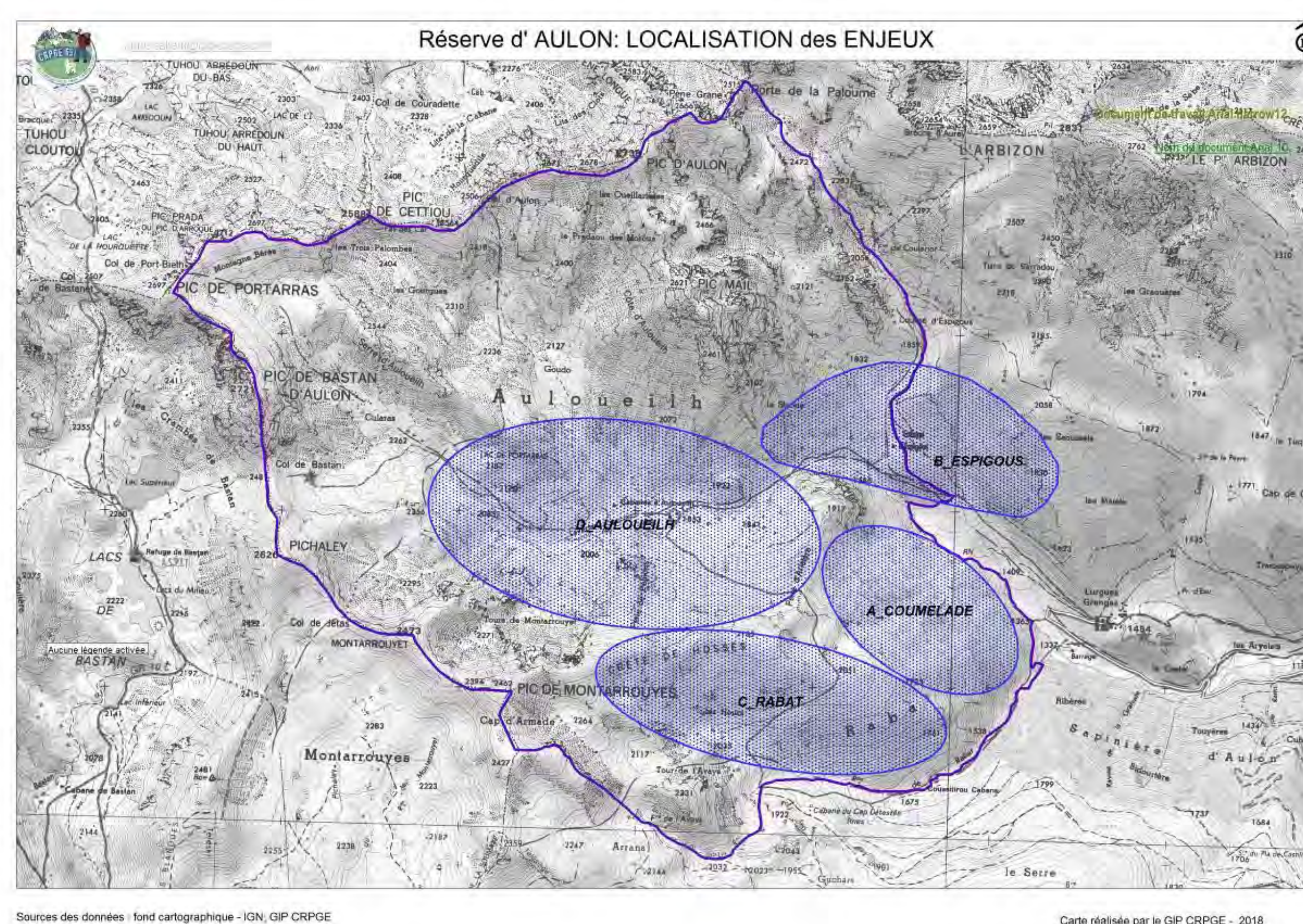
The Regional Nature Reserve of Aulon

In the heart of the pastoral zone of Aulon, the RNR was classified in 2011 and is managed by the association "La Frênette". This reserve covers 1,237 hectares.



