

Journal of Comparative Urban Law and Policy

Volume 4
Issue 1 *Festschrift II in Honor of Julian Conrad
Juergensmeyer on the Occasion of His
Retirement: International Perspectives on Urban
Law & Policy*

Article 22

2020

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Recommended Citation

Basse, Ellen Margrethe (2020) "Why Greenland is not for Sale," *Journal of Comparative Urban Law and Policy*. Vol. 4 : Iss. 1 , Article 22, 327-352.

Available at: <https://readingroom.law.gsu.edu/jculp/vol4/iss1/22>

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WHY GREENLAND IS NOT FOR SALE

Ellen Margrethe Basse*

1. INTRODUCTION

Through the last 26 years Julian C. Juergensmeyer and I have cooperated on teaching and research in American and European/Danish environmental regulation of growth management. This chapter is partly inspired by these activities, partly by United States' (hereinafter the U.S.) interests in the Danish Arctic areas as these interests were illustrated by President Donald Trump's offer in August 2019 to purchase Greenland.

Greenland lies close to the North American continent, and its southern part lies nearly halfway on the direct air route from U.S. to Western Europe. It covers an area of 2.2 million km² – 50 times the size of Denmark. Around 80% of the area is covered with ice. The Greenlandic population is an indigenous people (Inuit). Approximately 90% of the people living in Greenland are Inuit (Kalaalit) and the rest are Scandinavian ethnicities, mostly Danes.¹ The different time periods and the resulting changes in the Inuit living conditions have all contributed to the current society and the level of urbanization.

This chapter will illustrate that the Inuit's interest in growth management is closely connected to their interest in independency. I will explain the special history of the development in this Arctic area and the interests in a future based on the values of Inuit traditions that have to be recovered in a new independent welfare state. As a reaction to Trump's offer in August 2019 to Denmark on the purchase of Greenland, Greenland's foreign minister, Ane Lone Bagger, told Reuters that "*We are open for business, but*

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¹ Anne Merrild Hansen, *Community Impacts: Public Participation, Culture and Democracy. Background Paper for the Committee for Greenlandic Mineral Resources to the Benefit of Society*, Aalborg December 2013, https://greenlandperspective.ku.dk/this_is_greenland_perspective/background/report-papers/Community_Impacts.pdf (visited on 24 November 2019)

we're not for sale". It is part of their identity that the development must not be part of a problematic and different Western tradition.²

Section two starts with a picture of the Greenlandic historical development during the last 600 years. The full picture of the development also includes the U.S. interests in Greenland and its military installations and activities in the island. Greenland's current integration in the Realm of Denmark (Kunngøqarfik Danmark) and the Greenlandic interests in independency are covered by section three, and the cultural and political identity, the language and legislative traditions are covered by section four. Even though most of the Inuit actually live in cities, such a modern, urban life is explained to be basically excluded from Greenlandic identity.³ Section five describes the special geographical and economic challenges that the Greenlandic society has to take into account on its way to independency. This section explains Greenland's dependency of the yearly block grant from Denmark, the economic support from the European Union (hereinafter the EU) as well as the Greenlandic legislation of relevance for the current economic situation. The strategic interests of the U.S. in Greenland are covered by section six. And finally, the conclusion in section seven – i.e. that the Greenlandic population has an interest in an enhancing independence of Denmark as well as an independence of other states – is based on the explanations and analyses in the first six sections.

2. THE HISTORY BEHIND THE CONSTITUTIONAL STATUS OF GREENLAND

The first known settlements in the most Northernly part of Greenland (called Peary Land) date back to around 2,500 B.C. when the Thule Inuit arrived from Arctic America and Canada. The relationship with Europe started in the Viking Age when people (the Northmen) from Iceland settled in the southern part of Greenland. The Northmen were farmers and seafarers. In 1261, Iceland accepted a subordinate status under the Norwegian crown and the settled community in Greenland did likewise.⁴

2.1 Six Hundred Years of Inuit Society Under Foreign Impact

The history of the connection between Greenland and Denmark dates back to 1380 when Denmark and Norway became a double monarchy, soon with Denmark in the leading role. Via this union, the Danish Kingdom gained

² Ulrik Pram Gad, *Post-colonial identity in Greenland? When the empire dichotomizes back – bringing politics back in*, *Journal of Languages and Politics*, 2009, Vol 8, issue 1, at 142.

³ Ulrik Pram Gad, *Post-colonial identity in Greenland? When the empire dichotomizes back – bringing politics back in*, (mentioned supra in note 2), at 141.

⁴ Axel Kjær Sørensen, *Denmark-Greenland in the twentieth Century*, *Meddelelser om Grønland* (in English: *Communication on Greenland*), *Man & Society*, Vol. 34, 2007, at 11.

access to the Norwegian tax territories that included Greenland.⁵ During the 1400s, the living conditions became less favourable for the Northmen's domestic animals, and the population coming from the Nordic countries died out in Greenland in 1500 – followed by a period without any contacts between the countries. New waves of Eskimos came from Canada as the changes in the climate conditions brought more favourable conditions for the hunters.

The Englishman John Davis's expedition in 1585-1587 established contact between the Greenlanders in the west and the Europeans. In the years that followed, the interest in whale oil lighting caused an increased in whale hunting in West Greenlandic waters by European (especially Danish) whalers. In the summers of 1605-1607, King Christian IV of Denmark sent expeditions to West Greenland.

The arrival in 1721 of the Danish-Norwegian missionary Hans Egede in the area around Nuuk is often mentioned as the most important reasons why Greenland now is part of Denmark. His activities were followed by the establishment of a series of missions and trading posts under Danish administration in West Greenland.⁶ King Christian VI took over Greenland in 1726 as a Danish colony.⁷ When the colony continued to operate at a loss, the King in 1731 ordered that the establishment in Greenland should be abandoned, and the colony was closed down. However, Hans Egede did not give up his project, and he successfully appealed to the King's conscience to allow the mission work to continue in Greenland.⁸ In 1732, the Danish owned 'Greenlandic Trading Company' was established, which came to have influence on the living conditions of the Inuit, and in 1733 the Danish King decided to accept Greenland as a crown territory.

Denmark lost Norway in 1814 in a war, but the separation of Norway and Denmark did not affect the status of Greenland as part of the Danish State monopoly. In 1903-1904, a Dane named Knud Rasmussen from Ilulissat visited

⁵ The Danish monarchy was at that time a major power in Northern Europe covering Norway, southern and western Sweden, Germany north of Hamburg and Lubeck, and Greenland, the Faroe Island and Iceland in the Northern Atlantic. Sweden and Norway were lost in 1814, as Denmark was on the losing side in the Napoleonic Wars. Island became an independent State in 1918 but chose to enter into a personal union with Denmark for the first 25 years of this new arrangement.

⁶ Jørgen Taagholt and Jens Claus Hansen, *Greenland: Security Perspectives*, at 16 (the book is available at <https://www.arcus.org/publications/2001/greenland-security-perspectives> visited on 29 November 2019).

⁷ The Greenlandic territory was regarded as being under Danish sovereignty on an equal footing with Iceland and the Faroe Islands, see the ICJs General List No. 43, judgment No. 20.

