



Regulations relating to Van Mijenfjorden National Park in Svalbard

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Legal basis: Adopted by Royal Decree on 18 June 2021 pursuant to the Act of 15 June 2001 No. 79 Relating to the Protection of the Environment in Svalbard (Svalbard Environmental Protection Act), Section 12, cf. Section 16, Section 21 and Section 22. Proposed by Norwegian Ministry of Climate and Environment.

Amended by the Regulations of 3 December 2021 No. 3395.

Amended by the Regulations of 9 February 2024 No. 230 (entry into force on 1 January 2025).

Section 1. Purpose

The purpose of these Regulations is to preserve a grand, continuous and virtually untouched arctic valley, fjord and coastal landscape with intact types of nature, ecosystems, species, natural ecological processes, landscapes and cultural heritage, as an area for research and for the experiencing of Svalbard's natural and cultural heritage.

Furthermore, the purpose is to preserve

- (a) vast areas of continuous lush vegetation and interesting moss flora;
- (b) vast wetland areas and shallow marine areas; biotopes that are important nesting, feeding and moulting areas for birds;
- (c) areas with a rich birdlife (waders, geese, diving ducks and seabirds);
- (d) well-developed quaternary geological formations (pingos and alluviums, including one of the largest river deltas in Svalbard);
- (e) Reindalen; the largest of the ice-free valleys on Spitsbergen;
- (f) important habitats for ice-dependent species such as Van Keulenfjorden and Van Mijenfjorden, including Fridtjovhamna and Rindersbukta;
- (g) valuable cultural heritage.

Section 2. Geographical delimitation

The National Park comprises 3,119 km² of land area (including glaciers and freshwater) and 1,132 km² of marine areas and affects cadastral unit numbers 1, 12, 13, 14, 15, 17, 18, 22 and 23.

The boundaries for the National Park are found in the maps in appendices 1 and 2.

Section 3. Prohibition against measures and interference in landscape and the natural and cultural environments

It is prohibited to initiate activities and interference that may permanently impact the landscape and natural and cultural environments. The prohibition encompasses erection, expansion, modification and placement of temporary or permanent buildings, installations and structures, laying of overhead and ground cables, physical alteration of the terrain, excavating, infilling, earth-moving operations and depositing of material, levelling, scraping of the ocean floor and surface of the earth, drainage and other forms of reclamation, drilling, blasting, extraction of minerals, oil and fossils and other similar measures. This list is not exhaustive.

However, the following is permitted:

- (a) use of permitted fishing and hunting gear;
- (b) necessary maintenance of buildings and structures that are in use. Maintenance does not encompass modification, expansion or larger refurbishment;
- (c) clean-ups, nature restoration and other measures in accordance with the adopted cessation plan following the mining activities in Svea/Lunckefjell.

Section 4. Access, passage and bicycling

All access and passage shall take place in such a manner that it does not harm, pollute or in any other way damage the natural environment or cultural heritage or result in unnecessary disturbance to humans or fauna.

Any person accessing or staying in the protected area shall prevent the occurrence of new, permanent tracks or wear and tear to the terrain or cultural heritage. Rocks, logs and other items used

at the site shall be cleared and returned to the location where they were found. A sufficient distance shall be maintained in relation to:

- (a) fauna, in order to avoid unnecessary disturbance; and
- (b) protected cultural heritage that is not in use, to ensure that such sites are not exposed to trampling or other activities resulting in a risk of damage.

Bicycling on ground that is not snow-covered is prohibited.

Section 4a. Prohibition against access and passage

All access to and passage through areas in Midterhukken, Eholmen and Mariaholmen, as shown on the map in Appendix 3, is prohibited during the period 15 May until 15 August.

Section 4b. Landings and stays on land as part of tourism activities

Landings as part of tourism activities and stays in connection with such landings are prohibited.

