# Aquaculture Law and Policy

Global, Regional and National Perspectives

Edited by

### Nigel Bankes

Faculty of Law, University of Calgary, Canada and K.G. Jebsen Centre for the Law of the Sea, University of Tromsø, The Arctic University of Norway, Norway

#### Irene Dahl

K.G. Jebsen Centre for the Law of the Sea, University of Tromsø, The Arctic University of Norway, Norway

## David L VanderZwaag

Marine & Environmental Law Institute, Schulich School of Law, Dalhousie University, Canada

NEW HORIZONS IN ENVIRONMENTAL AND ENERGY LAW

K.G. JEBSEN CENTRE
FOR THE LAW OF THE SEA





Cheltenham, UK • Northampton, MA, USA



#### © The Editors and Contributors Severally 2016

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical or photocopying, recording, or otherwise without the prior permission of the publisher.

Published by Edward Elgar Publishing Limited The Lypiatts 15 Lansdown Road Cheltenham Glos GL50 2JA UK

Edward Elgar Publishing, Inc. William Pratt House 9 Dewey Court Northampton Massachusetts 01060 USA

A catalogue record for this book is available from the British Library

Library of Congress Control Number: 2016942171

This book is available electronically in the **Elgar**online Law subject collection DOI 10.4337/9781784718114



ISBN 978 1 78471 810 7 (cased) ISBN 978 1 78471 811 4 (eBook)

Typeset by Servis Filmsetting Ltd, Stockport, Cheshire Printed and bound in Great Britain by TJ International Ltd, Padstow

#### SARCHI CHAIR LAW

# Contents

List of figures	vii viii
List of tables List of contributors Acknowledgements	ix xi
1 Introduction: navigating multilevel governance in aquaculture Nigel Bankes, Irene Dahl and David L VanderZwaag	1
PART I GLOBAL PERSPECTIVES	
2 The international law and policy seascape for aquaculture: navigating tangled currents  David L Vander Zwaag	11
3 Aquaculture and trade: trade law and trade-related multilateral environmental agreements Elizabeth Whitsitt and Nigel Bankes	33
4 The rising tide of access and benefit sharing in aquaculture Fran Humphries	63
PART II REGIONAL PERSPECTIVES	
5 Regional approaches to aquaculture and a case study of the North Atlantic Salmon Conservation Organization Irene Dahl	103
6 European Union aquaculture law and policy: prescriptive, diffuse and requiring further reform Ronán Long	130
PART III NATIONAL PERSPECTIVES	
7 Australian aquaculture Marcus Haward	16

8	Aquaculture governance in Canada: a patchwork of approaches  Meinhard Doelle and Phillip Saunders	183
9	Three pillars for sustainable marine aquaculture: the evolving regulatory framework in Chile  Jessica Fuentes Olmos and Cecilia Engler	213
10	National aquaculture law and policy: China Hui Liu	238
11	Iceland: aspects of the legal environment relating to aquaculture  Aðalheiður Jóhannsdóttir	266
12	Sustainable aquaculture in India: looking back to think ahead <i>Tony George Puthucherril</i>	289
13	Aquaculture law and policy in New Zealand Karen N Scott	313
14	Aquaculture law and administration in Norway  Ingunn Elise Myklebust	336
15	The regulatory regime for aquaculture in the Philippines Jay L Batongbacal	360
16	Marine aquaculture in South Africa: the policy and legal framework  Jan Glazewski	386
17	Aquaculture and the law: United Kingdom and Scotland  Anne-Michelle Slater	412
18	Aquaculture in the United States Ann Powers and Patrick Carroll	432
19	Conclusion: a summary of common themes Nigel Bankes, Irene Dahl and David L VanderZwaag	462
Inde	Index	