

Regulations relating to large nature conservation areas and bird reserves in Svalbard as established in 1973

Implementing legislation: adopted by Royal Decree of 4 April 2014 under sections 12, 16 and 17 of the Act of 15 June 2001 No. 79 relating to the protection of the environment in Svalbard (Svalbard Environmental Protection Act). Submitted by the Ministry of Climate and Environment.

Chapter 1 Sør-Spitsbergen, Forlandet and Nordvest-Spitsbergen national parks

Section 1. National parks

Sør-Spitsbergen national park, Forlandet national park and Nordvest-Spitsbergen national park in Svalbard were established in 1973.

Section 2. Boundaries of the national parks

Sør-Spitsbergen national park comprises Wedel Jarlsberg Land, Torell Land and Sørkapp Land and adjacent territorial waters. The boundary of the national park follows straight lines from Ljosodden across the summit of Volkovitsfjellet mountain to the easternmost bay in Van Keulenfjorden, and further straight lines through Van Keulenfjorden between positions 77°28'N 16°10'E, 77°32.5'N 15°50'E, 77°38.501'N 13°33.291'E and 77°32.986'N 12°53.169'E, at the territorial limit; from here, it follows the territorial limit around Sørkapp and northwards along Storfjorden to position 77°15.894'N 18°23.821'E at the territorial limit, continuing along straight lines to position 77°19.182' N 18°26.79'E and back to Ljosodden..

Forlandet national park comprises Prins Karls Forland and adjacent territorial waters. To the west, the boundary follows the territorial limit to position 78°0.026'N 12°30.799'E, continuing along a straight line to position 78°11.971'N 12°32.165'E, which is the mid-point between points 109 and 110 on the baseline, and along straight lines along Forlandssundet through positions 78°30'N 12°0'E, 78°42'N 11°20'E and 78°50'N 11°20'E, and further along straight lines to position 79°0.258'N 10°47.627'E, which is the mid-point between points 118 and 119 on the baseline and position 79°8.583'N 10°0.353'E at the territorial limit.

Nordvest-Spitsbergen national park comprises Moffen, Reinsdyrflya, Albert I Land and Haakon VII Land and adjacent territorial waters. The southern boundary follows straight lines from the innermost bay in Woodfjorden across the summit of Laborfjellet mountain, the southernmost summit of the H.U. Sverdrupfjella mountains, and Grimalditoppen to Kapp Guisnez. From here the boundary continues along straight lines to 79°0.258'N 10°47.627'E, which is the mid-point between points 118 and 119 on the baseline, and to 79°8.583'N 10°0.353'E at the territorial limit, and then follows the territorial limit northwards and eastwards to 80°14.766'N 15°0'E, and continues southwards along 15°0'E to position 80°6.772'N 15°0'E; from here, it continues along straight lines along Woodfjorden through positions 79°32'N 13°38'E and 79°20'N 14°2'E and back to the innermost bay in Woodfjorden.

The descriptions of the boundaries are based on the Norwegian Polar Institute's map series Svalbard 1:250 000.

Section 3. *Purpose of the national parks*

The purpose of protecting the areas is to maintain large, continuous and largely undisturbed areas of natural environment on land and in the sea with intact habitats, ecosystems, species, natural ecological processes, landscapes, cultural heritage and cultural environments. The areas are to be maintained as reference areas for research purposes and for opportunities to experience Svalbard's natural and cultural heritage.

Sør-Spitsbergen national park is particularly intended to safeguard:

- an area with a spectacular landscape including characteristic jagged alpine mountain formations, coastal plains and glaciers
- several localities of varying sizes with cliff-nesting seabird colonies, breeding and wintering areas for ducks (particularly common eider) and important areas of polar bear habitat
- important structures and sites and cultural environments with traces of earlier whaling activities, overwintering hunters and trappers, mining activities, tourism, research and the Second World War.

Forlandet national park is particularly intended to safeguard:

- an island with a characteristic mountain range with jagged (alpine) mountains and a wide coastal plain
- well-developed rock glaciers and frozen ground formations
- several localities of varying sizes with cliff-nesting seabird colonies and a core area for the world's most northerly population of common seal (harbour seal)
- important structures and sites and cultural environments with traces of earlier whaling activities, overwintering hunters and trappers and prospecting for minerals.

Nordvest-Spitsbergen national park is particularly intended to safeguard:

- an area with a spectacular landscape including characteristic jagged (alpine) mountain formations, islands and bays, the largest strandflat in Svalbard (Reinsdyrsflya) and a number of glaciers of varying sizes
- areas of geological interest, particularly the area near Bockfjorden where there are thermal springs with lime deposits and remains of extinct volcanoes
- a unique botanical locality near the hot springs in the Bockfjorden area
- several localities of varying sizes with cliff-nesting seabird colonies and breeding grounds for ducks, geese and waders
- important structures and sites and cultural environments with traces of earlier whaling activities, overwintering hunters and trappers, North Pole expeditions, research and the Second World War.

