



To whom it may concern

This is a joint response to the following regulatory proposals:

1. Proposal for amendment of Svalbard Environmental Protection Act – and regulations/orders given with authority in this Act from the Norwegian Environmental Agency, with reference 2021/9496; and the
2. Proposal for substitution of “Regulations related to tourism” with “Regulations related to field safety” and the proposal to apply the Package travel Act in Svalbard, from the Norwegian Ministry of Justice and the Ministry of trade and industry, with reference 21/4952 – MAKO

- **Hapag-Lloyd Cruises**

Hapag-Lloyd Cruises has been conducting offers Expedition Cruises in Polar regions since 1993 very successfully with greatest respect for wildlife and to intensify people's awareness for nature protection. Our three new ships (HANSEATIC nature, HANSEATIC inspiration, HANSEATIC spirit) were built in 2019 and 2021 and carry a maximum of only 199 passengers when circumnavigating Svalbard. They are carefully built for the extremes and our many years of experience in Polar waters were integrated into their concept. Certified with the highest ice class for passenger ships (PC6), our ships are equipped for cold ironing among others.

It goes without saying that our crew is highly experienced and trained to meet the special demands presented by a Polar expedition – no matter if it's Arctic or Antarctic.

Our Zodiacs are designed to handle extreme conditions and are always under the control of specially trained operators. Experiencing the beauty of our planet brings certain responsibilities along with it. For that reason, our aim is to preserve vulnerable habitats and raise awareness of how we can cultivate a respectful attitude towards flora and fauna. Therefore, we are involved in the “Clean-up Svalbard project” and reduce unnecessary plastic like plastic bags, drinking straws etc. on all our ships.

Since July 2020 Hapag-Lloyd Cruises uses only marine gas oil with a maximum Sulphur content of 0,1% around the world by the entire fleet and reduces the fuel consumption of around 30% thanks to optimized route management and avoidance of top speeds.

Our ballast water management ensures that flora and fauna are not carried into regions where they are not indigenous and all our Expedition Vessels have TBT-free underwater paint.

Ships use a significant amount of water. Freshwater is a precious resource wherever you go, which is why we use a special osmosis system to convert seawater into freshwater. Naturally, there is also a great deal of used water that needs to be cleaned. Our ships are therefore equipped with wastewater treatment systems that work in a similar way like large sewage treatment plants on land. Following this treatment, only very clean water finds its way back into the ocean.



- **Member of AECO**

As we promote responsible, sustainable and safe tourism in the Arctic, it is naturally that Hapag-Lloyd Cruises is a member of AECO. We believe it is the best way to discover the Arctic region while minimizing human impact to nature. We operate strictly in accordance with national and international laws and regulations. AECO Members additionally have to follow an extensive set of guidelines to ensure operations are in accordance with our objectives.

At the end of the day, we all have the same concerns when it comes to environmental protection as it is our future.

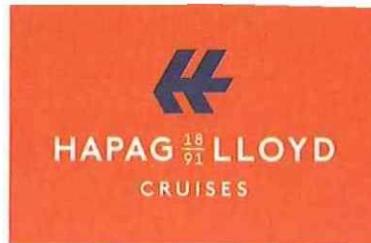
- **Why Svalbard?**

Visiting Svalbard brings the vulnerability of Arctic nature into our guests mind. They experience impressive wildlife and landscapes and at the time understand much better how important it is to protect these treasures and to act in a responsible way towards nature. Practical experience gives completely new perspectives and makes a real difference in changing people's minds sets and their behavior. This is a value (and also a responsibility) Svalbard must not give away by possibly stopping visitors to experience this region! Besides, current scientific research is made understandable with "living" examples by our experts on board the ships. They have visited Svalbard many times and conducted in-depth studies, research and have or written books about it. As a result, they can practically explain e.g. the climate change; act as field guides and build bridges between cultures.

- **Proposals for amendments to the Svalbard Environmental Protection Act and associated regulations.**

If the above mentioned proposals which contains changes in regulations on nature conservation areas, regulations on motor traffic and regulations on area protection will come in place, it will have a huge negative impact to our industry and our ability to show visitors the vulnerability of the Arctic regions.

Expedition vessels will not be able to perform any operation as before due to the severity and complexity of the proposals and some of them might even have to stop their operations in total. The proposed plan is out of all proportion, little problems shall be solved by enormous measures and wrong statistics have been used to underline the proposals. AECO has presented that research has been disregarded which show little or no problems with the tourism in several points. The industry was not involved in the regulatory process to include all parties in it and discuss it with all of them. None of the parties like the cruise and touristic industry, the local communities and even some authorities (Governor of Svalbard) have been included in these proposals and will have to challenge the implementation of the proposals on top to other new regulation like the Norway gun regulation.



In general, the understanding of tourism is biased and because of several crisis at the same time such as consequences of the Russian aggressions, Covid-19-topics, increasing prices and problems related to the new gun regulations in Svalbard the timing to set new restrictions could not be worse.

