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Emne: Proposed Svalbard regulations - Consultation response (or Høringssvar) ref 2021/9496 and 21/4952 – MAKO

Hello,

This is a 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

As a bit of background, Natural World Safaris is an independent tour operator which specialises in wildlife safaris around the world. Since 2014, we have been operating wildlife cruises on 12-16 passenger vessels in Svalbard and we have been members of AECO since 2018. All our trips are run in accordance with the framework and guidelines set out by Sysselmesteren and AECO. We only charter ships under 20 passengers as it is an important factor for us that, whilst we bring guests to see the unique wildlife of the region, we are still very keen to protect Svalbard as an environmental haven. We understand the need to ensure that Svalbard doesn't get over-crowded and that rules are followed to minimise disturbance and as a responsible tour operator, we already adhere to the robust rules in place. We encourage our guests to get involved in Citizen Science, and all trips participate in Clean Up Svalbard whilst onboard. Because we only operate on small ships, we feel that we are in a unique position to be able to highlight the beauty of Svalbard in a sustainable way.

So with the above in mind, here are our comments on various points in the proposals:

Proposal: Entry into Force 2023

The proposed entry into force in 2023 is a huge challenge for us as a tour operator – we plan and budget for our expeditions 2 years in advance so we need time to be able to comply without significant losses and problems. The proposed regulations look unnecessarily complex and it has been a surprise that there has been no industry involvement in the regulatory process overall. An additional concern is that rushed implementation can result significant processing delays by the Governor, which is something we are already experiencing with the new firearms regulations.

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

We are unsure where present activities represent a problem to require such a change in regulation. The national parks and nature reserves have been established to ensure that people have opportunity to experience and learn from experiences in the wilderness. Whilst we can understand the desire to reduce large numbers of visitors from large vessels at sites all at the same time, there should not be site access restrictions (except for the usual wildlife/ environmental reasons) for small vessels as the impact of less than 20 pax and 2-3 guides is minuscule. Our concern is that there will be increased traffic outside the protected areas which just means any issues that this regulation is trying to rectify is moved elsewhere. In addition, more vessels in fewer areas reduces the overall guest experience and could increase the impact on wildlife. We are strongly opposed to this proposal.

Proposal: Remove the legal requirement to use site specific guidelines in 15 sites in Svalbard

We are happy to continue using the 21 site specific guidelines AECO has developed to ensure sustainable operations within a legal framework, and are unsure about the reasoning for proposing to remove the guidelines in 15 sites. We are opposed to this proposal.

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

We are strongly opposed to this proposal. Bears are already strongly protected and experiencing polar bears is **THE** major draw in guests' Svalbard experience. Polar bears approaching a vessel parked in the drift ice, are not disturbed but curious. If vessels have to start navigation to maintain the proposed distance, this could ironically mean the bears are disturbed. We understand the Norwegian Polar Institute believes today's regulations are sufficient. We always approach safely and within a respectful distance (within the current AECO guidelines) of any polar bears or other wildlife. If this 500m proposal comes into force, we will have to end our operations in Svalbard.

Proposal: Keep at least 300 meters from walrus haul outs at sea

We are opposed to this proposal – walrus are another key wildlife draw for visitors to Svalbard and there is no research to suggest there is any negative impact on walrus from tourism in Svalbard. We already adhere to AECO guidelines on this.

Proposal: Duty to report operations to the Svalbard Tax office if operations exceed 30 consecutive days in Svalbard or Svalbard waters.

There is no tax-exchange agreement between Svalbard and other countries so as a foreign operator, we will be subject to double taxation. If local tax income is the objective, we would suggest applying a per passenger local tax would mean less administration and larger net income. We are strongly opposed to this proposal.

Proposal: Guide certification system

This proposal doesn't seem to have competence as an objective, rather a box-ticking exercise that will only benefit institutions that would benefit economically from it. Our expedition leaders are all very experienced and have many years of experience in polar tourism, more than the requirements are suggesting. There are numerous types of international certification schemes that can provide a similar level of competence ie Polar Tourism Guide qualification, AECO's Field Staff Assessment etc. We agree there should be a guide certification system but if this particular proposal remains, operations would be completely unviable for us due to cost, time and capacity in Svalbard.

Overall, we understand that growing tourism can be a concern, however we also think the expedition cruise industry brings value and huge benefits to Svalbard. As an operator working solely with small ships, we are certainly open to necessary measures to ensure sustainable tourism operations and development, and also understand the requirement to ensure high standards of competence amongst guides etc. Organisations such as AECO and Visit Svalbard already do great work with their standards and guidelines, and if we work together, we are confident that alternatives can be found to the regulations proposed above.

Cheers

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