Section 4. *Prohibition against motor traffic*

The use of off-road vehicles and landing of aircraft is prohibited. This prohibition also applies to overflight of the areas above at altitudes below 300 metres and out to one nautical mile

from land. The prohibition against overflight applies to the extent that weather conditions permit. The Governor may by regulations lay down provisions relating to traffic at sea.

Ships that call in the national parks shall not use or carry on board fuel of any other grade than DMA as defined in the ISO 8217 Fuel Standard. Nevertheless, this does not apply when sailing the shortest safe route through:

- a) the northwestern part of Sør-Spitsbergen national park to and from Sveagruva
- b) the northern part of Forlandet national park and the southern part of Nordvest-Spitsbergen national park to and from Ny-Ålesund until 1 January 2015
- c) Nordvest-Spitsbergen national park to and from Magdalenefjorden until 1 January 2015.

Section 5. Prohibition against access and passage

Landing and access and passage on land are prohibited all year round in delimited areas around cultural structures and sites that are automatically protected at Ytre Norskøya, Likneset, Ebeltoftamna and Lægerneset, as shown on the maps in Appendix 2.

Section 6. Protection against development and disturbance

The areas above are protected against all forms of development, including the construction of buildings and installations of all types, mining, oil exploration and production, extraction of deposits and other activities that involve physical disturbance of the terrain or disturbance of the natural environment.

The seabed is protected against fishing and other harvesting by diving, bottom trawling or dredging. Shrimp trawling is permitted in waters where the depth is 100 m or more.

It is nevertheless permitted to construct, maintain, inspect, and operate Decca stations at Sørkappøya and Salpynten and other terrestrial aids to navigation (lights, marks, etc.). Such installations shall be designed, constructed, maintained and inspected in consultation with the Governor.

Section 7. Prohibition against pollution

It is prohibited to dump or abandon waste. Substances and objects that may harm the flora and fauna or be unsightly may not be dumped or abandoned.

Section 8. Protection of the fauna

Mammals and birds and their lairs and nests are protected against all types of damage and disturbance.

Nevertheless, this protection does not preclude the harvesting of marine mammals that do not show site fidelity if this is governed by regulations adopted by the Ministry of Trade, Industry and Fisheries.

It is prohibited to introduce new species.

Section 9. Protection of the flora

Plants and fossils shall not be removed, and are protected against all types of damage or disturbance not caused by normal access or passage.

It is prohibited to introduce new species of plants.

Section 10. *Prohibition against the acquisition of mining rights*

In protected areas, it is not permitted to prospect for minerals and stone, of the Mining Code, and no new mining rights will be awarded.

Section 11. *Exemptions*

The Governor may permit:

- a) the construction, repair and maintenance of buildings used by the inspection services and as basic shelter for the general public
- b) permanent residents of Svalbard to hunt ptarmigan in accordance with the provisions in force at any given time
- c) permanent residents of Svalbard to use off-road vehicles along specified trails
- d) scientific studies, provided that these will not be contrary to the purpose of the national park
- e) other activities when special reasons so indicate and they will not be contrary to the purpose of the national park.

Chapter 2 Nordaust-Svalbard and Sørøst-Svalbard nature reserves

Section 12. *Nature reserves*

Nordaust-Svalbard and Sørøst-Svalbard nature reserves in Svalbard were established in 1973.

Section 13. *Boundaries of the nature reserves*

Nordaust-Svalbard nature reserve comprises Kvitøya, Kong Karls Land, Nordaustlandet and surrounding islands and territorial waters, and the land on the western side of Hinlopenstredet. The western boundary is formed by straight lines from position 79°54'N 16°48'E in Sorgfjorden, one running northwards to position 80°18.943'N 16°48'E at the territorial limit, and one running south-eastwards to the southernmost bay in Sorgfjorden, and continuing along straight lines to the summit of Svingfjellet mountain and to Kapp Mühry, further along straight lines to positions 78°39.697'N 21°24.672'E and 78°39.938'N 22°51.618'E at the territorial limit; after this the boundary continues along the territorial limit. The boundary follows the territorial limit round Kvitøya and Kong Karls Land.

Sørøst-Svalbard nature reserve comprises Barentsøya and Edgeøya and the surrounding territorial waters and neighbouring islands, including Kükenthalvøya, Ryke Yseøyane, Halvmåneøya and Tusenøyane. The northern boundary follows the median line in Heleysundet to position 78°33'N 20°0'E: from here, it runs directly southwards to position 78°6.879'N 20°0'E, and further along straight lines through position 77°36.002'N

19°37.609'E to position 77°22.709'N 19°43.982'E at the territorial limit, and along the territorial limit around Edgeøya, Tusenøyane, Ryke Yseøyane and Barentsøya (including Halvmåneøya) to position 78°39.938'N 22°51.618'E at the territorial limit, and from there along a straight line to the median line in Heleysundet at position 78°39.666'N 21°18.943'E.

