



Regulations relating to the protection of the Hopen Nature Reserve in Svalbard

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Table of Contents

Regulations relating to the protection of the Hopen Nature Reserve in Svalbard1
Table of Contents2

Legal basis: Adopted by Royal Decree on 26 September 2003 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, Section 17, Section 21 and Section 22. Proposed by the Ministry of Environment (now the Ministry of Climate and Environment).

Amended by the Regulations of 19 December 2003 no. 1590, 15 March 2013 no. 284, 19 December 2013 no. 1757, 4 April 2014 no. 378, 3 December 2021 no. 3395.

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

Section 1. Protection

The island of Hopen in Svalbard is protected as a national park under the name Hopen National Park.

Section 2. Boundary delimitation and scope

The protected area comprises;

- the entire island, except for a smaller land area surrounding the station on the eastern side of the island;
- adjacent territorial waters.

The Nature Reserve comprises approximately 46 km² of land area and approximately 3,208 km² of marine area and affects cadastral unit number 1.

The boundaries of the Nature Reserve are shown in the attached map at a scale of 1:400,000 and 1:10,000, dated December 2003 by the Ministry of Environment. Coordinates shall be given for the break points of the exception area.

The protection regulations, including the map, shall be stored with the Governor of Svalbard, the Norwegian Environment Agency and the Ministry of Climate and Environment.

Section 3. Purpose

The purpose of the protection of the areas is to preserve a virtually untouched Arctic island with adjacent marine areas, including the seabed. The protection is particularly intended to safeguard:

- the island as a crucial migration route and denning and feeding area for polar bears;
- the island as an important breeding area for seabirds;
- the intricate connection between life at sea and on land;
- characteristic landforms;
- the area as a location of scientific interest.

Section 4. Protection provisions

1. Landscape and natural environment

1.1 No activities may be undertaken that may affect the landscape or natural environment, such as the construction of buildings, installations, including tank farms, and permanent installations, the installation of barracks or similar structures, laying of pipes and cables, extraction, deposit, relocation, and storage of earth masses, levelling, construction of roads, quays, landing sites, etc., dredging of the seabed or scraping of the soil surface, draining and other forms of reclaiming, boring, blasting, or similar activities, and the extraction of minerals, oil, and fossils.

1.2 The provision in Section 1.1. does not preclude:

- the use of permitted fishing and hunting tools.

2. Flora and fauna

2.1 Flora, fauna and other living organisms are protected against all forms of damage, destruction and disturbance that are not caused by permitted access and passage.

2.2 The introduction of plant or animal species, including genetically modified species and forms, is prohibited.

2.3 The provision in Section 2.1. does not preclude:

- fishing for salt-water fish and crustaceans, as well as trapping of marine mammals that do not show site fidelity in Svalbard in accordance with the rules issued by the Ministry of Trade, Industry and Fisheries;
- the harvesting of mushrooms for personal use;
- the gathering of flora for research or teaching purposes provided such gathering does not cause a significant disturbance to the local population;
- the use of driftwood as firewood at the station and for maintenance of and firewood for existing cabins on the island and for minor bonfires at the site.

3. *Cultural Heritage*

Cultural heritage in the area is regulated by Chapter V of the Svalbard Environmental Protection Act and related decisions.

4. *Access and passage (non-motorised and motorised)*

4.1 All access and passage shall occur in such a manner that it does not harm or in any other way damage the natural environment or cultural heritage or result in unnecessary disturbance to people 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. Sufficient distance shall be maintained in relation to:

- fauna, to avoid unnecessary disturbance;
- 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.

4.2 Erecting tents and camping activities are regulated by the Svalbard Environmental Protection Act and the regulations issued pursuant to the Act.

4.3 All motorised off-road driving is prohibited.

4.4 Landing of aircraft is prohibited. It is prohibited to fly closer than one nautical mile from large, known concentrations of mammals and birds. This prohibition also applies to overflight of the areas above at altitudes below 500 metres. The prohibition against overflight applies to the extent weather conditions permit.

4.5 Ships that call in the marine area of the Nature Reserve may not have more than 200 passengers on board.

4.6 The Norwegian Environment Agency may issue regulations prohibiting/regulating any access and passage in all or parts of the National Reserve if this is considered necessary in order to avoid disturbance to fauna or wear and tear of vegetation or cultural heritage.

5. *Pollution*

5.1 All pollution to air, water or soil that causes or may cause damage or nuisance to the environment is prohibited, except for pollution that is caused by permitted motor traffic.

5.2 Abandoning or disposing of waste is prohibited.

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

6. 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 5. *General exceptions*

The provisions in Section 4 do not preclude:

- emergency response for fire, police or rescue services and inspection or supervision in accordance with the Svalbard Environmental Protection Act, Section 77 and Section 87.
- the use of unmanned vehicles (drones) and devices as mentioned in Section 4(6), for the same purposes mentioned in the previous sub-item and for use in the tasks of the management authority.

Section 6. *Exemptions/permits*

Within the framework of the Svalbard Environmental Protection Act, the management authority may grant permission for:

- renovation and minor extensions to existing buildings;
- reconstruction of buildings that have been destroyed by fire or natural disaster;
- landing with the use of aircraft in connection with supervision, maintenance and operation of sector lights and other public aids to navigation;
- snowmobile traffic on frozen and snow-covered ground for the transport of supplies to the station, if the weather conditions cause a ship to have to call elsewhere on the island instead of at the station;
- necessary transport in connection with maintenance of existing cabins and transport of fuel and supplies to the cabins;
- the establishment of temporary quay facilities outside the station area in connection with any petroleum exploration activity in the North Barents Sea.
- the use of unmanned vehicles (drones) and devices as mentioned in Section 4(6) for purposes other than recreational and hobby activities.

In addition to the measures mentioned in the first paragraph, the management authority may grant exemptions from the protection provisions in Section 4 when scientific or special reasons so indicate, including to safeguard special needs in connection with recreational activities among the permanent population at the Hopen Weather Station.

Permits or exemptions mentioned in the first and second paragraph may only be granted provided this does not conflict with the purpose of the protection regulations and will not have a significant impact on the conservation value of the area.

In an exemption/permit, the grounds for the decision shall include an account of how the management authority has assessed the impact the exemption/permit may have on the environment and the weight that has been attached to this.

Section 7. *Management*

The management authority or the instance so authorised by the management authority may implement management measures to promote the purpose of the protection. A plan containing more detailed guidelines for

the implementation of such measures may be drawn up. The plan shall be approved by the Norwegian Environment Agency in consultation with the Norwegian Directorate for Cultural Heritage.

0 **Amended** by the Regulations of 15 March 2013 no. 284 (entry into force on 1 July 2013).

Section 8. *The management authority*

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

Section 9. *Penalties*

Any person who wilfully or negligently contravenes 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 10. *Entry into force*

These Regulations enter into force immediately.