⁸ Axel Kjær Sørensen, *Denmark-Greenland in the twentieth Century*, (mentioned supra in note 4), at 12.

northwest Greenland for the first time with the Danish Literary Expedition. Norwegian hunters established themselves in uninhabited northeast areas in 1906. In 1909, the Greenland Board of Missions founded a Danish mission station at Umanaq, and in 1910 a private trading post named Thule was established by Knud Rasmussen in the same area.⁹

In 1929, the East Greenlandic hunting company ‘Nanok’ was formed in Greenland. With support from the Norwegian government, the Norwegian hunters occupied parts of the area. These activities resulted in disagreement between Danish and Norwegian interests. Therefore, Denmark presented a case on the legal status of Eastern Greenland before the International Court of Justice (ICJ) in the Hague. On 5 September 1933, the ICJ confirmed that the area was Danish territory.¹⁰

2.2 The U.S.’s Military Interests and Activities in Greenland

In 1868, the U.S. Secretary of State William Seward – working as a member of president Abraham Lincoln’s government – argued for an American purchase of Greenland and Iceland. His arguments were that these areas would give the U.S. influence in the North Atlantic in the same way as the purchase of Alaska in 1867 from Russia brought the U.S. influence in the North Pacific. The purchase idea was not accepted by Denmark.

When Denmark sold the three West Indian Islands – St. Thomas, St. John and St. Croix – for U.S. \$25 million, it used this sale to have its sovereignty over Greenland acknowledged by the U.S. in a declaration of 4 August 1916.¹¹ The Declaration states:¹²

“In proceeding this day to the signature of the Convention respecting the cession of Danish West-

⁹ Thule is the Greek name for the farthest corner of the world. Concerning the description of this part of Greenland’s history, see Jørgen Taagholt and Jens Claus Hansen, *Greenland: Security Perspectives*, (mentioned supra in note 6), at 17.

¹⁰ The judgment was made under the Twenty-Six session of the Permanent Court of International Justice.

¹¹ The Declaration is accessible in the Danish National Archives. Concerning this Declaration, see e.g. Jørgen Taagholt and Jens Claus Hansen, *Greenland: Security Perspectives*, Arcus, at 18, and Iben Bjørnsson, *Why is Greenland a part of the Danish Kingdom?* in *The Arctic Journal*, Thursday 23 June, 2016.

¹² The citation is based on a picture of the declaration published with the Danish National Archive’s approval in the thesis of Charlotte Glavind Bülow, *Fried or Foe: The Chinese Interests in Greenland and how it Impacts the Relationship Between Greenland and Denmark*, 2018, at 35, available at <http://www.martinbreum.dk/wp-content/uploads/2018/10/Thesis-Bülow-2018.pdf> (Visited on 3 December 2019).

Indian Islands to the United States of America, the undersigned Secretary of State of the United States of America, duly authorized by his Government, has the honor to declare that the Government of the United States of America will not object to the Danish Government extending their political and economic interests to the whole of Greenland.”

As Denmark was occupied by the German military during the Second World War (1940-1945), Greenland was dependent on the U.S.¹³ On 3 May 1940, the two Greenlandic District Councils decided that the two district governors that were responsible for the administration of the Western and Eastern parts of Greenland could make all necessary decisions required on the security of Greenland. A resolution was adopted by the governors in the name of the Greenlandic people, expressing hope that the U.S. would remember their exposed position.¹⁴ On that background, the U.S. Coast Guard was sent to Greenland in 1940 for inspection and transportation issues, and an American consulate was established in Greenland. The territory had a geographical position of importance both for transport between the U.S. and Europe and for the metrological observations. The permanent American representation in Nuuk was established in 1940, and the construction of a military bases and infrastructure started in 1941. On 9 April 1941, the Danish ambassador Kaufmann signed “The Agreement Relating to the Defence of Greenland” (named the “Greenland Treaty”) in Washington. It gave the U.S the right to establish and operate defence areas or military bases. The Danish government declared itself not bound by this Treaty and fired Kauffmann – a decision that was not accepted by Kauffmann, who stayed at work in Washington.¹⁵ In order to support the U.S. Army personnel, the U.S. set up a large military hospital on the eastern side of Narsarsuaq. Three airstrips were built by the U.S. Army – the “Bluie West One”, the “Bluie West Two” and the “Bluie West Eight” – were located away from major settlements, partly to ensure the isolation of the U.S.

¹³ Mikkel Vedby Rasmussen, *Greenland Geopolitics: Globalisation and Geopolitics in the New North, Background Paper for the Committee for Greenlandic Mineral Resources to the Benefit of Society*, Copenhagen 2013, https://greenlandperspective.ku.dk/this_is_greenland_perspective/background/report-papers/Greenland_Geopolitics_Globalisation_and_Geopolitics_in_the_New_North.pdf (visited the 24 November 2019).

¹⁴ Jørgen Taagholt and Jens Claus Hansen, *Greenland: Security Perspectives*, (mentioned supra in note 6), at 2.

¹⁵ Jørgen Taagholt and Jens Claus Hansen, *Greenland: Security Perspectives*, (mentioned supra in note 6), at 23.

military in Greenland from the Greenlandic villages.¹⁶ The Bluie West Eight” is now an international airport. It is no longer included in the U.S. military’s facilities, but it is still very important for the urbanisation of Greenland.¹⁷

The post-war Government of Denmark preferred withdrawal of the U.S. troops and presented this interest before the U.S. Government. In response, the U.S. claimed that the best solution would be for the U.S. to purchase Greenland from Denmark. In 1946, president Harry Truman made an official offer to Denmark to purchase Greenland for US\$100 million with the purpose of establishing military bases that could be used in the defence of the U.S.¹⁸ Denmark did not accept the offer, however. A Danish Greenlandic Naval District was established the same year with headquarters at Grønnedal and Nuuk to provide a more permanent Danish military presence in Greenland. The U.S. Army stayed in Greenland as the location of its facilities was of importance for the defence of the U.S. in any possible global war.¹⁹ Denmark accepted that the U.S. Army established a permanent defence from 1947, which also allowed for the offensive use of the U.S. bombers in strikes on the Soviet Union. In 1948, an agreement was reached with the Government of Denmark on a continued U.S. presence. The increased geopolitical importance of Greenland impacted the Danish wish to keep Greenland as a colony and to join the North Atlantic Treaty of 4 April 1949 (on NATO). On 27 April 1951 an agreement between the U.S. and the Government of Denmark was signed pursuant to the North Atlantic Treaty on the ‘Defence Agreement’. In June 1951, the U.S. navy used 120 ships to transport 12,000 men and 300,000 tons of cargo to Thule for the construction of the Thule Airbase. In May 1953, the Inuit that were located in Uummanaq – an area close to the airbase – were relocated to areas approximately 130 km north of Thule at Qaanaaq on the southern tip of Red Cliff Peninsula. It was part of the Danish strict isolation policy after the Second World War to ensure that the installations of the U.S. Army were located relatively far from the Inuit settlements to maintain sovereignty over Greenland.²⁰

¹⁶ Inatsisartut Act No. 12 of 5 December 2008 on Airports and an agreement from 2010 establish the basis for new airports closer to the Greenlandic cities.

¹⁷ It is now the international Kangerlussuaq Airport that is located in the Qeqqata municipality.

¹⁸ Natalia Loukacheva, *The American promise: Legal and Political Autonomy of Greenland and Nunavut*, University of Toronto, 2007, at 132.

¹⁹ Jørgen Taagholt and Jens Claus Hansen, *Greenland: Security Perspectives*, (mentioned supra in note 6), at 28.

²⁰ Jørgen Taagholt and Jens Claus Hansen, *Greenland: Security Perspectives*, (mentioned supra in note 6), at 18.

The idea that the U.S. should buy Greenland from Greenland was presented again in 1960 by President Eisenhower as a reaction to a Danish disarmament plan covering Greenland. Denmark gave up the plan, and the U.S. Army could stay in Greenland.

