

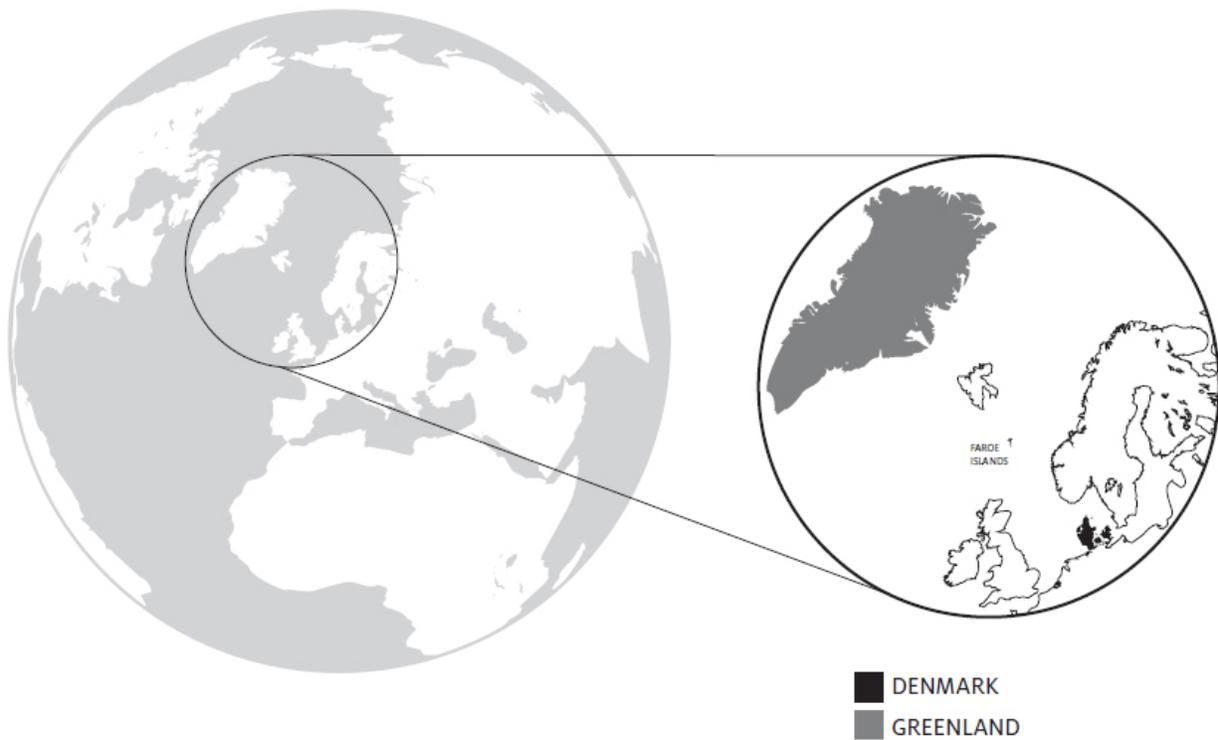


# AUTONOMY ARRANGEMENTS IN THE WORLD

## Greenland

**Maria Ackrén (University of Greenland)**

**November 2017**



Recommended citation: Maria Ackrén, “Greenland”, Online Compendium *Autonomy Arrangements in the World*, November 2017, at [www.world-autonomies.info](http://www.world-autonomies.info).

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## 1. Essential Facts and Figures

### 1.1. Denmark

Denmark has a population of 5.7 million in total according to the 2016 census and the major language spoken is Danish as the official language, but there is also a German minority living along the borderline between Denmark and Germany. German is seen as the official minority language of a section of residents of the Region of Southern Denmark which was formerly known as the South Jutland County. The region was part of Germany before the signing of the Treaty of Versailles. Of the 15,000 to 20,000 ethnic Germans living in the region, about 8,000 speak standard German or Low Saxon's *Schleswigsch* variety in their everyday lives. This German minority population of Denmark also runs its own primary schools where German is the primary language of instruction (Worldatlas, 2017).