## Joint work to identify agri-environmental issues:

- ✓ Animation of the GIP-CRPGE, meeting with the pasture manager
- ✓ A shared desire to work together, setting up a working group: pasture manager, the Aulon Regional Nature Reserve, the Departmental Federation of Hunters of 65 and GIP-CRPGE
- ✓ Sharing knowledge, criss-crossing view points and culture
- ✓ Definition and localisation of agri-environmental issues
- ✓ Commitment of the manager by signing of an MAE
- ✓ Drawing up of a management plan, field animation and consultation meetings
- ✓ Validation phase with the shepherds



## La MAE sur Aulon

- ✓ Fin 2017 : Ecriture et dépôt du PAEC (janvier 2018)
- ✓ 2018 : Elaboration collégiale du projet
- ✓ Mai 2019 : Signature d'un contrat MAEC (Mesure Agro-Environnementale Climatique) pour 5 ans. Surface : 450 ha / montant : 75,44 €/ha

✓ Objectives: Differentiated use of neighborhoods in connection with mountain galliformes (mainly grey partridge, capercaillie and ptarmigan).

✓ Commitments: "Herbe\_09" = writing and compliance with a management plan, compliance with a load, permanent guarding, recording of practices, obligation of result

✓ Implementation 2019:

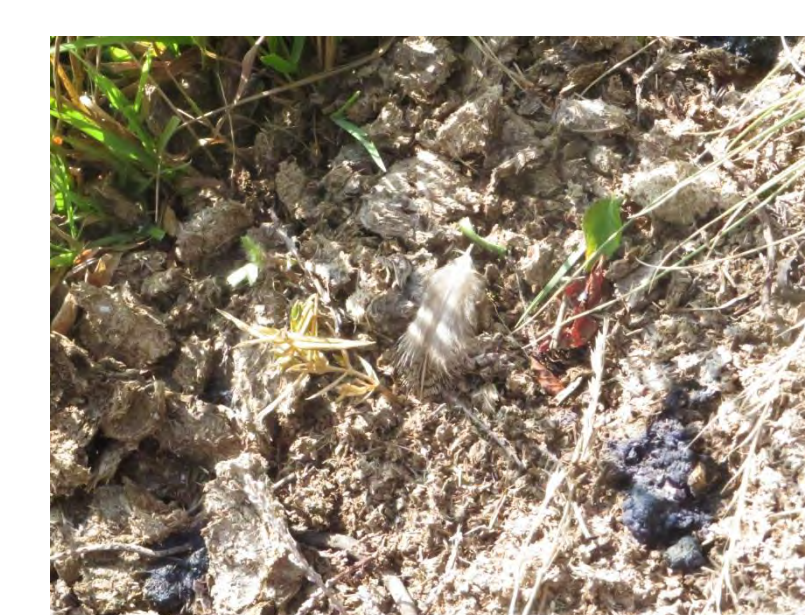
- Arrival of a new herd
- Posting of a dedicated employed guard
- Reflection with the shepherds of the possibilities of modifying the circuits
- Implementation of dedicated equipment: care park, installation of a grazing park on fern moors to manage this species)



View of the Aulonouilh from the Arbizon



Counting to the stop dog organized by FDC 65. GIP-CRPGE and RNR d'Aulon collaboration