On 13 March 1991 – and again on 21 February 2003 – the “Defence Agreement” between the U.S. and the Danish Government in Copenhagen was supplemented by a memorandum of understanding concerning the use of aviation facilities related to the U.S. military activities. On 6 August 2004 the ‘Defence Agreement’ (also named the “Igaliku Agreement”) was supplemented by a Joint Declaration signed by the U.S., the Government of Denmark, and the Home Rule Government of Greenland accepting the position of the last-mentioned government as a party to the agreement.²¹

3. GREENLAND AS A MEMBER OF THE DANISH REALM AND ITS INTERESTS IN INDEPENDENCE

Greenland was a Danish colony until the latest amendment of the Danish Constitution in 1953.²² Greenland was integrated into Denmark by the amended Constitution in harmony with the obligations under the United Nations’ Charter Chapter XI and the criteria for the determination when a decolonisation is fulfilled established by the General Assembly.²³ The General Assembly acknowledged that Greenland was no longer a colony.²⁴ This integration was decided without the democratic means necessary to involve the Inuit in their new status, but the rights of the Inuit in Greenland have been made clearer by later decisions of the General Assembly.²⁵

Based on section 1 of the Constitution, it shall apply to all parts of the Kingdom of Denmark. There are limitations laid down in the Constitution in

²¹ The Agreement was published as a Danish Statutory Order No. 6 of 28 April 2005.

²² Danish Act No. 169 of 5 June 1953 on the Constitution of the Danish Kingdom. The basic constitutional philosophy is one of careful change, respecting precedents but taking account of changes in the values of society. The Constitution has only been amended in 1855, 1866, 1915, 1920, and in 1953.

²³ The General Assembly’s resolutions No. 567 of 18 January 1952, No. 648 of 10 December 1952 and No. 742 of 27 November 1953.

²⁴ This constitutional change was made without involving the Greenlandic population.

²⁵ United Nations’ Charter’s Chapter XI and resolutions of the General Assembly, including resolution No. 1541 of 5 December 1960 on “Principles which should guide Members in determining whether or not an obligation exists to transmit the information called for under Article 73(e) of the Charter”, have importance for the position of Greenland in the Danish Realm, see Erik Beukel, Frede P. Jensen and Jens Elo Rytter, *Phasing out the Colonial Status of Greenland 1945-54. A historical study*, Meddelelser om Grønland (Communications on Greenland) 2010.

respect to the competence for the Danish authorities in Copenhagen to delegate their powers to the Greenlandic authorities. Among these limitations are the security and foreign policy power, as section 20 of the Constitution only describes one government (the King) with the competence to act in international affairs on behalf of all parts of the Danish Realm. Therefore, the Danish Government in Copenhagen takes care of the defence and most of the foreign policy.

3.1 Denmark's Entry into the European Community in 1973

On 1 January 1973, Denmark became a member of the European Economic Community (EEC) along with the United Kingdom and Ireland. The Act on Denmark's accession to the EEC²⁶ contains the necessary provisions for the transfer of some of the constitutional authorities to the EU institutions on the basis of section 20 of the Danish Constitution. Greenland became a member of the EEC when Denmark joined it. However, 70% of the Inuit were against this decision due to the concomitant loss of their right to decide themselves on fishing rights and export of fish. This event was decisive in the independency interests of the Inuit.²⁷ As described below, following the introduction of the Home Rule Government system, a referendum was held in Greenland leading to resignation in 1985.

3.2 Home Rule Government in Greenland from 1979

A Greenlandic Home Rule Government was established by an Act passed by the Danish Parliament in 1978. The Act delegated some power – including the power to regulate the environment, internal affairs on fishing and hunting rights, and parts of the power in respect to decision-making on extraction of raw materials.²⁸ After this governance system was established, Greenland held a consultative referendum on membership of the EEC in 1982. When leaving the EEC in 1985, the relation to the EEC was replaced by an Overseas Countries and Territory (OCT) status, and Greenland retained its competence to regulate fishing itself.

A transfer of some competence from the Danish authorities to the Home Rule Government to act internationally in areas was made by the Act on the Conclusion of Agreement under International law by the Home Rule

²⁶ Danish Act No. 447 of 11 October 1972 on Denmark's Accession has been changed several times.

²⁷ Marc Jacobsen, *Greenland's Arctic advantage: Articulations of sovereignty games*, in 'Cooperation and Conflict', Sage Journal, 2019 <https://doi.org/10.1177/0010836719882476>, <https://journals.sagepub.com/doi/10.1177/0010836719882476> (visited on 3 December 2019).

²⁸ Danish Act No. 29 of 29 November 1978 on Home Rule for Greenland.

Government of Greenland.²⁹ The competence was related to areas that were only of relevance for Greenland – including its capacity to take part in agreements on fishing rights in the Greenlandic marine areas. The Act came into force in July 2005.

3.3 Self-Government in Greenland from 2009

In 2008, Greenlanders favored increased independence from Denmark in a referendum. An agreement on a new constitutional position of Greenland was made between the Greenlandic Government and the Government in Copenhagen. On 21 June 2009, the Act on Greenland Self-Government (Kalaallit Nunaanni) came into force.³⁰ After this, Greenland's authorities consist of a directly elected Greenland Parliament (Inatsisartut) comprising thirty-one members and seven political parties.³¹ The Government (Naalakkersuisut) is responsible for the central administration. The local administration is divided into five municipalities.³²

The Self-Government Act gives full powers to Greenland to negotiate and to conclude under international law where such agreements relate solely to Greenland – as for example, mineral resource activities and fishing activities in Greenland and the marine territory of Denmark/Greenland. The delegation of power does not apply to international agreement, which shall also apply to Denmark or agreements to be negotiated within an international organisation of which the Kingdom of Denmark is a member. The Act gives the Greenlandic authorities the right to take over most of the legal, administrative and judicial competences. It provides for a system of information and cooperation with the High Commissioner of Greenland to ensure that the full power of the Greenlandic authorities is used within the limits of their constitutional statutes and that it is not used contrary to the general interests of the Danish Kingdom. The competence in offshore extraction has been taken over, and the Greenlandic Mineral Resources Act now regulates such activities.³³ The competence to protect the marine areas beyond three nautical miles has not, however, been taken over. It is the authorities of the Kingdom of Denmark that are the main

²⁹ Danish Act No. 577 of 24 June 2005 on the Conclusion of Agreement under International law by the Home Rule Government of Greenland.

³⁰ Danish Act No. 473 of 12 June 2009 on Greenlandic Self-Government. The Act covers the overall structure for the authorities that consist of a directly elected Greenland Parliament (Inatsisartut), and the Government (Naalakkersuisut).

³¹ Siumut, Inuit Ataqatigiit, Demokraatit, Partii Naleraq, Atassut, Suleqatigiissitsisuit and Nunatta Qitornai.

³² Kommune Kujalleq, Kommuneqarfik Sermersooq, Qeppata Kommunía, Kommune Qeqertalik and Avannata Kommune.

³³ Inatsisartut Act No. 7 of 7 December 2009.

responsible party for the protection of the marine area, and also for the international and internal obligations on emergency response planning and emergency preparedness and response. The Marine Environmental Protection Act,³⁴ decided by the Danish authorities, covers the environmental protection of the Greenlandic marine area outside three nautical miles.³⁵

The Greenlandic population has the right under the Self-Government Act to withdraw from the Danish Realm, if it so desires, when the wish has been expressed in a referendum in Greenland. The decision on total independency of Denmark will be subject to approval by the Inatsisartut and the Danish Parliament.

3.4 Free Association Perspectives and Greenlandic Independency

Based on the international principles described by the General Assembly³⁶ for the determination of when a colony should be regarded as having attained a “full measure of self-government” the Greenlandic politicians in power have already in the Home Rule Governmental period argued for independence of Denmark. The Danish political approach has been criticized for being integrationist, acknowledging the economic dominance of the European part of Denmark (with its Parliament and Government in Copenhagen).