- **Proposal: Entry into force 2023 – general arguments that apply to both regulatory proposals**

Hapag-Lloyd Cruises is very concerned about the proposed timeline. We are planning our cruises 3-4 years in advance. Now we have started with the planning of the schedules for 2024/2025. We have just published the catalogue for 2023/2024 and started the marketing and sales. As we will have 2 of our 3 expedition vessels in Svalbard during every summer season, the proposal would have a huge impact to us. Therefore, we highly recommend to shift the implementation to 2025, so that we would have enough time to prepare our operations for this new regulations which are essential for an adequate planning.

- **Proposal: Close larger national parks and nature reserves for landing from cruise vessels**
  - Landing permitted in 42 sites within protected areas
  - 13 sites with max 39 people
  - 7 sites with area limitations

The national parks and nature reserves have been established also to ensure that people have the opportunity to experience and learn from that experience in the wilderness.

As expedition cruise tourists visit less than 1% of the area that is proposed, we can not understand why the present activities represent a problem, especially as there are no documentation to prove any problem. There is neither a vulnerability assessment for some of the locations planned to keep open nor a vulnerability assessment for the sites planned to close. We are sure that because of this new regulation, there will be an increase traffic on sites outside the protected areas and conflicts with other vessels.

- **Proposal: Only allow vessels carrying 200 pax or less to visit/land passengers in the larger national parks (as for Eastern Svalbard nature reserves)**

The Norwegian Cruise Commission (Cruiseutvalget) has after conducting thorough investigations, recently proposed a max of 500-750 people onboard ships sailing in Svalbard territorial waters. A similar approach is also used in Antarctica. We would suggest to implement the same regulations for the above proposal. Otherwise, we would not be able to sell the full capacity of our vessels and this would effect of course our costs of operations, which could have influence on our operations in Svalbard.





- **Proposal: Intensification of the ban on seeking our polar bears, and a requirement to keep at least 500 meters distance.**

Besides the fact, that polar bears are already strongly protected, the Norwegian Polar Institute believes today's regulations are sufficient. Polar bears approaching a vessel parked in the drift ice, are not disturbed but curious. For our passengers and crew it is major value to experience polar bears. It would have significant consequences for our operations.

- **Proposal: keep at least 300 meters from walrus haul outs at sea**

Many years of research show no negative impact on walrus from tourism in Svalbard. The proposal is pointing to the 300 meters distance being part of a guideline from Norwegian Polar Institute. This is incorrect, such an advice is not part of the guidelines, and it only advise that landing should be at least 300 meters from a colony.

- **Proposal: Prohibition against use of all kinds of drones**

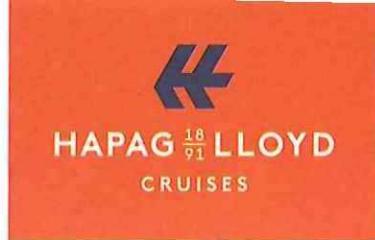
Hapag-Lloyd Cruises is not permitting any drones for passengers. We are only using them for marketing purposes by experienced crew members following the AECO guidelines. It would be a great opportunity to use it as safety equipment or for ice reconnaissance. We recommend to regulate the use of drones and not to ban it.

- **Proposal: Duty to report operations to the Svalbard Tax office if operations exceed 30 consecutive days in Svalbard or Svalbard waters. See "tax document" for details.**

There is no tax-exchange agreement between Svalbard and other countries therefore foreign operators will be subject to double taxation. There is a Norwegian tax regulation ensuring that Norwegian registered companies will not be subject to double taxation. This does not seem to be in accordance with the equality principle in the Svalbard Treaty. International ship traffic should be handled in accordance with international laws.

- **Proposal: Guide certification system**

Hapag-Lloyd Cruises would advocate for an approach where the operator, not the individual guide, has the overall responsibility for the operations and where certified guides can be one of several requirements to operators. The proposal does not seem to value any of the existing and well-functioning educations and tests such as AECO's Field Staff Standards and AECO's Field Staff Online Assessment, nor any types of international certification schemes or education that provide a similar level of competence. Furthermore, it does not take the high competence and experience in the industry into



account, for example, many of our guides have more education and competence than the requirements. One of the biggest issues for this proposal will be that Svalbard will not have enough capacity to host all the guides for local trainings. The shooting range capacity is already a major problem. It is impossible to send all guides to Svalbard to undertake more than 23 days of courses, most of them are only working some months of the year for us. They will not have the time to do this certification before the season and we will lose many of our experienced staff in this way. The costs for this education will be tremendous and would have major impact on our operations in Svalbard.

Hapag-Lloyd Cruises understand that the growing tourism can be a concern and we are more than willing to collaborate with the authorities and discuss necessary measures to ensure sustainable tourism operations and development, and share our experiences.

We have developed and are using many guidelines, tools and standards, and we are willing to discuss how we can further develop these to meet potential challenges.

Authorities should appreciate the value of tourism, also when it comes to education, engagement, and care - protecting Svalbard should be a collaboration between all involved parties.

Hapag-Lloyd Cruises has many years of experience in the expedition area and would be happy to bring it to the table, so that we can do it as a joint partnership, which is well thought and planned for all parties to benefit.

Thank you for your consideration of these critical issues.

A handwritten signature in blue ink that appears to read 'Isolde Susset'.

Isolde Susset, Director of Expedition