Indications of the presence of partridges in the summer



Partridge flight whilst counting





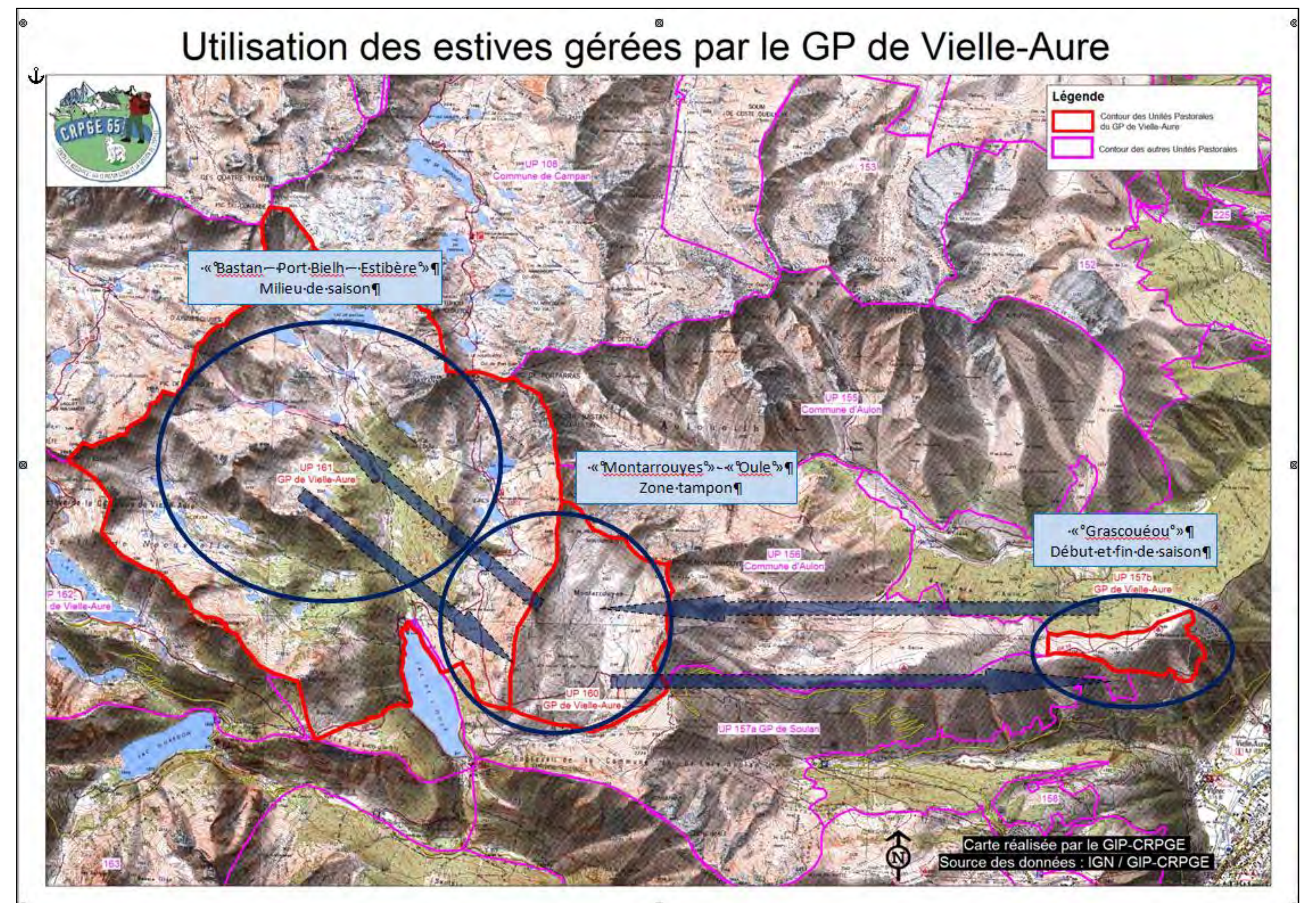
# Pastoralism on the PG of Vielle-Aure

## The pastoral domain:

The pastoral domain of the Pastoral Group of Vielle-Aure represents more than 2,600 ha. It is divided into three distinct Pastoral Units:

- Pastoral Unit 157b: "Grascouéou"
- Pastoral Unit 160: "Montarrouyes"
- Pastoral Unit 161: "Bastan – Port Bieilh"

It is a very large area whose altitudes vary from 1,400 m above sea level (Grascouéou off-season sector) to more than 2,700 m. It is dominated by the Pic du Bastan (2,721 m).



## Frequentation of the summer pastures:

In 2019, 7 breeders brought their herds to this territory, the majority of these breeders being from the commune of Vielle-Aure.

From May to November, the transhumant herd on the groupement pastures amounts to:

322 cattle and 191 sheep (excluding lambs).