When the European Commission in the 1990’s presented a draft Regulation on Trade in Seal Products, the Greenlandic Home Rule Parliament was very critical. The proposed prohibition of import of sealskin into the Member States of the European Community was regarded by the Greenlandic political parties as affecting Greenland’s original Inuit culture. It was seen as one of many consequences of Greenland’s constitutional situation (a continuation of the colonial position). After this intervention, a modification

³⁴ Danish Royal Decision No. 1035 of 22 October 2004 on the Marine Environmental Act, coming into force in Greenland with effect on the area beyond three nautical miles of the coast of Greenland. The very unclear division of responsibility between the Greenlandic and Danish authorities has been criticized by the Danish ‘Rigsrevisionen’ (the Danish national audit office) in 2013 in ‘Beretning til Statsrevisorerne om Danmarks indsats i Arktis’ (Report to the Public Accounts Committee on Denmark’s effort in the Arctic).

³⁵ It is the Danish military authorities that act in situations of oil spill in this Arctic area to fulfil the international obligations of the Kingdom of Denmark.

³⁶ Ulrik P. Gad, *National Identity Politics and Postcolonial Sovereignty Games*, Museum Tusulanum Press, 2016 and Mikkel U. Østergaard, *The Greenlandic wish for independency. An Investigation of the possibility within free association*, Master Thesis, Aalborg University, Denmark, 2017, <http://www.martinbreum.dk/wp-content/uploads/2017/07/Masters-thesis-Mikkel-Underlin-Østergaard.pdf> (visited on 2 December 2019)

was included in the final version of the Regulation on Trade in Seal Products.³⁷ The Member States can now import skin produced by traditional Inuit hunters.³⁸

All but one of the seven political parties currently in the Inatsisartut agree that Greenland's ultimate and overarching goal is to become an independent national state. As part of the strategy on such a future, three of the Greenlandic political powerful parties – Siumut,³⁹ Inuit Ataqatigiit and Parti Naleraq – have signed a 'Coalition Agreement' which they often refer to in their political priorities for the development in Greenland. In the preamble of 'Coalition Agreement' it is stated that:⁴⁰

“Greenland is irreversibly on its way to independence, and this process requires not only political stability, but also national unity. The parties agree to submit proposals for a new constitution at the end of this legislative term”.

In 2011 and again in the Fall of 2015, Inatsisatut asked Naalakkersuisut to draw up a proposal on the establishment of a Greenlandic constitutional commission. The decision on the establishment of the commission was to be made by Inatsisatut.⁴¹ On 26 April 2017 the Constitutional Commission was

³⁷ European Parliament and Council Regulation No. 1007/2009 of on Trade in Seal Products.

³⁸ Ulrik P. Gad, Greenland: *A post-Danish sovereign nation state in the making*, in 'Cooperation and Conflict', Sage Journal, 2014, <https://vbn.aau.dk/en/publications/greenland-a-post-danish-sovereign-nation-state-in-the-making> (visited on 4 December 2019).

³⁹ Since 2014, the concept of 'free association' with Denmark has served as the official and declared framework in Siumut's political program, see Mikkel U. Østergaard, *The Greenlandic wish for independency. An Investigation of the possibility within free association*, (mentioned supra in note 36),

⁴⁰ The "Coalition Agreement. 2016-2018. Equality, Security. Development" was signed on 4 December 2014 as the second version of this. The first agreement was signed on 26 March 2013.

⁴¹ The Greenlandic Self Government, *Redegørelse for nedsættelse af en Grønlands forfatningskommission* (The Communication on the Establishment of the Greenlandic Constitutional Commission), 2016, <https://naalakkersuisut.gl/~media/Nanoq/Files/Publications/Departementet%20for%20Natur%20Miljoe%20og%20Energi/DK%20Redegoerelse%20for%20nedsaettelse%20af%20en%20groenlandsk%20forfatningskommission.pdf> (visited on 2 December 2019).

established with representatives from the Greenlandic political parties.⁴² It has to include in its work:⁴³

“an assessment of a constitution based on the concept of a free association or some other form of intergovernmental cooperation with another state.”

The reaction to the establishment of the Commission from the former Danish Government in Copenhagen (that was in power until June 2019) was very negative.⁴⁴ The work of this Commission has not been finished yet.

The current Danish Government in Copenhagen is more open in its approach to the Greenlandic interest in having more power in relation to decisions on its foreign affairs, but the Danish Prime minister, Mette Frederiksen, has been criticised for her meeting with Trump under the NATO meeting in December 2019, in which they discussed a future U.S.-Danish partnership on Arctic security policy without including the Greenlandic Government in their discussion. In the Danish Defence Intelligence Agency’s publication on 20 November 2019 it is clearly stated that the security situation in the Arctic has the highest priority.⁴⁵

4. GREENLANDIC IDENTITY, DANISH LANGUAGE, AND LEGAL TRADITION

The Greenlandic identity is partly understood with reference to aboriginal Inuit culture. This culture involves settlements, a network of camps linked by rapid travel across ice and frozen land. The Danish colonization of Greenland with the introduction of Christianity and trade economy in the 1600 to 1900s was clearly a move towards a foreign culture. A shift in the culture was also the consequence of the development of the main livelihood in 1900-1940

⁴² The members of the commissions are: two representing Siumut (including the chairperson), two representing Inuit Ataqatigiit, one representing Partii Naleraq, and one member from Atassut. The political party Demokraatit has not decided whether it want to be represented in the Commission.

⁴³ See the publication of the mandate by the Naalakkersuisut in Danish, <https://naalakkersuisut.gl/~/-/media/Nanoq/Files/Attached%20Files/Kommissoriet/Kommissori et.pdf> (visited on 2 December 2019).

⁴⁴ The coalition government that was in power from 2015 to 2019 – a minority liberal-conservative government – consisted of the Liberal Party, the Conservative Party and the Liberal Alliance. They were in power with support from the Danish People’s Party. The election to the Danish Parliament was held on 5 June 2019 resulted in a change of government. On 27 June 2019, a new Social Democrat Government took overpower.

⁴⁵ Forsvarets Efterretningstjeneste, *Efterretningsmæssig Risikovurdering 2019. En aktuel vurdering af forholdene i udlandet af betydning for Danmarks sikkerhed*. (in English: Defense Intelligence Service, Intelligence Risk Assessment 2019. A current assessment of conditions abroad is important for Denmark's security.)

from fishing activities to hunting of marine mammals. The urbanisation started by the movement of people from a large number of small villages to larger population centres.⁴⁶ From the 1950s/1960s until now, the town population has increased rapidly. This development is often depicted as the reason why the Inuit have become alienated in relation to the cities and from their family-based network.⁴⁷ The standard of living, housing and health conditions in the cities have been significantly improved since the mid-20th century when the shift from a traditional Inuit community to a modern society started. However, the social changes and the adaptation to the modern society living conditions have not been without social problems for the Inuit living in the cities. At the same time, Denmark's essentialized images of the Inuit have been problematic, as they have been constructed as uncivilized and primitive, lazy and ineffective, and amoral.⁴⁸

4.1 Kakaallisut and the Challenges Related to this Official Language

Since the Home Rule Governmental system started, the official language in Greenland has been 'kalaallisut'.⁴⁹ This language stands central in Greenlandic identity politics today as prominent element of the Eskimo-Aleut identity, closely related to the languages spoken by the Inuit in Canada, in Alaska, and in Siberia.⁵⁰

The level of education in the Greenlandic society is low compared with other modern states. Danish is taught as a second language from the first grade on, and English is taught from the lowest grades. After finishing elementary school, about half of the young people study one year at a continuing school in Greenland or Denmark. They have free access to the Danish education system.

