

# The Greenland Model and Its Relevance to an Autonomy Statute for the Sahara Region

Lyck, Lise

*Document Version*  
Final published version

*Publication date:*  
2013

*License*  
CC BY-NC-ND

*Citation for published version (APA):*  
Lyck, L. (2013). *The Greenland Model and Its Relevance to an Autonomy Statute for the Sahara Region*. Paper presented at The Regional Dispute over the Sahara Issue and Morocco Initiative for Negotiating an Autonomy Statute for the Sahara Region, Oslo, Norway.

[Link to publication in CBS Research Portal](#)

## General rights

Copyright and moral rights for the publications made accessible in the public portal are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.

## Take down policy

If you believe that this document breaches copyright please contact us (research.lib@cbs.dk) providing details, and we will remove access to the work immediately and investigate your claim.

Download date: 10. Aug. 2022



# **The Greenland Model and its relevance to an Autonomy Statute for the Sahara Region**

Lise Lyck

Centre Director TCM

Copenhagen Business School

Solbjerg Plads 3 room D2.35

DK 2000 Frederiksberg

E-mail [ll.tcm@cbs.dk](mailto:ll.tcm@cbs.dk)

Presented at seminar on the Regional Dispute over the Sahara Issue and Morocco Initiative for negotiating an Autonomy Statute for the Sahara Region, Oslo University, March 12, 2013.

## **Introduction**

Greenland is the largest island of the world. It is mostly covered by an ice cap, but with an ice free territory of the same size as the territory of Sweden and 8 times the territory of Denmark.

**Figure 1 Greenland and its 4 municipalities plus the national park**



Source: Statistics Greenland 2012

The size of the population in Greenland has been stable since 1970's and include 56.000 persons.

Until Second World War Greenland was an almost closed territory, you had to have a permission to go there, and only few permissions were given. The size of the population at that time was less than 4000.

## **Short history**

There have lived people in Greenland in thousands of years. Different tribes of indigenous people have come and lived for many years (The Dorset culture, the Independence culture, the Sarqaq culture). The Vikings came to Greenland from Iceland and settled down in South-West Greenland and lived together with the Greenlanders. Later the Vikings disappeared, some continued to America and settles down there, others probably died of the diseases and hunger due to the deterioration of the weather conditions in the 1300's. When the Danish king sent out an expedition to investigate the fate of the Vikings, they didn't find any Vikings alive. Instead they brought two Greenlanders, Poq and Qiperoq to Copenhagen in 1724 to prove, that Greenland was inhabited. It became the start to the colonial era of Greenland that lasted to the Danish Constitution of 1953. In connection to the colonial era a priest was sent to Greenland in the 1720's to Christian the people. Since then the people living in Greenland have been Christians and religion has not been an issue in Greenland/Danish or Nordic relations.

After World War Two the Greenlanders where asked about modernization and they were positive. It meant a start for two big development programs; G50 that took place in the 1950's and established an infrastructure in Greenland, and G60 that took place in the 1960's with construction of houses and a development program for industry, especially the fisheries.

In relation to the development programs educational programs were also initiated.

## **The Greenland Model**

The Greenland Model is not a pure autonomy model as it is not given by an international agreement, or mentioned in the Danish Constitution. It could have been mentioned in the 1953 constitution as the Faeroe Islands got Home Rule in 1948 (14 islands in the North Atlantic Sea with a population of 46.000.)

The Greenland Model is specific in relation to 1) its historical roots and 2) its weight on future oriented development based on negotiations.

- 1) The model followed the Schleswig-Holstein (today part of North Germany) relation to Denmark. This model was further developed in relation to Iceland (Iceland became a sovereign state in 1944, when 97% of Icelanders voted for sover-

eignty). The model was reused in relation to the Faroe Islands and finally in relation to the model for Greenland.

- 2) The model is based on negotiations and mutual Danish-Greenland interest in economic development. When the negotiations on the Greenland Home Rule took place in the 1970's it was stressed that a model based on negotiations would be more flexible and future oriented compared to the models for Indigenous People in Canada where achieving rights were based on old declarations and treaties and therefore backwards looking.