The descriptions of the boundaries are based on the Norwegian Polar Institute's map series Svalbard 1:250 000.

Section 14. *Purpose of the nature reserves*

The purpose of protecting the areas is to maintain large, continuous and largely undisturbed areas of natural environment on land and in the sea with intact habitats, ecosystems, species, natural ecological processes, landscapes, cultural heritage and cultural environments as reference areas for research purposes.

Nordaut-Svalbard nature reserve is particularly intended to safeguard:

- an area with a spectacular landscape, including the largest glaciers in Svalbard and many fjords and peninsulas
- several small localities with cliff-nesting seabird colonies, breeding grounds for brent goose, haul-out and breeding areas for walrus and polar bear habitat
- many lakes containing Arctic char, especially landlocked char
- important structures and sites and cultural environments with traces of earlier whaling activities, overwintering hunters and trappers, North Pole expeditions, research and the Second World War.

Søraust-Svalbard nature reserve is particularly intended to safeguard:

- two large islands with a characteristic landscape of plateau mountains and many small islands (Tusenøyane)
- localities with cliff-nesting seabird colonies, breeding grounds for brent goose, haul-out and breeding areas for walrus and polar bear habitat
- habitat for large populations of Svalbard reindeer
- important structures and sites and cultural environments with traces of earlier whaling activities and overwintering hunters and trappers.

Section 15. *Prohibition against motor traffic*

The use of off-road vehicles and landing of aircraft is prohibited. This prohibition also applies to overflight of the areas at altitudes below 500 metres. The prohibition against overflight applies to the extent that weather conditions permit.

Section 16. *Requirements relating to shipping*

Ships that call in the nature reserves shall not use or carry on board fuel of any other grade than DMA as defined in the ISO 8217 Fuel Standard.

Ships that call in the nature reserves may not have more than 200 passengers on board.

Section 17. Prohibition against access and passage on Kong Karls land

Access and passage are prohibited all year round on Kong Karls Land, comprising Svenskøya, Kongsøya, Abeløya and adjacent islands and surrounding waters out to a distance of 500 metres from land or skerry at the lowest water level. The prohibition also applies to overflight of these areas at altitudes below 500 metres.

The purpose of the prohibition against access and passage is to prevent unwanted traffic in the most important denning areas and areas of habitat for polar bears from having negative impacts on the Svalbard polar bear population.

Section 18. Prohibition against access and passage around protected cultural structures and sites

Landing and access and passage are prohibited all year round in delimited areas around cultural structures and sites that are automatically protected at Habenichtbukta, Zieglerøya, Delitschøya, Spekkholmen and adjacent islets and skerries, Haudegen and Halvmåneøya, as shown on the maps in Appendix 3.

Section 19. Requirements relating to access and passage in zone A

Zone A is delimited as shown on the map in Appendix 4. Zone A comprises particularly important reference areas for research.

Any person wishing to visit Zone A shall notify the Governor at least four weeks in advance. If it is considered necessary to safeguard the value of the areas as reference areas for research, the Governor may require travel plans to be changed, lay down requirements relating to travel plans or prohibit planned travel. A report form shall be delivered to the Governor after the stay in the area.

The Governor may adopt regulations relating to the duty to provide notification and reports.

Section 20. Prohibition against access and passage in Zone B

Zone B is delimited as shown on the map in Appendix 5.

All access and passage in Zone B, including all sea areas less than 500 metres from land, is prohibited in the period 15 May to 15 August.

Section 21. Requirements relating to organised tours in Zone C

Zone C is delimited as shown on the map in Appendix 6.

Tour operators who run organised tours within Zone C shall draw up site-specific guidelines for activities in the areas shown on the maps in Appendix 6. The guidelines shall serve to protect the natural environment and cultural heritage in these areas in accordance with the protection provisions and the Svalbard Environmental Protection Act. The Governor will be responsible for ensuring that the guidelines meet these requirements and for the application of the guidelines.

Section 22. Regulation of access and passage

The Norwegian Environment Agency may by regulations regulate or prohibit access and passage in further delimited areas on land and at sea in the nature reserves if this is considered necessary to avoid disturbance of the flora or wear and tear on the vegetation or cultural heritage, or to maintain the value of the areas as reference areas for research. Passage through Hinlopenstredet, Heleysundet and Freemansundet may not be regulated.