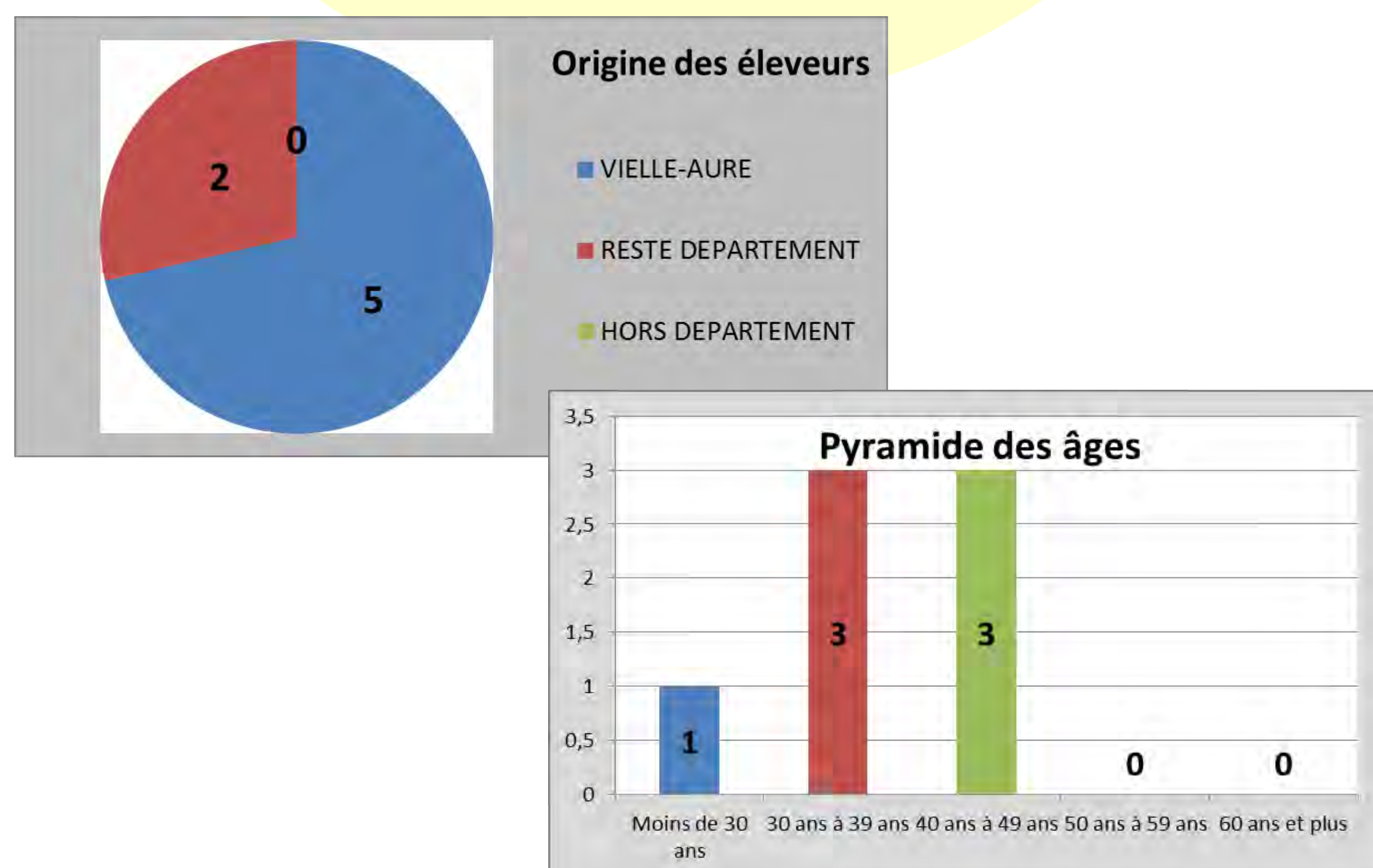
The main production is turned towards the "Meat" system the Blonde d'Aquitaine cattle, Bazadaise or Charolaise and Tarasconnaise breeds for sheep.



PTypical landscape of the Néouvielle



Sheep in Estibère



Inauguration of the Estibère shelter

## The management of summer pastures :

Guarding: the Pastoral Group hires a cowherd to guard the herds.