Denmark can be seen as a largely homogenous country, but because of the vast immigration a lot of different nationalities have recently settled in the country. Today, 12.9 per cent of the total Danish population is immigrants or descendants (Statistical Yearbook 2017). The Faroe Islands and Greenland also constitute parts of the Danish Realm with their own traditions and languages. Faroese and Greenlandic are seen as official regional languages in the self-governing territories belonging to Denmark.

### 1.2. Greenland

Greenland is located on the North American continent between the Arctic Ocean and the North Atlantic Ocean, northeast of Canada, but belongs to Denmark. Greenland is seen as the largest island in the world according to area, 2.1 million km<sup>2</sup>, and has a small population of 56,000 (2017). Nuuk is the capital with 17,600 inhabitants. The population is spread across 17 towns and about 7,500 live in 57 settlements around the country. There are only 3,500 people living in the Eastern part of Greenland (with two towns and five settlements). The official language is West-Greenlandic, but there are two other dialects in the North (*avanersuaq*) and East (*tunu*). About 89.7 per cent of the total population is born in Greenland and constitute the Inuit people, while 10.3 per cent are born outside Greenland (a majority representing Danes) (Greenland in Figures 2017). The majority of the population constitutes the Inuit people, however, there are mixed

marriages between Greenlanders and Danes and some immigrants, which also live in Greenland. There are about 200 Filipinos, and 160 Thai people as well as 160 Icelanders according to 2017 census. Other immigrants constitute people from other Nordic countries, such as, Sweden, Norway and the Faroe Islands (Greenland in Figures 2017).

## 2. Autonomy and State Structure

The Danish Realm or the Kingdom of Denmark constitutes Denmark together with the autonomous regions of the Faroe Islands and Greenland. The Danish Constitution does not mention the autonomous regions as such, since the Home Rule Act for the Faroe Islands and the Self-Government Act of Greenland are considered to have followed a delegation model, where negotiations between the two regional governments and the Danish government have taken place. The Home Rule Act and the Self-Government Act are seen as separate laws within the Danish jurisdiction. The only mentioning of the autonomous islands in the Danish Constitution relates to the elections to the Danish parliament (*Folketinget*). Article 28 of the Constitution state that the Faroe Islands and Greenland have the right to elect two members each to the national parliament out of a maximum of 179 seats.<sup>1</sup> Article 42(8) stipulates that rules regarding regional referendums can be enforced by law on the Faroe Islands and Greenland. This means that the law is adopted by the islands, as this is seen as an internal affair. These referendums have the status of only consultative referendums, but they usually give the regions a green light to implement the results from the outcome of the referendums.

There have been several referendums in Greenland. The first referendum was regarding the membership of the European Economic Community back in 1972, where the Greenlanders voted against the membership, but due to the status of being an integral part of Denmark at that time, Greenland was forced to join together with Denmark as a member within the EEC. The referendum 2 October 1972 resulted in 70.8 per cent of the votes against a membership from a Greenlandic side, but Denmark had voted in favor of a membership with 63 per cent in favor and 37 per cent against the same day. There were two referendums taken place at the same time, one in Greenland and one in Denmark, but the results were different (Sørensen, 2006). A second referendum was

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<sup>1</sup> Danmarks Riges Grundlov 1953, nr. 169 af 5. juni 1953 (Danish Constitution of 1953). Accessed June 8, 2015. <http://www.grundloven.dk>.

held regarding alcohol in 1978. This referendum was whether alcohol should be banned or rationed. The ban on alcohol was rejected with 55 per cent, while the rationing was approved by 58 per cent of the votes. A third referendum was the introduction of Home Rule back in 1979. This resulted in favor of the implementation of Home Rule with 70.1 per cent affirmative votes (Suksi, 1993). A fourth referendum was established in 1982 regarding the withdrawal from the EEC where 53 per cent voted in favor of leaving the EEC (Gad, 2013). The latest referendum was held in 2008 regarding the introduction of Self-Government with 75 per cent support of introduction of the new Self-Government Act, which was implemented in 2009.

Article 86 in the Danish Constitution mentions the islands regarding municipal elections, which are further regulated by law on the Faroe Islands and Greenland.<sup>2</sup> In addition regarding the Greenlandic case, Article 31(5) enables special legislation regarding the Greenlandic representation in the Danish Parliament.<sup>3</sup> This has however never been used so far. Greenland has two representatives in the Danish parliament.