Section 23. Protection against development and disturbance

The areas above are protected against all forms of development, including the construction of buildings and installations of all types, mining, oil exploration and production, extraction of deposits and other activities that involve physical disturbance of the terrain or disturbance of the natural environment.

The seabed is protected against fishing and other harvesting by diving, bottom trawling or dredging. Shrimp trawling is permitted in waters where the depth is 100 m or more.

It is nevertheless permitted to erect terrestrial aids to navigation (lights, marks, etc.). Such installations shall be designed, constructed, maintained and inspected in consultation with the Governor.

Section 24. Prohibition against pollution

It is prohibited to dump or abandon waste. Substances and objects that may harm the flora and fauna or be unsightly may not be dumped or abandoned

It is prohibited to discharge sewage or greywater from ships or other vessels within a distance of 500 metres from land. In Rjipfjorden, it is prohibited to discharge sewage or greywater from ships or other vessels in the area shown on the map in Appendix 7.

Section 25. Protection of the fauna

Mammals and birds and their lairs and nests are protected against all types of damage or disturbance.

Nevertheless, this protection does not preclude the harvesting of marine mammals that do not show site fidelity if this is governed by regulations adopted by the Ministry of Trade, Industry and Fisheries.

It is prohibited to introduce new species.

Section 26. Protection of the flora and fossils

Plants and fossils shall not be removed, and are protected against all types of damage or disturbance not caused by normal access or passage.

It is prohibited to introduce new species of plants.

Section 27. Prohibition against the acquisition of mining rights

In protected areas, it is not permitted to prospect for minerals and stone, of the Mining Code, and no new mining rights will be awarded.

Section 28. *Exemptions*

The Governor may permit:

- a) the construction, repair and maintenance of necessary buildings for emergency shelter and for inspection purposes
- b) permanent residents of Svalbard to use off-road vehicles along specified trails on Ny Friesland
- c) scientific studies, provided that these will not be contrary to the purpose of the nature reserves
- d) other activities when special reasons so indicate and they will not be contrary to the purpose of the nature reserves.

Chapter 1 Bird reserves

Section 29. *Bird reserves*

The following bird reserves were established in Svalbard in 1973:

- a) Sørkapp bird reserve, which comprises Sørkappøya and the islands and skerries south-east of Øylandet
- b) Dunøyane bird reserve, which comprises all islands and skerries west of Dunøysundet
- c) Isøyane bird reserve, which comprises Nordre Isøya and Isøykalven
- d) Olsholmen bird reserve, which comprises the Olsholmen islands
- e) Kapp Linné bird reserve, which comprises the area west of a line from Randvika bay to the south-east corner of lake Fyrstesjøen, with the exception of the area occupied by Isfjord Radio
- f) Boheman bird reserve, which comprises the islets south of Bohemanflya
- g) Gåsøyane bird reserve, which comprises the Gåsøyane islands
- h) Plankeholmane bird reserve, which comprises the Plankeholmane islets
- i) Forlandsøyane bird reserve, which comprises the Forlandsøyane islands
- j) Hermansenøya bird reserve, which comprises the island Hermansenøya
- k) Kongsfjorden bird reserve, which comprises the islands Mietholmen, Prins Heinrichøya, Lovenøyane and Eskjeret
- l) Blomstrandhamna bird reserve, which comprises the smaller island in Blomstrandhamna
- m) Guissezholmen bird reserve, which comprises the islets off Kapp Guissez
- n) Skorpa bird reserve, which comprises the islets off Harpunodden
- o) Moseøya bird reserve, which comprises the island Moseøya

The bird reserves comprise include waters around the islands out to a distance of 300 metres from land or skerry at the lowest water level.

Section 30. *Purpose*

The purpose of protecting these areas is to safeguard important breeding areas and areas of habitat for birds, especially common eider and geese.

Section 31. *Prohibition against access and passage*

All access and passage in the bird reserves, including at sea and landing of aircraft, is prohibited in the period 15 May–15 August. The Governor may nevertheless adopt regulations relating to access and passage in Kapp Linné bird reserve.

Section 32. *Prohibition against pollution*

It is prohibited to dump or abandon waste. Substances and objects that may harm the flora and fauna or be unsightly may not be dumped or abandoned.

Section 33. *Protection against development and disturbance*

The areas above are protected against all forms of development, including the construction of buildings and installations of all types, mining, oil exploration and production, extraction of deposits and other activities that involve physical disturbance of the terrain or disturbance of the natural environment.

The seabed is protected against fishing and other harvesting by diving, bottom trawling or dredging.

It is nevertheless permitted to construct, maintain, inspect, and operate the Decca station at Sørkappøya and other terrestrial aids to navigation (lights, marks, etc.). Such installations shall be designed, constructed, maintained and inspected in consultation with the Governor.