⁴⁶ Gitte Trøndheim, *Greenlandic urbanization and urban life – Decline or development?* in Klaus Georg Hansen, Rasmus Ole Rasmussen and Ryan Weber (eds.) *Proceedings from the First International Conference on Urbanisation in the Arctic*. Conference 28-30 April 2012 Ilimmarfik, Nuuk, Greenland, at 75.

⁴⁷ Gitte Trøndheim, *Greenlandic urbanization and urban life – Decline or development?* (mentioned supra in note 45), at 76 s.

⁴⁸ Ulrik Pram Gad, Naja Dyrendom Graugaard, Anders Holgersen, Nina Lave and Nikoline Schriver, *Imagining China on Greenland's Road to Independency*, in the *Arctic Yearbook 2018*, see https://arcticyearbook.com/images/yearbook/2018/China-and-the-Arctic/1_AY2018_Gad.pdf (visited on 3 December 2019).

⁴⁹ It is stated in Section 20 of the Danish Act No. 473 of 12 June 2009 on Greenlandic Self-Government. The Act covers the overall structure for the authorities that consist of a directly elected Greenland Parliament (Inatsisartut), and the Government (Naalakkersuisut).

⁵⁰ The language in Canada is Inuktitut, in Alaska it is Inupiaq, and in Siberia it is Yupik. Concerning the impact of the position of 'kalaallisut' on the possibility for Greenland to become an independent national state see section 5 of this chapter.

Only one out of seven continue directly to upper secondary education.⁵¹ Many of the young people from Greenland who want to study in Denmark have problems meeting the qualification level needed.

One consequence of the policy on the language have been an exclusion of Danish speaking Inuit from some positions that are generally manned with persons speaking kalaallisut.⁵² The exclusion of monolingual Danish speakers who consider themselves Greenlanders are also a challenge as the exclusion has consequences for Greenland on its way to legal, political and economic independency as Greenland does not have a kalaallisut-based legislation and the interaction with people outside Eskimo-Aleut societies cannot be based on kalaallisut.⁵³

4.2 The Danish Language and Legal Tradition

Fluency in Danish and higher education (acquired in Denmark) is generally required today in Greenland's leading positions – including the ministries of Naalakkersuisut. The continued need for well-educated Danes in the Greenlandic public administration and several other Greenlandic sectors has impact on the Inatsisartut legislation.⁵⁴

The acts passed by Inatsisartut on the regulation of business are very open framework regulations. When the acts are designed – and when complicated legal conflicts occur – Danish Law firms play an important role in the interpretation and application of the rules. The public administration has a broad discretionary power as there are not many detailed administrative rules. The words etc. used in the acts are Danish and the design of the acts is based on the Danish traditions. This legal system is generally considered to be a civil law system, although it is in common with other Scandinavian legal systems that the legal systems are not as influenced by Roman law as other European civil law systems. Under the Scandinavian legal tradition, the preparatory works of the legislator are an important legal source used in the interpretation of the rules, and these works are often referring to the Danish acts that have been used as

⁵¹ Statistics Greenland, *Greenland in Figures 2019*, at 13.

⁵² Ulrik Pram Gad, *Post-colonial identity in Greenland? When the empire dichotomizes back – bringing politics back in*, *Journal of Languages and Politics*, 2009, Vol 8, issue 1, at 145.

⁵³ Ulrik Pram Gad, *Post-colonial identity in Greenland? When the empire dichotomizes back – bringing politics back in*, (mentioned supra in note 52), at 146.

⁵⁴ Peter Bjerregaard, Tine Curtis, the Greenlandic Population Study, *Cultural change and mental health in Greenland: the association of childhood conditions, language, and urbanization with mental health and suicidal thoughts among the Inuit of Greenland*, in *Social Science & Medicine*, 54(2002) at 33-48.

models. The delegated discretionary power is used by the public bureaucracy with Danish-speaking and educated personnel.

5. THE CHALLENGES RELATED TO GEOGRAPHY AND ECONOMY

The Greenlandic area is Arctic/Sub Arctic with permanent ice cap covering most of the island. Human habitation is only possible in the coastal areas. The distances from the southern to northern part of Greenland is 2,670 km, and from East to West it is 1,050 km. The coastline is 44,087 km.⁵⁵ Means of transport are either by sea or air. In the Northern part of the territory it is still possible to communicate by foot or dog-sled on the frozen sea and fiords in winter, but the smelting is still making it more dangerous.

In Greenland, there was originally a general right for the Inuit to use the land and its resources, but today there is self-governing ownership of the land. The phenomenon of private ownership of real estate does not exist in Greenland. Only the right to establish buildings etc. is obtained upon application in accordance with the land allocation rules laid down in the Planning and Land Registration Act.⁵⁶

Greenland's public revenues and expenditures are not in balance. Denmark's current block subsidies cover 54% of the expenses included in Greenland's national budget.⁵⁷

5.1 Geographical Distances and Population Structure

The geographical distance to external markets and the large distances internally between inhabited areas of the Arctic mean that it is difficult to secure services and goods, etc. under normal market conditions. Many Greenlandic companies are therefore established – and 100% owned – by the Greenland Self-Government.

⁵⁵ Torben M. Andersen, *The Greenlandic Economy – Structure and Prospects*, Department of Economics and Business, Aarhus University, June 2015 (published on the Internet, https://econ.au.dk/fileadmin/site_files/filer_oekonomi/Working_Papers/Economics/2015/wp15_14.pdf

(visited on 19 November 2019).

⁵⁶ Inatsisartut Act No. 17 of 17. November 2010 om Planning and Land Registration.

⁵⁷ The Danish state provides an annual subsidy, which is stipulated in section 5 of the Self-Government Act. The subsidy is adjusted annually in accordance with the increase in the general price and salary index of the Finance Act, and it is set at DKK 3,439.6 million. DKK (stated in 2009 price and salary level). If Greenland's Self-Government receives income from raw material activities, the subsidy is reduced, cf. section 8 of the Act.

The population consist of 56,000 inhabitants scattered around a vast coastal area. Today about 60% of the population live in the five largest cities.⁵⁸ Two Greenlandic cities have the highest population growth, namely the capital of Nuuk on the West Coast and Tasiilaq on the East Coast. The rest of the cities are also experiencing an influx of people from the smaller cities and villages. None of the cities are connected by roads. However, the population structure is set to change appreciably in the years to come in the projection up to 2028 – made by the Greenlandic Economic Council in its 2019 report on the Greenlandic economy. It is described as a future fall in the total population from approximately 56,000 individuals to a level of around 54,000 individuals. By 2048, the population is estimated to be 48,000 individuals.⁵⁹ The Council is highlighting that this fall has a number of socioeconomic consequences. This fall in the total population is by the Council explained to be the principal cause of Greenland’s fiscal sustainability problem.⁶⁰

5.2 Danish Block Subsidies and Investments in Infrastructure, etc.

The Greenlandic economy is heavily dependent on economic transfers from Copenhagen to provide for basic services. Greenland receives DKK 3,681 million (approximately U.S.\$700 million) as a yearly block grant from Denmark. In addition to this, the Danish State covers the cost of the judicial system, education at the highest level of the young people that want to have their education in Denmark, defence as well as scientific knowledge from the Danish universities and sector research institutions.⁶¹

In relation to the Greenlandic ambition on more self-sustainable economy it is highlighted by the Greenlandic Economic Council in its 2019 Report on “Greenland’s Economy 2019”⁶² that subsidies from abroad account for just under half of the total revenue for the public sector and in addition the public cost of the responsibilities not yet devolved to Greenland from Denmark under the Self-Government Act (this is e.g. the case with the protection of the marine environment outside 1 nautical miles), together with the cost of activities related to foreign affairs, defence and security policy.

