THE PARTIES TO THE TREATY
Per 1 October 2010 the following countries are registered as parties to the Svalbard Treaty:
Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, China, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Great Britain, Germany, Greece, Holland, Hungary, Iceland, India, Italy, Japan, Monaco, New Zealand, Norway, Poland, Portugal, Romania, Russia, Saudi Arabia, Spain, Switzerland, Sweden, South Africa, The Dominican Republic, USA and Venezuela.

SVALBARD
consists of all the islands situated between 74° and 81° north and 10° and 35° east, plus the territorial waters within a limit of 12 nautical miles.
Land territory: 63,000 km² or about 1/5 of the Norwegian mainland territory. More than half of the archipelago is protected in the form of national parks, nature reserves, and plant and animal reserves.
The Governor of Svalbard
is the Government’s highest representative in the archipelago. The main duty of the Governor is to uphold Norwegian sovereignty and attend to the State’s interests on Svalbard. The Governor shall also ensure compliance with the Svalbard Treaty.
BACKGROUND – HISTORY

Since the 1600s people from several nations have carried out various activities in Svalbard, such as hunting and fishing, research, mining and tourism. For many years these activities took place without the region belonging to any particular state – Svalbard was a kind of international common ground, which meant there were no laws or regulations, and there were no courts to settle disputes. This functioned well as long as the activities consisted of fishing, hunting and research. The territory was extensive and the conflicts few.

In the early 1900s it was mainly the mining activities that created the need for changes. It became important to own the sole rights to land areas and mineral deposits. This gave rise to demands for legislation and courts to settle disputes, for instance between mining companies and workers.

Several attempts at finding a solution were made, but it was not until the Versailles negotiations after the World War I that an agreement was reached called The Svalbard Treaty, which was signed on 9 February 1920.

THE BASIC PRINCIPLES

The Svalbard Treaty recognises Norway’s full and absolute sovereignty over Svalbard, on the terms set forth in the Treaty. Limitations are not placed on sovereignty as such, but on how Norwegian authority may be exercised in certain specifically defined areas. Norway thus has an exclusive right to exercise authority in these areas as well, but must ensure that the terms are respected by way of legislation and administration.

Non-discrimination

Svalbard is part of the Kingdom of Norway. All activities are governed by legislation enacted by Norwegian authorities. However, under the Treaty Norway is obliged to grant equal rights to citizens and companies from all the parties to the Treaty in certain fields:

• Entrance to and residence on Svalbard
• Fishing and hunting
• Maritime, industrial, mining and commercial activities
• Acquisition, enjoyment and exercise of property rights, including mineral rights

In these fields, Norwegian authorities must ensure that, when the legislation is enacted and enforced, no one is treated differently on the basis of nationality.

Taxation

Article 8 provides that collected taxes, fees and charges shall benefit Svalbard only. Norway may not use its authority to secure revenues beyond those needed for the administration of Svalbard. In practice, this means that the income tax in Svalbard is lower than on the mainland. There is no value added tax or other fiscal taxes. All revenues and expenses involved in the administration of Svalbard are kept in a separate budget, which is known as the Svalbard Budget.

Military limitations

Under Article 9 Norway is obliged to prevent the establishment of fortifications and naval bases. Svalbard must never be used for war-like purposes. Norway has a low-key military presence on Svalbard – which consists mainly of Coast Guard surveillance. Foreign military activity is prohibited.

Environmental preservation

The Treaty also expressly states that Norway has the responsibility of preserving the natural environment of Svalbard.

THE TREATY TODAY

The Svalbard Treaty is one of the few legal instruments that were concluded in Versailles that still have practical significance. The main objective of Norwegian policies on Svalbard has always been to respect the Treaty and to ensure it is complied with in order to secure peace and stability in the area.

At present about 2,600 persons live in Svalbard. They represent several different nationalities, but most of them are Norwegians living in Longyearbyen, Svea and Ny-Ålesund, and Russians and Ukrainians living in Barentsburg.

The Treaty provides no rules on research, apart from saying that such rules are to be set forth under a separate agreement. No such agreement has been formed. In practice – and in the spirit of the Svalbard Treaty – researchers from all countries are nonetheless given equal rights to conduct research. Over the past few years, considerable international research activities have developed on Svalbard.