There are two distinct views of the legal relationship between Denmark and Greenland and the nature of autonomous competences. One view is that the Self-Government Act of 2009 is a normal Danish law through which powers have been delegated from Denmark to Greenland. This means that Denmark can withdraw the law if the country has the will to do it. This is, however, very unlikely. The results of the negotiations which have given Greenland extended Self-Government and also the right to secede from the Danish realm would be hard to withdraw. There is also no political will from the Danish side to withdraw the autonomy. Another view is that the act is a binding agreement between Greenland and Denmark, which organizes the legal relationship between the two entities. This is how it is usually interpreted and that is also why it would be hard to withdraw such an agreement.

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<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

### 3. Establishment and Implementation of Autonomy

#### 3.1. The Road towards Autonomy

The political development of Greenland has occurred in four different stages with the colonial period from 1721-1953, the county period from 1953-1979, Home Rule from 1979-2008 and Self-Government since 2009. During both the colonial period and the county period, every major decision was taken in Copenhagen and it was first in the 1960s and 1970s that party politics took its toll in a Greenlandic context (Ackrén, 2015). Before that there were no factual political parties in Greenland. The elections that were held were run by independent candidates with no party affiliation. In 1973, the Consultative Assembly in Greenland suggested that individual candidates should be allowed to register a kind of alliance and that proportional representation should be introduced. The Danish parliament legislated on this in 1974 (DIIS, 2007). The act foresaw the development of political parties in Greenland, so it allowed candidates to run for a Greenlandic political party (defined as a party represented in the Consultative Assembly), even though, it was still individual candidates who registered and ran for election. It took until 1979 before candidates for parliamentary election could formally register their partisan affiliation.

During the Second World War there was also an interest from the USA to buy the island. The USA had purchased the Virgin Islands in the Caribbean from Denmark in 1917 and during the Second World War there was growing interest in the Arctic due to German occupation of European and Russian territories (see e.g. Hanson, 1940). During the Second World War, Greenland was also underneath American protection, due to German occupation of Denmark. This meant that Greenlanders received a lot of new products from the USA and the country was more open to international influences at the time.

During the colonial era, Greenland was considered as a trading colony, where the Royal Greenlandic Commerce Company (KGH) regulated all commerce to and from Greenland. Since 1776, a decree stated that special allowances were necessary in order to do business with Greenland (Dahl, 1986). This Danish state monopoly situation prevailed until 1950 (Ackrén, 2014a). The administration was also in the hands of the Royal Greenlandic Commerce Company until 1912. Following the Danish constitutional change towards democracy in 1849, Greenland was also included in the process. A commission was established in Greenland in 1851 and superintendents

were responsible of taking care of internal affairs (Ackrén, 2014a). The superintendents were Greenlandic representatives, but all the major decisions were made in Copenhagen during this time. The Greenlandic commission was part of the legislative union with Denmark.

On 5 June 1953, Greenland was integrated into the Danish Realm as a county, a situation that prevailed until the end of the 1970s. The first real party was formed in 1964 as an Inuit Party, which was a protest party amongst well-educated Greenlanders living in Denmark at the time. One of the major issues was the so called "birth criterion", which gave Danes better salaries and housing opportunities in Greenland while Greenlanders were looked upon as second-class citizens in their own country. The "birth criterion" was given the Danes privileges, because they were out stationed in Greenland. The aim of the criterion was to enable Danish workers to receive the same salaries as they would receive in Denmark. The Inuit Party also argued that Greenlanders could be seen as a distinct people according to international law. The party considered the Inuit people having right to self-determination as other indigenous peoples in the world (Ackrén, 2015). In the 1970s, political parties were established and calls for more extensive autonomy emerged on the agenda. This resulted in negotiations between Denmark and Greenland and the Home Rule Act of 1979 (Ackrén, 2014a). The new wave of political parties started in the late-1970s when other parties were formed, such as *Siumut* (social democrats), *Inuit Ataqatigiit* (Inuit Community) and *Atassut* (conservatives).<sup>4</sup> One of the triggers for the movement towards Home Rule was that Greenland was forced to join the European Economic Community (EEC) together with the rest of Denmark in 1973. Referendums had been held both in Denmark and in Greenland with different results. The Danes voted clearly in favor, while the Greenlanders voted against such a membership. Another referendum was held after the introduction of Home Rule in 1982 and in 1985 Greenland left the EEC and opted for a status as an "overseas country or territory", which is its status today within the European Union (Ackrén and Lindström, 2012; Gad, 2014).