Pastoral improvement works: to improve the working conditions of pastoralists, the GP invests in pastoral equipment (access track, sorting park, pastoral fence, brush clearing, water point, shelter ...).

Pastoral diagnosis: as part of the implementation of the Natura 2000 site "Néouvielle" which encompasses a large majority of the UP 161 "Bastan – Port Bieilh", a Pastoral Diagnosis was conducted in 2004 by the CRPGE.





# The MAE of Estibère: continuation of the work undertaken

## Pasture manager accustomed to contracting and applicant:

An appropriation of environmental and pastoral stakes

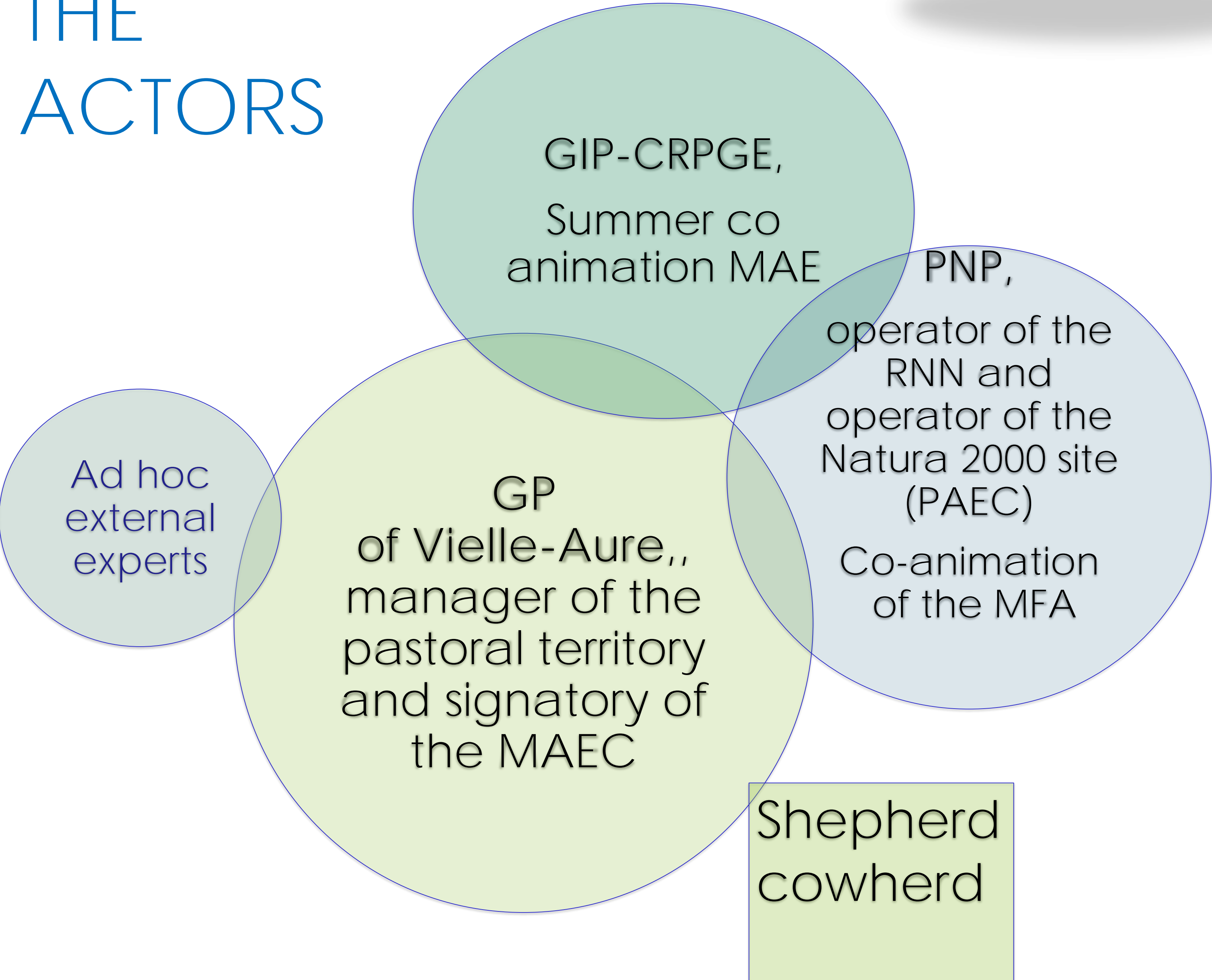
✓ A history of contracting:

- CAD in 2005
- MAEt 2011-2015
- MAEC 2017-2021
- MAEC SHP 2016-2020



Signature en 2005 d'un CAD et prix FARRE

## THE ACTORS



## Work habits between the GIP-CRPGE, the summer manager and the PNP:

- Established in the meetings relating to the Natura 2000 site but also during the participation in the working meetings dedicated to the re-writing of the management plan of the reserve (every 7 years).
- Increasingly reduced intervention times in the field for certain institutional actors.
- But with the MAE, a possibility to delve into the interface pastoralism – environment with dedicated time: an agent of the National Park present and observer of the effects of the MFA on the environment with the implementation of monitoring the vegetation.

### A regulatory framework:

Response call for projects  
➤ CEAP (filed in January 2017)  
Specifications of the AAP formatted with targeted issues on habitats of Community interest within the Natura 2000 site  
Exclusion of species logics

"Administrative" management plan  
Commitment: loading expressed in full-time (UGB)

Control device  
(administrative during the appraisal or annual, in the field by the ASP)

### An old collaboration and recent experiments:

- PNP, opérateur du site Natura 2000
- GIP-CRPGE, rédacteur habituel des PAEC et partenaire sur les questions pastoralisme / environnement

- Management plan discussed in the field and/or in a meeting between stakeholders and annual agreement on actions to be taken beyond the management plan submitted (grazing parks, fences, defences,...)

- Assessment at the end of the summer with the actors
- Monitoring of the PNP on the two grazing parks and GIP-CRPGE collaboration on the pastoralism/environment interface

- OBJECTIVE: collect references and adjust practices if necessary!

Validations by the GP of Vielle Aure



Vegetation survey



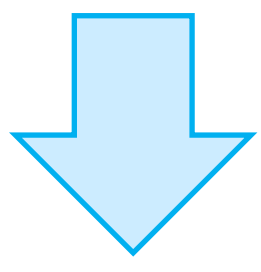


# La MAE d'Estibère

## Environmental zoning on the Néouvielle

National Nature Reserve.

- ✓ Membership Area of the Pyrenees National Park
- ✓ Natura 2000 site "Néouvielle"
- ✓ Classified site "Oule-Pichaleye" and "Estibère"
- ✓ Numerous ZNIEFF type I and II



Natura 2000 site "Néouvielle": 6,156 ha.

DOCOB (Objective Document) validated in 2002; habitats of community interest and priority mainly pastoral:

- 4030 - European dry heathland
- 4060 - Alpine and boreal moors
- 6140 - Siliceous Pyrenean lawns in *Festuca eskia*
- 6230 - Grassy formations in *Nardus*, rich in species, on siliceous substrates of mountain areas
- 9430 Mountain and subalpine forests at *Pinus uncinata*

Peatlands and low marshes (7110/7140/7230)