Denmark became a member of the European Community in 1973. The Faroe Islands voted no and stayed outside the EC. Greenland was promised a referendum on membership when the Home Rule Act has become a reality. At the referendum the Greenlanders voted no to EC membership and Greenland left the Union in 1985 as the one and only people and territory that has ever left the EU.

The Home Rule Act meant a further development of the Greenland economy and also an extremely high degree of political stability. However, as the economy was mainly based on bilateral trade between Denmark and Greenland and development of the fisheries the economy could not develop enough to become economic sustainable. The Danish state therefore pays an annual block grant of 3.5 billion DKK to the Home Rule almost 0.5 billion Euro.

During the years the possibilities for a more sustainable economy has been discussed politically. From 2000 to 2003 a Greenland commission discussed a further development of the Home Rule Act and from 2004 to 2008 the Danish Parliament made a commission for preparing a self-government act. This act (see annex 1) was voted for by the Danish Parliament by all political parties except one, and it was also voted for in Greenland. It meant that the Self Government Act came into force in 2009. It is the most far reaching autonomy act in the world. Among the things to mention is that Greenland authorities can take over almost all economic and political areas and most important here, the mineral resources. Already in January 2010 the mineral resources were taken over.

Another important paragraph is Self-Government Act paragraph 10 that makes it possible for Greenland to decide to become a sovereign state. It can be seen from the comments to the Self-Government Act paragraph 10, expressing that none of the parties are obliged on a specific result of the negotiations in a situation where Greenland does not need the Danish block grant. The Self-government act takes it departure in people's rights to self-determination as expressed in the UN declaration article 1. Section two. It is also seen in paragraph 21 that reads "Decision on Greenland's sovereignty is made by the Greenland people".

The only area that can't be taken over as long as the Act is in function is the core Realm Rights (Security, Defense and High Court).

## The Greenland mineral history

There have been 8 places in Greenland where mining has been permitted. However, for the time being only one mine is in function.

**Table 2 Mining in Greenland**

Mineral	Name of Mine	Period
1. Cryolite	Ivigut	1854-1982
2. Cobber	Josva Mine	1905-1914
3. Graphite	Amitsoq	1914-1924
4. Coal	Qullissat	1923-1972
5. Lead and zinc	Blyklippen (the Lead mountain)	1956-1963
6. Lead and zinc	Black Angel	1973-1990 <sup>(1)</sup>
7. Olivine	Seqi	2005-2010 <sup>(2)</sup>
8. Gold	Nalunaq	2004 – <sup>(3)</sup>
9. Molybdenum	Malmbjerget (The Ore Mountain)	<sup>(4)</sup>

<sup>1</sup> New permission to mining given after 1990.

<sup>2</sup> Still permission to mine.

<sup>3</sup> The only mine in function in 2013 is the goldmine Nalunaq close to Nanortalik in South Greenland.

<sup>4</sup> Permission to mining is given, but mining has not started.

The latest years the interest and the hunt for minerals have been intensified. 142 licenses for exploration are given and in 2011 759 million DKK (100 million Euros) have been invested. Some of the projects are ready for exploitation within a few years. It goes especially for mining of iron close to Nuuk and for mining in the Kvane Mountain close to Narssaq in South Greenland.

The development related to the mentioned projects has given rise to debate both in Greenland and in Denmark. To achieve a future legitimacy for the activities an election to the Greenland Parliament has been decided and this election takes place today March the 12<sup>th</sup> 2013. It is expected that the outcome of the election will lead to continued development in Greenland based on minerals. The question is more about the speed of the development and the conditions related to the development. The political party in power goes for a continued zero tolerance in relation to uranium (Kvane Mountain) while the opposition (Siumut) goes for a less restrictive policy.

The debate in Greenland and in Denmark has mainly been related to 1) the Large Scale Act and 2) Mining in relation to the Kvane Mountain.

- 1) The iron mining close to Nuuk is expected to make use of labor from China to size of 3000 persons. Some in Greenland fear that the wages in Greenland will

go down and that it will damage the Greenlandic labor market, in other words they fear to be outcompeted by Chinese labor. In Denmark the debate is also concentrated on the labor market impact and furthermore on work permits and visa conditions. The Greenland authorities have declared that they will follow all international conventions in relation to the labor market.

