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Scottish Land Rights and Responsibilities Statement 2022

Scottish Government
Riaghaltas na h4Lba
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Ministerial Foreword

Scotland's land is one of our most valuable assets. It is a vital component of our economy, our environment, and our national identity. Our Land Rights and Responsibilities Statement ("the Statement") articulates our vision for the ownership, use and management of land, setting out how we see the balance between the rights of landowners, managers, local communities and society at large.

The Statement, which exists by virtue of the Land Reform (Scotland) Act 2016, together with the related Protocols and Good Practice Programme led by the Scottish Land Commission, has delivered culture change. It has helped, in many cases, to normalise proactive engagement with communities. It has also created the conditions for increasing numbers of land transfers and sales between landowners and community groups being taken forward through negotiation and not formally through land reform legislation.

This refreshed version of the Statement reflects the times in which we now live, with the aftermath of a pandemic and a deeply challenging cost crisis — and that while the climate and nature emergencies continue apace. Amid these multiple challenges we must do all we can to ensure that our land supports a sustainable future for the benefit of all the people of Scotland.

The Statement is rooted in a human rights based approach to land rights. It was the first statement of its kind in the world. It underpins the Scottish Government's approach to progressive and innovative land reform. We continue to progress 'and reform, as evidenced by this refreshed Statement, and the consultation that has taken place this summer on proposals for the next land reform Bill.

While we are proposing to introduce measures that will put compliance with the Statement on a statutory footing for owners of large-scale landholdings, the Statement will continue to play a vital role as a voluntary code for all landowners whatever the scale of their landholding.

Màiri McAllan
Minister for Environment and Land Reform

2022 Land Rights and Responsibilities Statement

Vision

A Scotland with a strong and dynamic relationship between its land and people, where all land contributes to a modern, sustainable and successful country, supports a just transition to net zero, and where rights and responsibilities in relation to land and its natural capital are fully recognised and fulfilled.

Principles

1. The overall framework of land rights, responsibilities and public policies should promote, fulfil and respect relevant human rights in relation to land, contribute to public interest and wellbeing, and balance public and private interests. The framework should support sustainable economic development, protect and enhance the environment, support a just transition to net zero, help achieve social justice and build a fairer society for the common good.

2. There should be a more diverse pattern of land ownership and tenure, with more opportunities for citizens to own, lease and have access to land.

3. More local communities should have the opportunity to own, lease or use buildings and land which can contribute to their community's wellbeing and future development.

4. The holders of land rights should exercise these rights in ways that take account of their responsibilities to meet high standards of land ownership, management and use. Acting as the stewards of Scotland's land resource for future generations they should contribute to wider public benefit, sustainable growth and a modern, successful country.

5. Land ownership, management and use should deliver a wide range of social, environmental, economic and cultural benefits.

6. There should be transparency about the ownership, use and management of land, and this information should be publicly available, clear and contain relevant detail.

7. There should be meaningful collaboration and community engagement in decisions about land.

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