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Access and ownership to bioresources on land and in the sea

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- **Novel uses – unclear rights**

- e.g. seaweed for food, fuel, plastics, etc
- Species where no (modern) tradition of use exists and hence no clear understanding reg. access
- Unclear can be lack of knowledge

- **Increased utilization – challenging establ. balance**

- e.g. commercial use of public access to private land
- Novel species/uses = more pressure
- More emphasis on nature a resource

➤ Are established models up to the task?





- **Public access to private land**

- Strong but not defined in law in Finland and Sweden,
 - » Local variation, based in tradition, thus adaptable but potentially also vague
 - Defined in law in Norway (friluftsløven)
 - Slightly more limited in Iceland
 - hardly existing in Denmark
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- Is it problematic from a bioeconomy perspective that the rules differ in the Nordic region?
 - Is the balance btw public and private optimal?



Problems of unclear or contested rights

- Unclear contested/ownership as barrier to formation of markets
 - The resource gets underutilized, value not realized
- Even if not contested ownership, lack of established market and transaction costs can result in underutilization if owner lacks interest/knowledge
 - Should it be a landowner's exclusive prerogative to decide if s/he want to utilise a natural resource?
 - Cf mineral legislation
- Unclear ownership as conservation challenge (tragedy of the commons)
 - No one feels responsible or has incentive for preservation



- **Novel species**

- Invasive species (e.g. crayfish, crabs, oyster), can be commercially interesting but also a threat to local biodiversity
 - » Conflict between exploitation and preservation, sometimes btw perceived local and national/EU interest





Genetic resources

- Historically, resources that represent a clear economic value have not been covered by public access (but sometimes by commons). Could that be the future for genetic resources?
- Should genetic resources be linked to land?
- Would it be appropriate, desirable?
 - Cf Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization





Questions for discussion

- Has the bio-economy made public access to private land and certain resources on that land (“allemannsrätt”) problematic by making new resources valuable to the landowner and/or other commercial actors?
- Should a landowner have a right to genetic resources derived from organisms found on the property?



Thank you!

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