Section 34. *Protection of the fauna*

Mammals and birds and their lairs and nests are protected against all types of damage or disturbance.

It is prohibited to introduce new species.

Section 35. *Protection of the flora*

Plants and fossils shall not be removed, and are protected against all types of damage or disturbance not caused by normal access or passage.

It is prohibited to introduce new species of plants.

Section 36. *Prohibition against the acquisition of mining rights*

In protected areas, it is not permitted to prospect for minerals and stone, of the Mining Code, and no new mining rights will be awarded.

Section 37. *Exemptions*

The Governor may permit:

- a) scientific studies, provided that these will not be contrary to the purpose of the bird reserves
- b) other activities when there are special reasons and they will not be contrary to the purpose of the national park.

Chapter 4 Management, penal measures and other general provisions for the protected areas

Section 38. Management authority and management plans

The Governor shall make these provisions known, be responsible for ensuring compliance with the requirements of these regulations and take any steps considered necessary to achieve the purpose of the regulations. Management plans including further guidelines for implementation of measures may be drawn up. Such plans shall be approved by the Norwegian Environment Agency in consultation with the Directorate for Cultural Heritage.

Section 39. Inspection activities and emergency operations by the fire, police, and rescue services

These regulations do not preclude emergency operations and inspection activities by the fire, police and rescue services under sections 77 and 97 of the Svalbard Environmental Protection Act.

Section 40. Penal measures

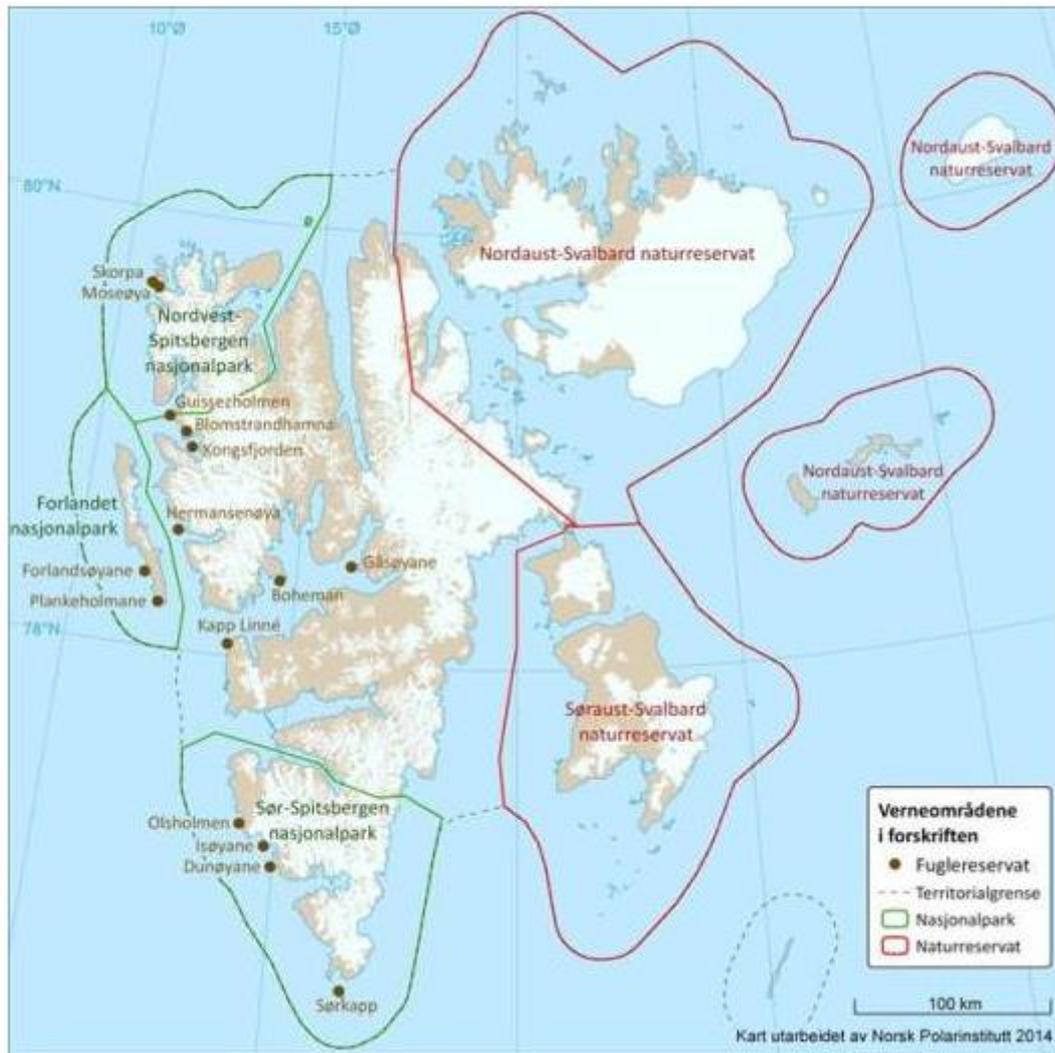
Any person that wilfully or negligently contravenes the provisions laid down in or under these regulations is liable to fines or to a term of imprisonment not exceeding one year. If a risk of substantial environmental damage has occurred or been caused or if there are especially aggravating circumstances, a term of imprisonment not exceeding three years may be imposed.