⁵⁸ The five largest cities are Nuuk (the capital), Sisimut, Ilulissat, Aasiaat and Qaqortoq.

⁵⁹ The Greenlandic Economic Council, *Greenland’s Economy 2019*, (Aningaasagarnermut Siunnersuisogatiit), at 26-27.
<https://naalakkersuisut.gl/~media/Nanoq/Files/Attached%20Files/Finans/ENG/GØR%202019%20ENG.pdf> (visited on 4 December 2019)

⁶⁰ The Greenlandic Economic Council, *Greenland’s Economy 2019*, (mentioned in note 59), at 26.

⁶¹ Denmark’s Statistical Yearbook 2017, at 426.

⁶² The report of Greenland’s Economic Council (mentioned in note 59), at 32.

The U.S.'s interests in stopping the Chinese investments in Greenland as well as the Chinese plan for a "Polar Silk Road" have impact on the current Danish financing of the Greenlandic infrastructure and city development. In the fall of 2017, Denmark denied Chinese companies to bid for a development project of the three Greenlandic airports after originally selecting the CCCC as a finalist for the U.S.\$560 million project. In September 2018, Denmark invested approximately U.S.\$100 million in the establishment of three new airports in Nuuk, Ilussat and Qaqortoq to help the U.S. keep the Chinese investments out of Greenland.⁶³

5.3 Greenland as an OCT and its Agreements with the European Union

A bilateral agreement – the "Greenlandic Treaty" – was concluded between Greenland/Denmark and the EEC in 1985. This Treaty – together with Greenland's status as an overseas country and territory (OCT) – provided a special opportunity for the conclusion of agreements between the EEC on the one hand and Denmark/Greenland on the other. On the basis of Greenland's OCT-status, a fisheries partnership agreement was already concluded in 1985. The fishing rights obtained by the European Community in Greenland's waters were offset by an annual economic contribution to the public economic budget in Greenland. In 2006, the agreement was replaced by the "Qajaq agreement", which is divided into two agreements: a commercial agreement based on the fisheries agreement and a partnership agreement. Unlike the previous agreement, the payment for the current fisheries agreement is subject to market conditions, so a decline in world market prices may involve a reduction in payment from the European Community (now the EU).

The current fisheries partnership between the EU and Greenland for the period 2013-2020 has a financial frame at U.S.\$17,824,274, including a financial reserve of at U.S.\$1,882,068 for additional quantities of species as set out in the protocol. In the exclusive summary of the program "For the sustainable development of Greenland 2014-2020"⁶⁴ it is stated that EU's economic support is part of Greenland policy on having – in the long term – self-sustained economy and to phase out the annual block grant from Denmark. The EU has also offered various funding opportunities for Greenlandic projects that can promote a sustainable development. Greenlandic researchers are also invited to take part in EU's research programs financing big projects. It is also

⁶³ The U.S. Deputy Assistant Secretary of Defense, Katie Wheelbarger, did warn Denmark about the China's motives and the economic power is used to establish a military presence, see Hans Lucht, Chinese investment in Greenland raise US concerns, in DIIS Policy Brief, 20 November 2018. Naalakkersuisut has also injected capital into KAIR/Greenland's International Airports.

⁶⁴ The program is signed as an agreement between Naalakkersuisut and the European Commission.

explained by some researchers that Greenland's relationship with the EU in the period from 1985 and up to now intimately has been interwoven with the Greenlandic developments toward independency.⁶⁵

With the entry into force of the Lisbon Treaty, the 'Greenland Treaty' expired. Subsequently, the framework is laid down in Articles 198-203 of the Treaty on the Functioning of the European Union (TFEU) concerning the OCTs, as well as Article 204 TFEU and the Protocol 34 "On the special scheme for Greenland". The EU's general policy on its relations with OCTs – including Greenland – presupposes the dissemination of EU environmental policy.⁶⁶ The joint declaration of 19 March 2015 between the EU and Greenland/Denmark established a new basis for relations between the parties, comprising several common objectives on sustainable development.⁶⁷ By this non-binding document, the EU confirms its long-lasting links between the parties. The relation established by this partnership aims to facilitate consultation and political dialogue on issues of common interest and any other areas within the declaration. The interest of the EU in the Arctic development is clearly explained for example in the EU's seventh Environment Action Program, entitled "*Living well, within the limits of our planet*", for the period 2013–2020, objective 9 highlights that:

"... particular emphasis should be given to the . . . Arctic regions, where there is a need for intensified cooperation and increased Union involvement...."

There has however, been some problems in this relationship between the Inuit and the EU as a consequence of the EU's Regulation on Trade in Seal Products. The Inuit in Greenland and Canada have ensured that this regulation is accepted by the Arctic Council as a barrier to the EU's possibility of getting a position as a permanent member of the Council. On 26 October 2015, the European Commission recognized special conditions for the Greenlandic hunters to be respected by the Member States of the EU to ensure that they did not prohibit import of these hunters seal products.⁶⁸ The Commission has also recognized the such conditions for the Inuit in Canada.

⁶⁵ See e.g. Ulrik P. Gad, *Greenland: A post-Danish sovereign nation state in the making* (mentioned in note 38).

⁶⁶ The Commission's Greenbook, *Future relations between the EU and the Overseas Countries and Territories*, COM (2008) 383 final.

⁶⁷ The declaration is made with reference to the Council Decision of 14 March 2014.

⁶⁸ The Commission Decision 2015/C 355/05 of 26 October 2015 recognizing the Greenlandic Development of Fisheries, Hunting and Agriculture (APNN) in accordance with Article 3 of

5.4 Greenlandic Business and Inatsisartut's Land Use and Business Legislation

The cornerstones of the Greenlandic business are fisheries/industry, mineral resources, tourism and land-based industry. The economy of Greenland is first and foremost heavily dependent on its fisheries sector. It is the official policy that the Greenlandic authorities will develop a raw material economy that, together with a modern fishing industry and tourism, will enable a political independence of Denmark by virtue of the achieved financial independence of the Danish block grant.

Due to the very weak economic, educational and employment conditions currently at issue in Greenland, the Inatsisartut Mineral Resources Act⁶⁹ provides for a number of requirements for those who apply for and who are granted licenses. The Act provides for the operators to prepare a special assessment of the societal consequences of new projects as part of their project descriptions. Such analyses are called Social Sustainability Assessments (VBS).⁷⁰ It is also permissible to include as condition on the utilization of licenses the obligation for the operators to take part in tripartite agreement (IBA) – i.e. on the education and employment of locals, etc. – between the operator(s), the Naalakkersuisut and (in some cases) the relevant municipalities. Both licenses and contracted IBAs require that those who receive a license must support the education and capacity building of the local population, as well as employ local businesses and local labour.⁷¹ The Act also provides for the mandatory condition that Nunaoil A/S, which is 100% owned by Greenland's Self-Government,⁷² must take over as a 'right holder' when licenses for extractive activities are granted.⁷³

The Greenland Mineral Resources Act and the 'Large-Scale Act'⁷⁴ are characterized by an ambition to attract investment from strong multinational

Commission Implementation of Regulation (EC) No. 1007/2009 of the European Parliament and Council on Trade in Seal Products.

⁶⁹ Inatsisartut Act No 7 of 7 December 2009 on Mineral Resources and Activities of Importance for the Extraction as amended. (In English https://www.govmin.gl/images/stories/faelles/mineral_resources_act_unofficial_translation.pdf visited on 3 December 2019)

⁷⁰ Impact Benefit Agreements (BIA) regulated by section 78a of the Raw Materials Act.