- 2) The debate on mining in relation to the Kvanne Mountain has more dimensions. It is both about uranium but also about the Rare Earth Oxides (REO).

GEUS, a Danish state and later a Greenland institution for mining investigations and research, has made many investigation projects at the Kvanne Mountain in connection to uranium especially in the 1980's. The mineshaft from that time is sealed today. After the policy with zero tolerance was adopted both in Greenland and in Denmark in 1988, 3700 tonnage radioactive uranium plus 500 tonnage ore were brought from the Kvanne Mountain to Risø in Denmark where it is placed in a sealed deposit. Uranium is mined several places in the world, for instance in Canada, Australia and South Africa. Greenland has announced that they will follow international conventions about uranium mining.

REO includes 17 different kinds of earth oxides. They have high world strategic importance. Today China has access to most of the utilized REO in the world and the US and the EU are interested in access to the REO in Greenland. The Australian mining corporation Greenland Minerals and Energy (GME) have worked to make exploitation accepted by the Greenland politicians. They have come up with the suggestion that the mining concentration will take place in Greenland and that the concentrates then will be shipped to new joint venture partners so REO, Uranium and Zinc will be separated in Europe, China and South Korea. Such a labor division process will reduce the footprint in Greenland and furthermore the production costs.

GME has until now found 619 million tonnage ore including 6,6 million tonnage of REO. Furthermore 1.3 million tonnages of zinc and 350 million pound Uranium oxide have been found in the Kvanne Mountain. GME has invested more than 600 million DKK (Almost 100 million Euros) but lack capital of the size of 12.5 billion DKK to continue (1.7 billion Euros). The size of the uranium and the REO found in Greenland is maybe the largest in the world and it is situated where access to mining and shipping is easy.

The Kvanne Mountain Project if realized will give jobs and income to Greenland and it is estimated to have a duration of more than a 100 years. If accepted the mining investment can take place from 2014 and production start in 2016.

As can be seen mining activities can make the Greenland economy economic sustainable, and it will of course change the Greenland economy, society and position in the world.

How Greenlanders will react to this new reality is difficult to foresee. Maybe Greenlanders will still choose to be part of the Danish Realm, maybe they will go for sover-

eignty. However, what decision they will take cannot be forecasted yet and it has to be remembered, that sovereignty today doesn't mean independency. Being part of a global economy always includes dependencies and in the case of Greenland sovereignty will imply a closer relation to the US due to the geographically strategic position of Greenland and due to the strategic value of minerals in Greenland.

## **Similarities and differences between Greenland and the Sahara Region**

Among the similarities can be mentioned:

- Both have a hinterland position with richness of minerals in relation to global development.
- Both have an indigenous people or a local population wanting more political influence.
- Both have a basic idea of a development can be achieved peacefully through negotiations.
- Both see a graduate development as a successful way to economic development.
- Both relate to the international community and see international organizations as facilitators for a solution achieving process.

Among the differences are:

- Climate conditions
- Size of population
- The role of religion
- Historic background

Further on those items and on the Moroccan initiative for an Autonomy statute for the Sahara Region can be studied in "Development of Greenland Home Rule Model and its relevance to an Autonomy Statue for the Sahara Region" and "Natural Resources in Greenland: An Inspiring Experience for the Sahara Region" by Lise Lyck presented in Geneva in 2012.

## **Conclusion and inspiration**

Economic and political developments are central issues for Greenland and in the Moroccan initiative for an autonomy statute for the Sahara Region. It shall be achieved in a peaceful way following guidelines from international institutions, especially the UN and it shall relate in a meaning full way to international society governance.

Studying the Greenland Model main inspiration focus areas will be:

- Focus on education and learning systems.
- Initiating negotiation and a negotiation based development, based on dialogues. In this respect it will be important to achieve legitimacy to dialogue partners

from The Sahara Region being elected. It seems also ideal if the elected dialogue partners can form political parties that can mirror their core economic and political ideas.

- As the process in Sahara is rather new compared to the development in Greenland it could be considered that Morocco takes initiative to forming an advisory commission for discussion of autonomy issues. Such a commission should include; Moroccan experts in Autonomy, elected dialogue partners from Sahara, experts appointed by the UN and experts in the Greenland economic and political development. Having expertise in Greenland economic and political development should contribute with knowledge how a successful development can be achieved through negotiations. The question for the advisory commission should not be about sovereignty, but on a negotiation based, economic and political development within an autonomy model.