An accomplice is liable to the same penalties.

Section 41. Entry into force

These regulations enter into force on 1 May 2014. From the same date, the Regulations of 1 June 1973 No. 3780 relating to the establishment of bird reserves and large nature conservation areas in Svalbard and the Regulations of 1 July 1985 No. 1423 relating to a prohibition against access and passage on Kong Karls Land are repealed.

Appendix 1



The protected areas listed in the regulations

Bird reserve

Territorial limit

National park

Nature reserve

Appendix 2



Areas

where access and passage are prohibited around cultural structures and sites that are automatically protected

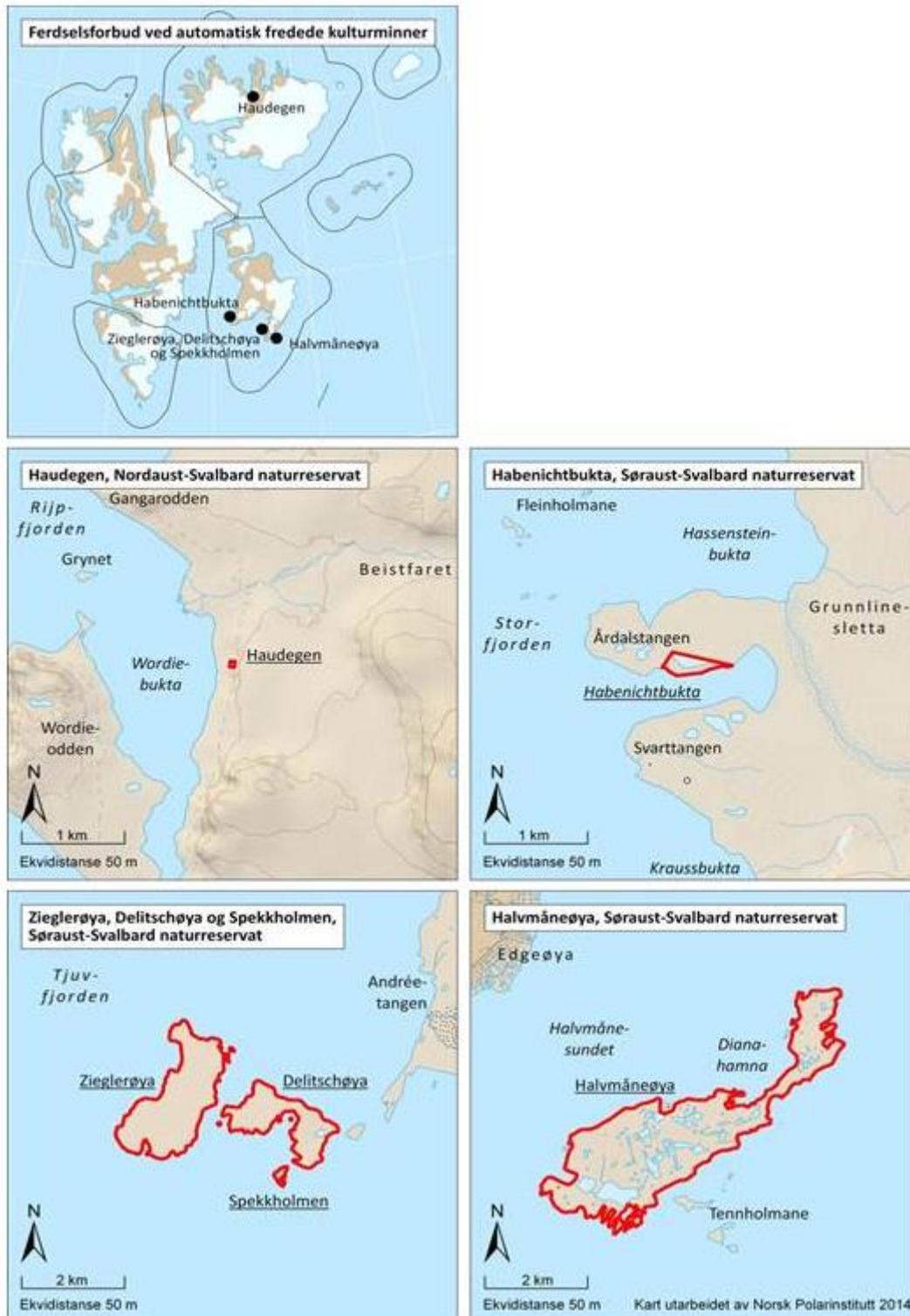
Ytre Norskøya, Nordvest-Spitsbergen national park