⁷¹ Sections 17-18 of the Raw Materials Act.

⁷² Nunaoil A/S is established by the Inatsisartut Act No 15 of 7 December 2009.

⁷³ Section 18 and Chapter 18 (sections 32-38) of the Raw Materials Act.

⁷⁴ Inatsisartut Act No. 25 of 18 December 2012 on Construction Works on Large-Scale Projects. Clarification and amendment of rules on foreign workers' wages and conditions of employment, collective agreements and the exercise of labor rights, etc. (as amended). (In

corporations and economically strong states, including China. When Naalakkersuisut in October 2012 presented the bill on this Act, it explained that the intentions behind the new rules were to make it possible for foreign companies to bring their own native workers to Greenland to work on conditions applicable in their native countries (expected from China). It was stated in the comments to the bill that it was necessary to allow such foreign working conditions in order to improve the global competitive conditions in Greenlandic mineral and hydrocarbon extraction industry. The Act was seen as a mean to achieving a self-sustaining Greenlandic economy within a foreseeable number of years.⁷⁵

5.5 Naalakkersuisut's Strategy on a Self-Sustainable Economy

Many Greenlandic activities are undertaken by the companies that are wholly or partly owned by the Greenlandic authorities and they are of crucial importance to the Greenlandic society. In the report of Greenland's Economic Council mounting public debts are expected in the municipal limited companies and limited companies owned by Naalakkersuisut.⁷⁶

In 2013, it was estimated that new revenues or savings worth at least one billion DKK have to be created each year for the next many years.⁷⁷ The economic activities increased in 2016-2019, and this trend remains buoyant, but the Economic Council is recommending a stronger focus on coherent reform measures to address social challenges and enable more people to be able to pay their own way.⁷⁸ In 2020, economic growth is expected to increase by 4% owing, for example, to the commencement of construction work at the Nuuk and Ilulissat airports – paid partly by the Danish authorities.⁷⁹

To ensure a future as an independent national state, Naalakkersuisut's "Sustainability and Growth Plan" was published in 2016 with the following four main themes: 1) a higher level of education, 2) boosting growth and conversion

English [https://naalakkersuisut.gl/~media/Nanoq/Files/Publications/Erhverv/Large-Scale%20Project%20Act/Unofficial%20translation%20of%20The%20LargeScale%20Project s%20Act%20incl%20amendments.pdf](https://naalakkersuisut.gl/~media/Nanoq/Files/Publications/Erhverv/Large-Scale%20Project%20Act/Unofficial%20translation%20of%20The%20LargeScale%20Projects%20Act%20incl%20amendments.pdf) (visit on 3 December 2019)

⁷⁵ The Bill EM2012/110 of 5 October 2012 on the Inatsisatut Act on Construction Works on Large-Scale Projects, published in.

⁷⁶ The Greenlandic Economic Council, *Greenland's Economy 2019* (mentioned in note 59), at 5.

⁷⁷ It is stated in the conference material "Future Greenland 2013: Vision to reality" held by Employer's Association of Greenland on 6-7 February 2013 in Nuuk, Greenland.

⁷⁸ Greenland's Economy Council, 'Greenland's Economy 2019' (mentioned in note 59), at 4-6.

⁷⁹ Greenland's Economic Council, *Greenland's Economy 2019* (mentioned in note 59), at 4.

to a multi-faceted economy, 3) modernisation of the public sector, and 4) greater self-sufficiency through reforms of welfare benefits, the tax system and housing. This is not a policy that is easy to get accepted by the Inuit. The largest Greenland protest action was caused by this policy. On 1 May 2019, the Greenlandic Member of the Danish Parliament⁸⁰ – representing the Inuit Ataatigiit – was criticizing the Naalakkersuisut for not presenting an economic plan for Greenland’s future as an independent state. On 18 November 2019, the population protested against a recently passed act of higher taxes on sugar and alcohol.

6. THE U.S.’S CURRENT INTERESTS IN GREENLAND

The geographic/-strategic location⁸¹ as well as the consequences of the melting of the northern icecap have increased the U.S.’s interests in Greenland. Following Trump’s failed attempt to buy Greenland and his cancellation of his visit to Denmark in September 2019, new initiatives have been taken by the U.S. Embassy in Copenhagen to ensure a closer cooperation with Greenland. In May 2019 the Embassy announced that the U.S. is to reestablish a permanent Department of State presence in Greenland. This announcement was received by the Greenlandic Government with a ‘welcome’. The Greenlandic Minister for Foreign Affairs Anne Lone Bagger stated:⁸²

“Greenland is a part of North America. Not only geographically, but also throughout ethnicity, culture and language, which we share with Inuit across Alaska and Arctic Canada. However, despite our geographical closeness, cooperation and economic exchange between Greenland and the U.S. could be much more evident.”

On 4 November 2019, the American embassy in Denmark announced the establishment of a seven-person “Greenlandic Specialist American Embassy” in the capital of Greenland (Nuuk) in 2020 with the following text:

⁸⁰ The Parliament has 179 members of whom two are elected in Greenland and two in the Faroe Islands.

⁸¹ Greenland spans more than 24 degrees of latitude – 2,670 km from north to south – and 60 degrees of longitude covering 1,200 km from the west coast to the east coast. The northern part, Nordpynten, lies only 700 km from the North Pole – the southern part Cap Farwell lies 2,600 km further south.

⁸² Press release at the homepage of the Greenlandic Government regarding the U.S. reestablishment of a permanent Department of State presence in Greenland, https://naalakkersuisut.gl/en/Naalakkersuisut/News/2019/05/0905_genoprettelse (visit on 25 November 2019).

“A job announcement for the position indicate that the individual hired for the “Greenlandic Specialist, American Embassy, Nuuk” will need to speak Kalaallisut (Greenlandic), Danish and English and will be responsible for gathering information for U.S. decision-makers as Washington seeks to expand commercial and diplomatic connections with the country that President Donald Trump earlier this year suggested purchasing from Copenhagen.

During remarks in May announcing Washington’s interest in re-establishing a diplomatic presence in Greenland, Carla Sands, the U.S. ambassador in Copenhagen, said the local hire’s role would be to “link [the embassy] directly with communities throughout Greenland”.

6.1 The U.S. Military’s Thule Base

Greenland is an integrated part of the North American defence architecture. The U.S. military’s Thule Air Base⁸³ – the northernmost installation of the US military installations with its nuclear early warning system – is as already described supra part of the U.S. polar strategy.⁸⁴ The Northwest Passage along with the Western Greenlandic coasts is the shortest distance between the U.S. and West Europe, and data from Greenland forms the basis for forecasting weather conditions in the North Atlantic and Europe of vital importance for shipping and air traffic across the North Atlantic. As described supra, the competition between China and the U.S. on the infrastructure and commercial development – and especially the U.S. military interests – in Greenland have impacted the Danish investments in urban infrastructure.

6.2 Keeping China out of Greenland

The Chinese interest in investment in the Greenlandic airport project is seen as a geopolitical challenge by the U.S. The Chinese activities and interests in the financing of infrastructure and extraction of minerals in Greenland as an important part of it Polar Silk Road project, and the Russian military activities in the Arctic are some of the most important reasons for the third U.S. purchase offer in August 2019. The natural offshore and onshore Greenlandic resources,

⁸³ The Air Base was established in 1951 without the involvement of the Greenlandic population.

⁸⁴ Jørgen Taafholt and Jens Claus Hansen, *Greenland: Security Perspectives*, Arcus, at 15 (the book is available at <https://www.arcus.org/publications/2001/greenland-security-perspectives> visited on 29 November 2019).

as well as the interest in keeping China out of Greenland are of importance for the federal government in Washington.