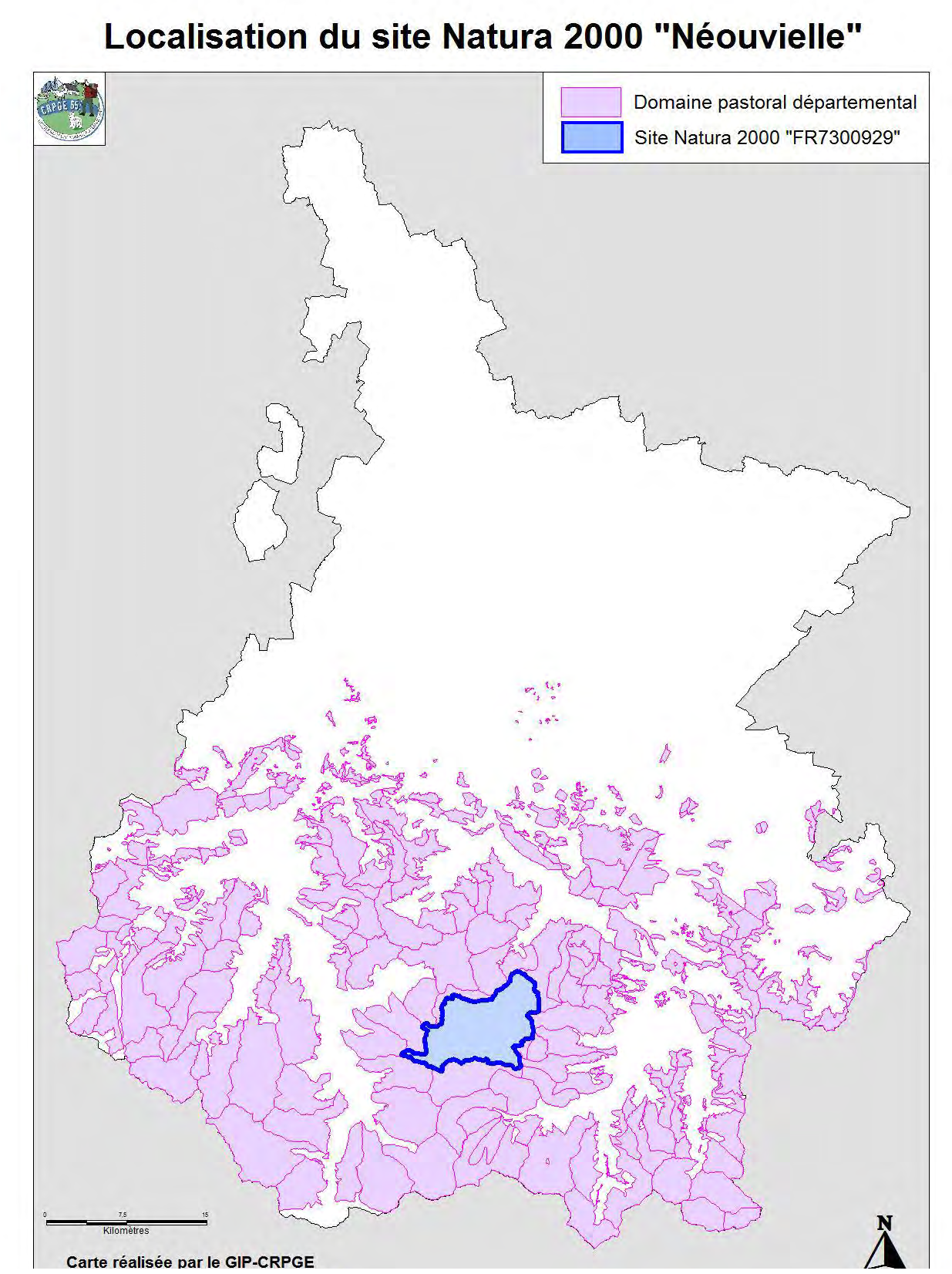
- A habitat preservation objective.
- An action plan to support pastoral practice.