Likneset, Nordvest-Spitsbergen national park

Ebeltoftamna, Nordvest-Spitsbergen national park

Lægerneset, Sør-Spitsbergen national park

Appendix 3



Areas where access and passage are prohibited around cultural structures and sites that are automatically protected

Haudegen, Nordaust-Svalbard nature reserve

Habenichtbukta, Sørøst-Svalbard nature reserve

Zieglerøya, Delitschøya and Spekkholmen, Sørøst-Svalbard nature reserve

Halvmåneøya, Sørøst-Svalbard nature reserve

Appendix 4



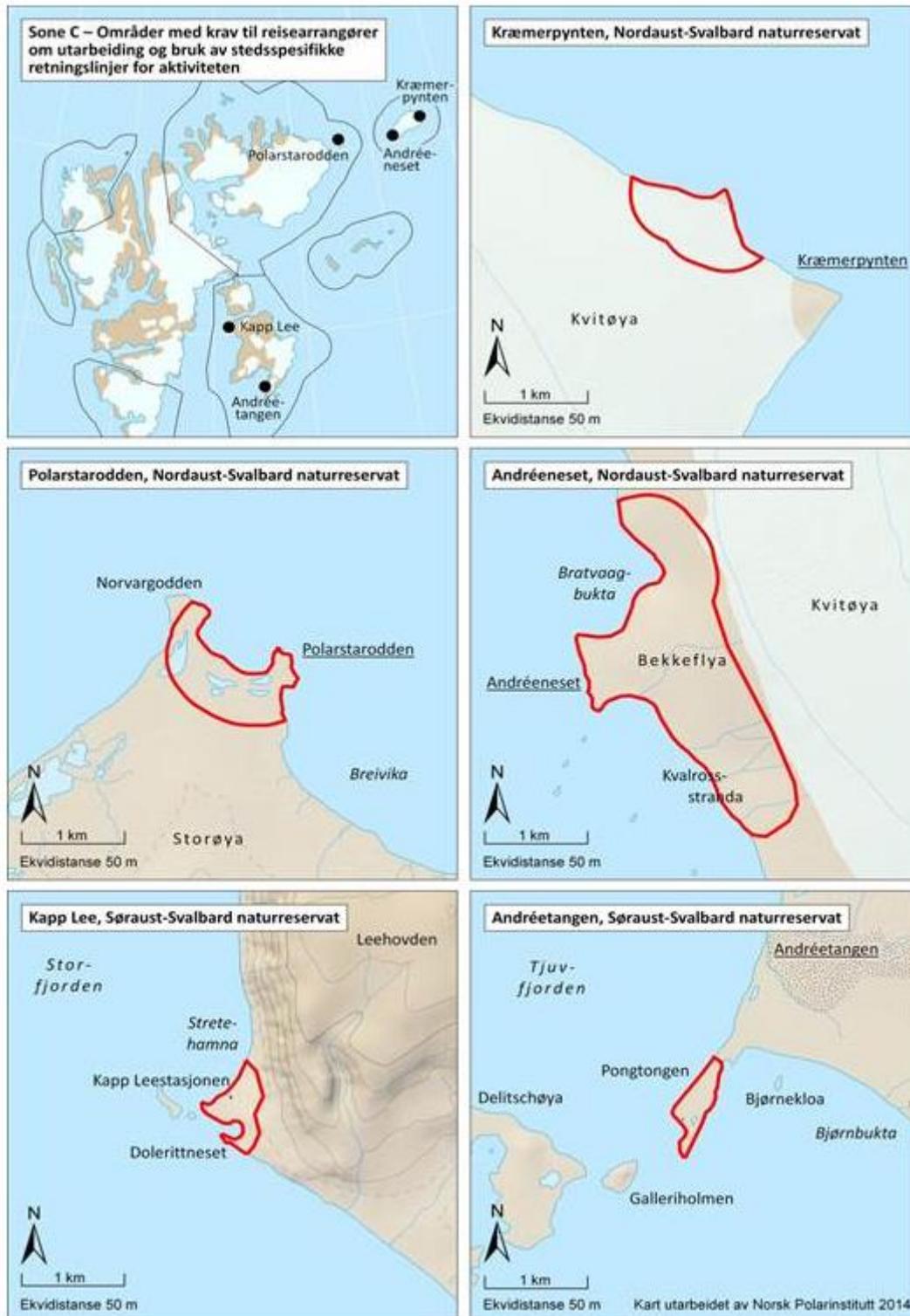
Zone A – reference areas for research

Appendix 5



Zone B – access and passage prohibited in the breeding season (15 May–15 August)
Western part of Lågøya, Nordaust-Svalbard nature reserve
Tusenøyane, Sørøst-Svalbard nature reserve