In 2016, the U.S. fear that Chinese would pose threat to the Thule Airbase made Denmark block the sale of the former U.S. Army naval facility at Grønnedal to China's state-owned enterprises (SOE).⁸⁵ In 2019, the U.S. was worried by the security consequences of China's initiatives and Washington 'ordered' Denmark to stop China's possibility to take part in the construction of new airports in Greenland.⁸⁶ On 16 September 2018, the U.S. declared its willingness to invest in Greenland's airport infrastructure.⁸⁷

China's involvement in the Arctic started in the 1990s with its icebreaker purchase.⁸⁸ The Puiasi A/S project that was developed in 1995 to innovate and produce seal sausage and seal oil capsules for Chinese consumers is one example of an initiative that the Inuit expected could provide more favourable outcomes from seal hunting.⁸⁹ The Chinese interests gradually increased during the 2010s with significant investment from 2012. China's infrastructure projects and its dialogue with Russia on Arctic issues partly explain its' interests in having access to the shipping possibilities and economic possibilities in the Arctic.⁹⁰ Chinese companies are also interested in engineering projects in the harbours and other construction projects.⁹¹ In the last years China's state-affiliated mining companies and investors have been involved in projects related to mineral extraction activities in Greenland –

⁸⁵ Concerning the SOE see Andrew Szamoszegi and Cole Kyle, *An Analysis of the State Owned Enterprises and State Capitalism in China*, U.S.-China Economic and Security Review Commission, 2011, https://www.uscc.gov/sites/default/files/Research/10_26_11_CapitalTradeSOEStudy.pdf (visited on 3 December 2019).

⁸⁶ Cécile Pelaudeix, *Along the Road. China in the Arctic*, BRIEF ISSUE, in European Union Institute for Security Studies (EUISS), December 2018, <https://www.iss.europa.eu/content/along-road---china-arctic> (visited on 3 December 2019).

⁸⁷ Naalakkersuisut, *Report on Foreign Affairs 2018*, EM2018/14, journal number 2018-2195, at 12-13.

⁸⁸ Bjørner Svenstrup-Thygeson, Wrenn Yennie Lindgren and Marc Lanteigne (eds.) *China and Nordic Diplomacy*, Routledge, 2018, at 35.

⁸⁹ Ulrik Pram Gad, Naja Dyrendom Graugaard, Anders Holgersen, Nina Lave and Nikoline Schriver, *Imagining China on Greenland's Road to Independency*, in the Arctic Yearbook 2018, at 4-6, see https://arcticyearbook.com/images/yearbook/2018/China-and-the-Arctic/1_AY2018_Gad.pdf (visited on 3 December 2019)

⁹⁰ Yang Jiang, *China in Greenland*, DIIS Policy Brief, Danish Institute for International Studies, 26 October 2018, <https://www.diis.dk/en/research/china-in-greenland> (visited on 3 December 2019).

⁹¹ Yang Jiang, *China in Greenland*, (mentioned supra in note 89).

including the uranium and rare earth extraction at Kvanefjeld.⁹² Chinese banks were possible partners for the expansion of three airports in Greenland, and China Communications Contracting Company (CCCC) took part in the bidding process on new airports in Greenland in 2017. The Chinese state-owned company withdrew its bid to build two of the international airports after Greenland chose a Danish contractor.

In January 2018, China described itself as a ‘near-Arctic State’ in its first white paper on its Arctic Policy.⁹³ It unveiled its approach to expand its influence globally with its trillion-dollar Belt and Road Initiative in the white paper. It is stated that – as an important stakeholder in Arctic affairs – it is the ambition to expand shipping routes and facilitate social-economic development of the coastal states. It is the argument in the white paper that based on international law – especially the United Nations Convention on the Law of the Sea (UNCLOS) – China has its legal rights in navigation, overflight, scientific research, fishing and cable laying, and it has interest in exploration of minerals and hydrocarbons.

7. Conclusions

Danish policy towards the Greenlanders has been criticized for ignoring the cultural identity of the Inuit society as the integration of Greenland into the Realm has been based on a priority to Danish language, a clear ethnic hierarchy to the Danes with no room for cultural plurality and structured around the protection of the sovereignty over the Greenlandic territory. As a consequence of this policy, a picture of the ideal national state based on respect for the Inuit culture has increased in Greenland. As it has been described supra, the current Greenlandic attitude is characterised by Greenlandic nationalism and a reluctance against Denmark. The right of the Greenlandic people under the Self-Government Act to withdraw from the Danish Realm has not been used until now, but the Greenlandic people do not want to continue the constitutional integration of Greenland in the Danish Realm. It is also clear that it is not possible for Denmark to sell Greenland as such a sale is in conflict with the

⁹² The owner of the Kvarnefeld project – the Australian based company Greenland Minerals and Energy (GMEL) – has such Chinese investments, see Børner Sventrup-Thygeson, Wrenn Yennie Lindgren and Marc Lanteigne (eds.) *China and Nordic Diplomacy*, Routledge, 2018, at 36-37 available at <https://www.proactiveinvestors.com.au/companies/news/198405/greenland-minerals-and-energy-gains-asian-and-australian-institutional-investors-198405.html> (visited on 3 December 2019).

⁹³ The State Council Information Office of the People’s Republic of China, *China’s Arctic Policy*, Beijing, 2018.

United Nations Charter and the criteria established by the General Assembly for decolonisation.

The current Greenlandic political strategy is not based on integration into any existing national state. On the contrary, it is the full formal sovereignty as a national state with the following three priorities: legal self-government, economic self-sufficiency (independency from the block grant from Denmark) and transition to a multi-faceted economy (as this reduces the vulnerability to price fluctuations, for example, in fisheries products, and aboriginal cultural identity). The answer to Trump's interest in buying Greenland from Naalakkersuisut on 16 August 2019 was clear:⁹⁴

“We have a good cooperation with the USA, and we see it as an expression of greater interests in investing in our country and the possibilities we offer. Of course, Greenland is not for sale.”

In its yearly Foreign Policy Strategy reports, the Naalakkersuisut is stating that it is important for Greenland that the global interests in the Arctic are converted into concrete agreements that it will make with different national states – including the U.S. and China – as well as agreements with international and regional organisations on cooperation. This explains why the global interest in Greenland has already ensured foreign investment in the airport infrastructure and in the private sector. Such investments as well as foreign workers are needed to ensure a Greenlandic self-sustainable economy as the platform for a national sovereign Arctic state.⁹⁵ The Greenlandic ambitions in relation to the U.S. it is explained in the Naalakkersuisut's 2018 report on foreign affairs:⁹⁶

“In the long run, it is also hoped that cooperation with the United States can be established in the future, which is as broad and economically important for Greenland as it is today with the EU.”

⁹⁴ The answer is published at the homepage of Naalakkersuisut, see <https://naalakkersuisut.gl/en/Naalakkersuisut/News/2019/08/160819-Trump> (visited on 4 December 2019).

⁹⁵ Naalakkersuisut, *Political and Economic Report 2019*, May 2019, <https://naalakkersuisut.gl/en/Naalakkersuisut/Departments/Finans/Politisk-Oekonomisk-Beretning> (visit on 4 December 2019).

⁹⁶ Naalakkersuisut, *Report on Foreign Affairs 2018*, EM2018/14, journal number 2018-2195, at 47.

In the report, the Naalakkersuisut is stressing that the signing in 2004 of the Igaliku Agreement between the U.S., Denmark and Greenland has impacted Greenland's relation to – and its current direct cooperation with – the U.S.