This prohibition does not apply:

- (a) on snow-covered and frozen ground from 1 January to 25 May of each year;
- (b) in areas shaded in green on the map in Appendix 4 indicating permitted landing areas and boundaries for permitted stays in connection with landings.

Landings and stays on land in accordance with this provision may only take place accompanied by a guide with knowledge of the natural and cultural environments.

For the purpose of these Regulations, tourism activities corresponds with the definition in the Regulations of 27 June 2002, No. 731 relating to camping activities in Svalbard, Section 2a (b).

Section 5. Prohibition against the use of aircraft

Use of aircraft below 300 meters and one nautical mile from land and landing is prohibited. It is prohibited to fly closer than one nautical mile from large, known concentrations of mammals and birds.

Section 5a. Passenger limitations on ships

Ships that call in the marine area of the National Park may not have more than 200 passengers on board.

Section 6. Prohibition against unmanned remote-controlled devices (drones) etc.

The use of unmanned aerial vehicles (drones) and other remote-controlled or autonomous unmanned devices in the air, on the ground, on and beneath the surface of the water is prohibited.

Section 7. Prohibition against pollution

All pollution to air, water or soil that entails or may entail harm or nuisance for the environment is prohibited.

The prohibition in the first paragraph does not apply to pollution that is caused by motorised traffic or discharges of greywater from cottages that may occur without a permit pursuant to the Regulations of 3 July 2020 No. 1517 Regulations Relating to Pollution and Waste in Svalbard, Section 4-4.

Abandoning or disposing of waste is prohibited.

Substances and objects that may harm flora and fauna, which are unsightly or that may entail a risk of pollution must not be stored or abandoned.

Section 8. Exemptions for police tasks, supervision and emergency response by the fire and rescue services etc.

Police tasks and emergency response by the fire and rescue services may, if necessary, be carried out notwithstanding the provisions in these Regulations. *The Governor of Svalbard* may carry out necessary supervisory activities notwithstanding the provisions in these Regulations.

Unmanned aerial vehicles (drones) and devices as mentioned in Section 6 may be used for the same purposes as mentioned in the first paragraph and for the tasks of the management authority.

Section 9. Permission by application

The management authority may on application grant permission for

- (a) refurbishment, modification and minor expansions of existing buildings, installations and structures;
- (b) reconstruction of buildings, installations and structures that have been destroyed by fire or natural perils;
- (c) the use of unmanned aerial vehicles (drones) and devices as mentioned in Section 6 for purposes other than recreational and hobby activities;
- (d) measures in connection with the establishment and operation of hunting stations;
- (e) motor traffic on sea ice, frozen and snow-covered ground, as well as landing of aircraft, in connection with supervision, maintenance and operation of aids to navigation, communication systems and weather stations;
- (f) securing and clean-up of oil drilling sites;
- (g) erection of necessary navigation devices to safeguard passage at sea.

The permit shall display how the management authority has assessed the impacts the permit may have for the natural and cultural environments and what emphasis this has been given.

0 Amended by the Regulations of 9 February 2024 No. 230 (entry into force on 1 January 2025).

Section 10. Exemption from the provisions

On application, the management authority may grant exemptions from the provisions in these Regulations pursuant to Section 22 of the Svalbard Environmental Protection Act.

Section 11. Management authority and management plans

The Governor of Svalbard is the management authority pursuant to these Regulations.

The management authority may prepare a management plan containing more detailed guidelines for management, conservation, facilitation and information. The plan shall be approved by the Norwegian Environment Agency in consultation with the Norwegian Directorate for Cultural Heritage.

Section 12. Penalties

Contraventions of provisions and decisions issued in or pursuant to these Regulations are punishable pursuant to Section 99 of the Svalbard Environmental Protection Act.

Section 13. Entry into force

These Regulations enter into force immediately. From the same date the Regulations of 26 September 2003 No. 1186 relating to the protection of Nordenskiöld Land National Park in Svalbard are repealed.