## **Sources**

L. Lyck “Development of Greenland Home Rule Model and its relevance to an Autonomy Statue for the Sahara Region” (2012) UN Geneva.

L. Lyck “Natural Resources in Greenland: An Inspiring Experience for the Sahara Region” (2012) UN Geneva.

## **Annex 1: Act on Greenland Home Rule Act of 2009 (Included the Non-transferred Areas)**

**Act no. 473 of 12 June 2009**

**Act on Greenland Self-Government**

WE, MARGRETHE THE SECOND, by God's Grace Queen of Denmark, hereby announce that:

The Danish Parliament has passed the following Act, which we have ratified by giving our assent:

Recognising that the people of Greenland is a people pursuant to international law with the right of self-determination,

The Act is based on a wish to foster equality and mutual respect in the partnership between Denmark and Greenland.

Accordingly, the Act is based on an agreement between Naalakkersuisut [Greenland Government] and the Danish Government as equal partners.

### **CHAPTER 1 - THE SELF-GOVERNMENT AUTHORITIES AND THE COURTS**

**1.** The Greenland Self-Government authorities shall exercise legislative and executive power in the fields of responsibility taken over. Courts of law that are established by the Self-Government authorities shall exercise judicial power in Greenland in all fields of responsibility. Accordingly, the legislative power shall lie with Inatsisartut [Greenland Parliament], the executive power with Naalakkersuisut, and the judicial power with the courts of law.

### **CHAPTER 2 - THE SELF-GOVERNMENT AUTHORITIES' ASSUMPTION OF FIELDS OF RESPONSIBILITY**

**2.** (1) The Greenland Self-Government authorities may determine that the fields of responsibility that appear from the Schedule to this Act shall be transferred to the Self-Government authorities.

(2) To the extent that several fields of responsibility are listed under the same paragraph or number in the Schedule to this Act, the fields of responsibility concerned shall be transferred to the Greenland Self-Government authorities at the same time, but see subsection (3).

(3) The Greenland Self-Government authorities may determine that part of the fields of responsibility that are listed in List I, part b and List II, Nos. 15, 25 and 27 in the Schedule to this Act shall be transferred to the Self-Government authorities.

**3.** (1) Fields of responsibility that appear from List I of the Schedule shall be transferred to the Greenland Self-Government authorities at points of time fixed by the Self-Government authorities.

(2) Fields of responsibility that appear from List II of the Schedule shall be transferred to the Greenland Self-Government authorities at points of time fixed by the Self-Government authorities after negotiation with the central authorities of the Realm.

**4.** Naalakkersuisut and the Government may agree that fields of responsibility which exclusively concern Greenland affairs, and which are not referred to in the Schedule, may be assumed by the Greenland Self-Government authorities.