Appendix 6



Areas where special requirements apply to organised tours and the use of site-specific guidelines for activities

Kræmerpynten, Nordaust-Svalbard nature reserve

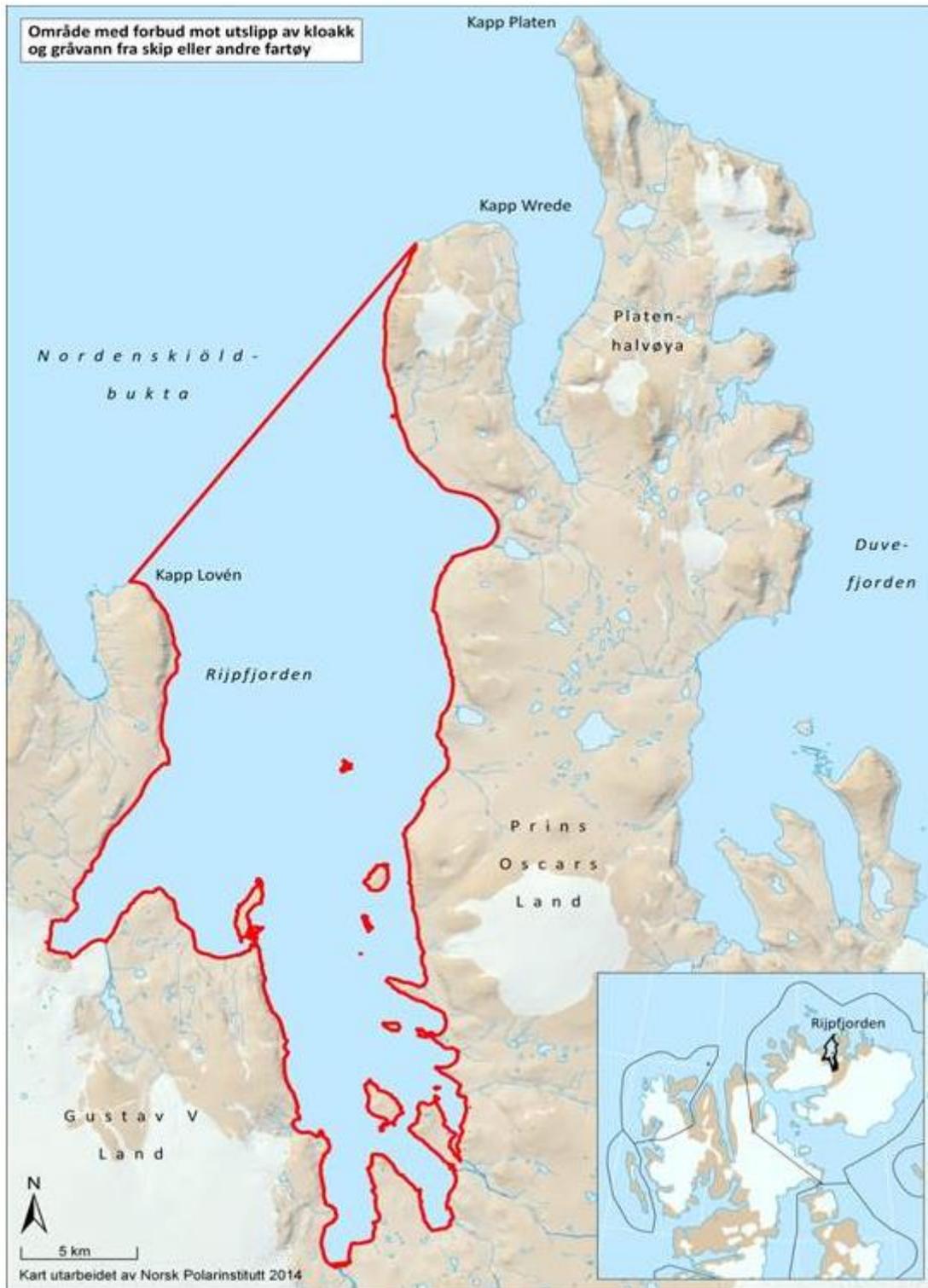
Polarstarodden, Nordaust-Svalbard nature reserve

Andréeneset, Nordaust-Svalbard nature reserve

Kapp Lee, Sørøst-Svalbard nature reserve

Andréetangen, Sørøst-Svalbard nature reserve

Appendix 7



Areas where discharges of sewage and greywater from ships or other vessels are prohibited