## An area that is particular and difficult to decipher:

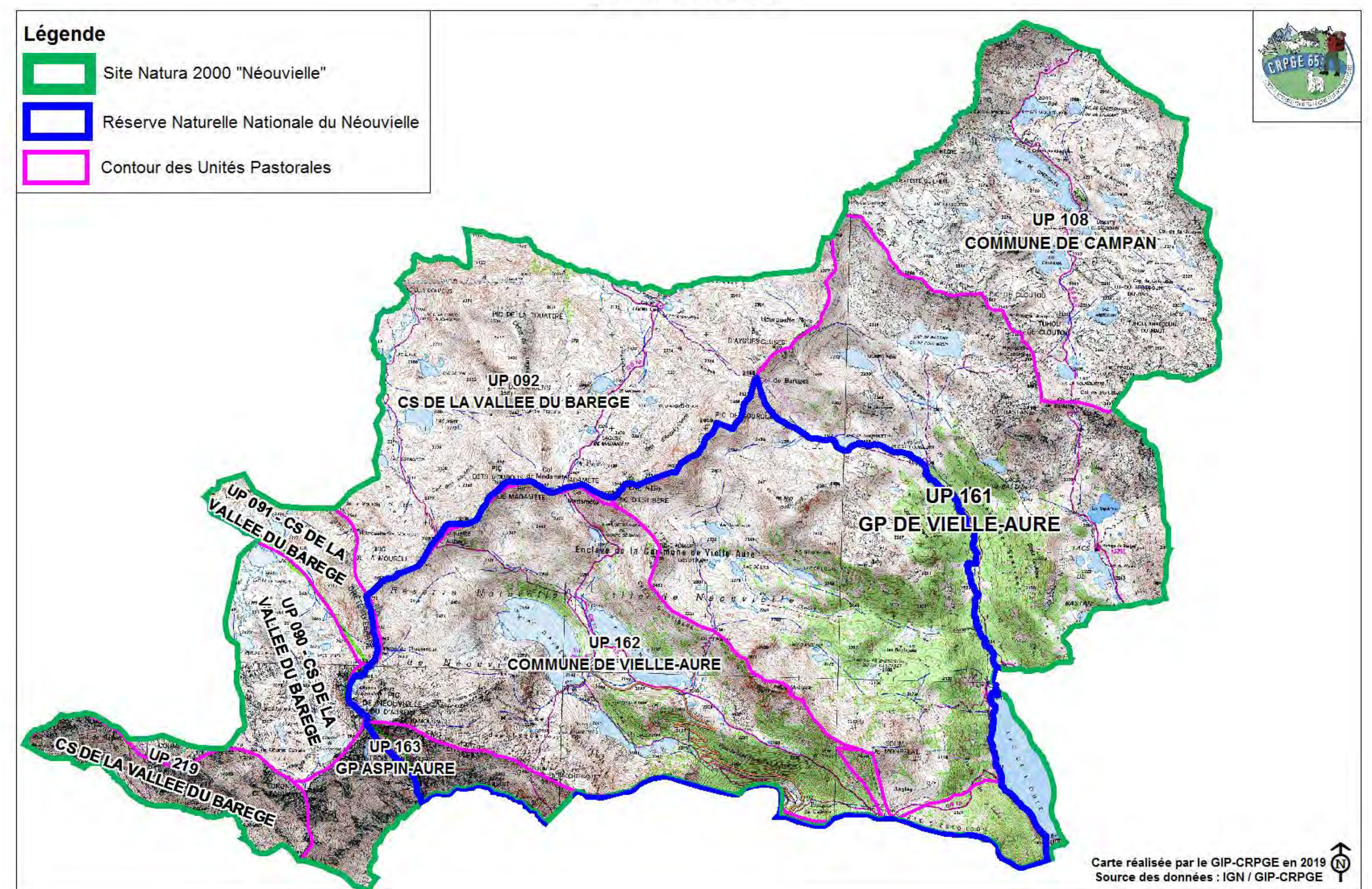
- Singular climatic conditions
- Granite mother rock
- Multitude of lakes and torrent
- Rich but complex environments that are difficult to understand: mosaic between open (lawns), semi-open (rhododendron alpine moors) and closed environments and the presence of many interlocking wetlands



The valley of Estibère



## Néouvielle



## MAEC: an operational management tool and ...

2011: signature of a MAEt contract (Territorialised Agri-Environmental Measure) for 5 years.

2017: continuation of the work by signing a MAEC (Agri-Environmental Climate Measure) for 5 years.

- ✓ Objectives: to organise grazing circuits more adapted to manage the fodder resource in connection with habitats of community interest.
- ✓ Commitments of the MAEC (type of operation = Herbe 09): production of a management plan, respect for a load, human presence, recording of practices, obligation of result.

## ... experimental:

- Installation of mobile fences to confine cattle to contracted quarters (included in the management plan).
- Park experiments to manage certain sectors.
- Implementation of the actions by the shepherd-cowherd of the GP of Vielle-Aure.
- Wetland defence (sphagnum mounds)

- CONTRACT : committed area 322 ha / amount: € 75.44 / ha.