### **CHAPTER 3 - ECONOMIC RELATIONS BETWEEN THE GREENLAND SELF-GOVERNMENT AUTHORITIES AND THE DANISH GOVERNMENT**

- 5.** (1) The Government shall grant the Greenland Self-Government authorities an annual subsidy of DKK 3,439.6 million, but see section 8 (1). The amount is indicated in 2009 price and wage levels.
- (2) The subsidy shall be adjusted annually in accordance with the increase in the general price and wage index of the Finance and Appropriation Act for the year concerned.
- (3) The subsidy shall be paid in advance in the form of a monthly payment of 1/12.
- (4) Subject to agreement with Naalakkersuisut, the Minister for Finance may lay down rules on changed dates for disbursement.
- 6.** (1) Fields of responsibility that are assumed by the Greenland Self-Government authorities pursuant to sections 2-4 shall be financed by the Self-Government authorities from the date of assumption.
- (2) The Greenland Self-Government authorities shall assume the real assets that are directly related to a field of responsibility that is taken over.
- 7.** (1) Revenue from mineral resource activities in Greenland shall accrue to the Greenland Self-Government authorities.
- (2) The revenue referred to in subsection (1) shall include the following revenue:
- 1) Revenue in accordance with specific licenses for prospecting for, exploration for, or the exploitation of mineral resources. This shall not, however, include amounts paid to cover expenditure under the auspices of the Bureau of Minerals and Petroleum.
- 2) Revenue from any taxation in Denmark and Greenland of licence holders with respect to the part of the business that relates to mineral resources in Greenland.
- 3) Revenue from Greenland and Danish public authorities' stakes in companies, etc. that operate in the mineral resource area in Greenland.
- 4) Revenue from withholding tax, etc. in Denmark and Greenland concerning shareholders in companies that are licence holders, or in companies that entirely own such companies directly or indirectly and can receive tax-free dividend from these.
- 8.** (1) If revenue from mineral resource activities in Greenland accrues to the Greenland Self-Government authorities, cf. section 7, the Government's subsidy to the Self-Government authorities shall be reduced by an amount corresponding to half the revenue which, in the year concerned, exceeds DKK 75 million.
- (2) With effect from 1 January the year after the commencement of the Act, the amount of DKK 75 million referred to in subsection (1) shall be adjusted annually in accordance with the increase in the general price and wage index of the Finance and Appropriation Act for the year concerned.
- (3) Calculation pursuant to subsection (1) shall take place the subsequent year with a view to payment the following year.
- 9.** (1) With the assumption of the mineral resource area by the Greenland Self-Government authorities, the Government shall, against payment, ensure the provision of consultancy and other attendance to tasks for the purpose of the Self-Government authorities' attendance to the mineral resource area.
- (2) With effect from the Greenland Self-Government authorities' assumption of the mineral resource area, Naalakkersuisut and the Government shall conclude an agreement on the services referred to in subsection (1).
- (3) Naalakkersuisut may decide to renew the agreement referred to in subsection (2) in the form of multi-year agreements.
- (4) Where agreements are concluded pursuant to subsection (2) and subsection (3), the Government shall, free of charge, provide Naalakkersuisut with research of special relevance to mineral resource exploration in Greenland.

10. If the Government's subsidy to the Greenland Self-Government authorities is reduced to zero kroner, cf. section 8, negotiations shall be initiated between Naalakkersuisut and the Government regarding the future economic relations between the Greenland Self-Government authorities and the Government. The negotiations shall include the distribution of revenue from mineral resource activities in Greenland, resumption of the Government's subsidy to the Greenland Self-Government authorities, and continuation of an agreement regarding the services referred to in section 9.

#### **CHAPTER 4 - FOREIGN AFFAIRS**

11. (1) Naalakkersuisut may act in international affairs as laid down in this Chapter and in agreements with the Government.

(2) The Government and Naalakkersuisut shall cooperate in international affairs as laid down in this Chapter with a view to safeguarding the interests of Greenland as well as the general interests of the Kingdom of Denmark.

(3) The powers granted to Naalakkersuisut in this Chapter shall not limit the Danish authorities' constitutional responsibility and powers in international affairs, as foreign and security policy matters are affairs of the Realm.

12. (1) Naalakkersuisut may, on behalf of the Realm, negotiate and conclude agreements under international law with foreign states and international organisations, including administrative agreements which exclusively concern Greenland and entirely relate to fields of responsibility taken over.

(2) Agreements under international law which exclusively concern Greenland and the Faroe Islands and entirely relate to fields of responsibility taken over may, subject to decision by Naalakkersuisut as well as the Faroe Islands Landsstyre [Government of the Faroes], be negotiated and concluded jointly on behalf of the Realm by Naalakkersuisut and the Faroe Islands Landsstyre.

(3) Agreements under international law concluded pursuant to subsection (1) or subsection (2) may be terminated according to the same provisions.

(4) Agreements under international law affecting the defence and security policy as well as agreements under international law which are to apply to Denmark, or which are negotiated within an international organisation of which the Kingdom of Denmark is a member shall be negotiated and concluded according to the rules laid down in section 13.

(5) Naalakkersuisut shall inform the Government of negotiations under consideration before these are initiated and of the development of the negotiations before agreements under international law are concluded or terminated. A more detailed framework for the cooperation in accordance with this provision shall be determined after negotiation between Naalakkersuisut and the Government.

(6) Agreements under international law pursuant to subsection (1) shall be concluded on behalf of the Realm by Naalakkersuisut under the designation of:

a) The Kingdom of Denmark in respect of Greenland where the agreement appears as concluded between states.

b) Naalakkersuisut where the agreement appears as concluded between governments or between administrative authorities. In that case, reference shall be made in the preamble of the agreement to the present Act as specified pursuant to subsection (8).

(7) Agreements under international law pursuant to subsection (2) shall be concluded jointly on behalf of the Realm by Naalakkersuisut and the Faroe Islands Landsstyre under the designation of the Kingdom of Denmark in respect of the Faroe Islands and Greenland.

(8) More detailed rules for the use of designations referred to in subsections (6) and (7) as well as other similar designations may be determined in accordance with subsection (5).

**13.** (1) The Government shall inform Naalakkersuisut before negotiations are initiated regarding agreements under international law which are of particular importance to Greenland. Subject to request by Naalakkersuisut, an agreement may be concluded with the Minister concerned who shall lay down detailed cooperation rules within the framework of this provision, including a detailed determination of criteria for when agreements shall be deemed to be of particular importance to Greenland.

(2) In matters which exclusively concern Greenland, the Government may authorise Naalakkersuisut to conduct the negotiations, with the cooperation of the Foreign Service.

(3) Agreements where Denmark and Greenland have been jointly involved in the negotiations shall be signed by the Government, to the widest extent possible, together with Naalakkersuisut.

(4) Agreements under international law which are of particular importance to Greenland must, before they are concluded or terminated, be submitted to Naalakkersuisut for comments. If the Government deems it necessary to conclude the agreement without the consent of Naalakkersuisut, this shall, to the widest extent possible, have no effect for Greenland.

**14.** Where international organisations allow entities other than states and associations of states to attain membership in their own name, the Government may, subject to request by Naalakkersuisut, decide to submit or support such an application from Greenland where this is consistent with the constitutional status of Greenland.

**15.** As requested by Naalakkersuisut, representatives of Naalakkersuisut shall be appointed to the diplomatic missions of the Kingdom of Denmark to attend to Greenland interests within fields of responsibility that have been entirely assumed by the Self-Government authorities. The Government may determine that expenditure to this end shall be borne by Naalakkersuisut.

**16.** (1) Greenland Self-Government authorities shall be subject to the obligations that arise out of agreements under international law and other international rules which are at any time binding on the Realm.

(2) Measures under consideration by the Self-Government authorities which would be of substantial importance for the foreign relations of the Realm, including participation by the Realm in international cooperation, shall be negotiated with the Government before any decision is taken.

#### **CHAPTER 5 - COOPERATION BETWEEN THE GREENLAND SELF-GOVERNMENT AUTHORITIES AND THE CENTRAL AUTHORITIES OF THE REALM REGARDING STATUTES AND ADMINISTRATIVE ORDERS**

**17.** (1) The Government's Bills which comprise or may be brought into force for Greenland must, before they are presented to the Folketing, be submitted to the Greenland Self-Government authorities for comments.

(2) The Government shall await the Self-Government authorities' comments before presenting Government Bills to the Folketing which contain provisions that exclusively apply to Greenland or are of particular importance to Greenland.

(3) A time limit may be fixed for the submission of comments comprised by subsection (2).

**18.** (1) Draft administrative orders which comprise or may be brought into force for Greenland must, before they are issued, be submitted to the Greenland Self-Government authorities for comments.

(2) The issue of administrative orders which contain provisions that exclusively apply to Greenland or are of particular importance to Greenland shall await the Self-Government authorities' comments.

(3) A time limit may be fixed for the submission of comments comprised by subsection (2).

#### **CHAPTER 6 - DISPUTE RESOLUTION**

**19.** (1) Should any question of doubt arise between the Greenland Self-Government authorities and the central authorities of the Realm concerning the Self-Government authorities' responsibility in relation to the central authorities, the Government or Naalakkersuisut may decide to lay the question before a board consisting of two members nominated by the Danish Government, two members nominated by Naalakkersuisut, and three judges of the Supreme Court nominated by its President, one of whom shall be nominated as chairman.

(2) If the four members nominated by the Government and Naalakkersuisut reach agreement, the question shall be considered settled. If these four fail to reach agreement, the question shall be decided by the three Supreme Court judges.

(3) The board may decide to suspend the enactment or decision which has been placed before the board until such time as the board's decision is taken.

#### **CHAPTER 7 - LANGUAGE**

**20.** Greenlandic shall be the official language in Greenland.

#### **CHAPTER 8 - GREENLAND'S ACCESS TO INDEPENDENCE**

**21.** (1) Decision regarding Greenland's independence shall be taken by the people of Greenland.

(2) If decision is taken pursuant to subsection (1), negotiations shall commence between the Government and Naalakkersuisut with a view to the introduction of independence for Greenland.

(3) An agreement between Naalakkersuisut and the Government regarding the introduction of independence for Greenland shall be concluded with the consent of Inatsisartut and shall be endorsed by a referendum in Greenland. The agreement shall, furthermore, be concluded with the consent of the Folketing.

(4) Independence for Greenland shall imply that Greenland assumes sovereignty over the Greenland territory.

#### **CHAPTER 9 - ENTRY INTO FORCE AND TRANSITIONAL PROVISIONS**

**22.** The Act shall enter into force on 21 June 2009.

**23.** (1) Act No. 577 of 29 November 1978 on Greenland Home Rule shall be repealed, but see subsection (2).

(2) Section 8 of the Greenland Home Rule Act shall remain in force until the mineral resource area is taken over by the Greenland Self-Government authorities.

(3) The Greenland Self-Government authorities shall continue to exercise legislative and executive power in fields of responsibility that have been assumed pursuant to section 4 of the Greenland Home Rule Act.

(4) The Greenland Self-Government authorities shall exercise legislative and executive power in fields of responsibility that have been assumed pursuant to section 5 of the Greenland Home Rule Act.

**24.** (1) Act No. 577 of 24 June 2005 on the conclusion of agreements under international law by the Government of Greenland shall be repealed.

(2) Orders issued in pursuance of the Act shall remain in force with the amendments that arise out of this Act until they are amended or repealed by the proper authority.

**25.** Section 22 of the Act on Mineral Resources in Greenland, cf. Consolidation Act No. 368 of 18 June 1998 shall be repealed.

**26.** Act on the establishment of a company to attend to hydrocarbon activities in Greenland, etc., cf. Consolidation Act No. 87 of 9 February 1999 shall be repealed.

**27.** Act No. 502 of 6 June 2007 on subsidy to the Greenland Home Rule in 2008 and 2009 shall be repealed.

**28.** Provisions that apply to Greenland shall remain in force with the amendments that arise out of this Act until they are amended or repealed by the proper authority.

**29.** (1) Matters which at the time of transfer of a field of jurisdiction to the Greenland Self-Government authorities are under consideration by a Danish authority shall be finalised by the Greenland authority concerned, but see subsection (2).

(2) The Danish authority concerned may in special cases and subject to agreement with the Greenland authority concerned decide that certain specific matters shall be finalised by the Danish authorities.

*Given at Amalienborg on 12 June 2009*

Under Our Royal Hand and Seal

MARGRETHE R.

/ Lars Løkke Rasmussen

#### SCHEDULE

##### List I

- a) Industrial injury compensation
- b) The remaining areas under the health care area
- c) The road traffic area
- d) The law of property and obligations
- e) The commercial diving area

##### List II

- 1) Prison and probation service
- 2) Passports
- 3) Police and prosecution service as well as related parts of the administration of criminal justice
- 4) Administration of justice, including the establishment of courts of law
- 5) Criminal law
- 6) The access for foreigners and border controls
- 7) Law of capacity
- 8) Family law
- 9) Succession law
- 10) Law practice
- 11) The weapons area
- 12) Radio-based maritime emergency and security services
- 13) The radio communications area
- 14) The company, accounting and auditing area
- 15) The food and veterinary area
- 16) Aviation
- 17) Intellectual property

- 18) Copyright
- 19) Shipwreck, wreckage and degradation of depth
- 20) Security at sea
- 21) Ship registration and maritime matters
- 22) Charting
- 23) The buoyage, lighthouse and pilotage area
- 24) Marine environment
- 25) Financial regulation and supervision
- 26) The mineral resource area
- 27) The working environment
- 28) Meteorology