In the Home Rule Act of 1979, Greenland was recognized as a distinct community within the Danish Realm. Similar to the Faroe Islands, Greenland was also considered as a nation with special historical, cultural and geographical ties with Denmark.<sup>5</sup> Moreover, the same system as in the

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<sup>4</sup> For more details, see Ackrén (2015).

<sup>5</sup> Lov nr. 577 af 29. november 1978 om Grønlands hjemmestyre (The Greenland Home Rule Act of 1978). Accessed June 9, 2015. <http://w0.dk/~chlor/www.retsinformation.dk/lov/187176.html>.

Faroe example was applied to Greenland regarding the lists of competences. Greenland could take over some of them immediately while others, i.e. so called joint matters where competences were divided between Greenland and Denmark, needed further negotiations.

The preamble to the new Self-Government Act of 2009 defines Greenlanders as a people according to international law with the right to self-determination. This means that Greenlanders can secede from the Danish Realm in the future if the population has the will to do so. In an international sense Greenlanders are recognized as the only indigenous population within the Danish Kingdom due to Denmark's ratification of ILO 169 from 1996. In the preamble it is further stated that equality and mutual respect should prevail in the relationship between Denmark and Greenland. Further, it is an agreement between the government of Greenland and the Danish government as equal partners as stated in the Act.<sup>6</sup> In Article 1 of the 2009 Self-Government Act, the Greenlandic self-government is outlined to include legislative, executive and judicial powers in those areas that are within Greenlandic competence. In the appendix to the Self-Government Act there are two lists: List I contains areas where the Greenlandic government can transfer matters directly after a decision by the government; List II includes areas where further negotiations between Denmark and Greenland have to take place.<sup>7</sup>

The most significant change between the Home Rule Act of 1979 and the Self-Government Act of 2009 is related to finances and natural resources. The block grant is now fixed at 3.4 billion Danish kroners (DKK) according to 2009 prices with a yearly inflation-related adjustment. Natural resources are now in the hands of Greenland and Greenland has also received a little bit more room of maneuver in international relations (Ackrén and Jakobsen, 2015). This relationship is, however, regulated in the Itilleq Declaration from 2003.<sup>8</sup> This Declaration was a result of the work within the Danish-Greenlandic Commission from 2000 as proposals for extended autonomy was on the agenda. The Itilleq Declaration is a joint agreement between the Danish and Greenlandic governments regarding Greenland's involvement in international relations. The background was to

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<sup>6</sup> Lov om Grønlands Selvstyre (Act on Greenland Self-Government). Lovtidene A 2009, nr. 473 udgivet den 13. juni 2009. Available at: <https://www.retsinformation.dk/pdfPrint.aspx?id=125052>.

<sup>7</sup> *Ibid.*

<sup>8</sup> Fællesprinciperklæring mellem Regeringen og Grønlands Landsstyre om Grønlands inddragelse i udenrigs- og sikkerhedspolitikken 2003, Itilleq deklARATIONEN (Joint principle declaration between the government of Denmark and government of Greenland regarding Greenland's involvement in foreign- and security policy, the so called Itilleq Declaration 2003). Accessed August 31, 2017. <http://naalakkersuisut.gl/~media/Nanoq/Files/Attached%20Files/Udenrigsdirektoratet/DK/Itilleq.pdf>.

get Greenland a voice in the relationship towards the USA regarding the modernization of the Thule Airbase in the North of Greenland, but the Declaration has been interpreted ever since as the general principle, where Greenland has the right of involvement in foreign- and security issues, which are of importance for the autonomous region.

### 3.2. Trust-building and Bilateral Negotiations

Trust-building and bilateral negotiations usually take place between the Greenlandic and Danish governments. There are commissions established with an equal number of representatives from both sides.

The first Greenlandic Home Rule commission back in 1973 consisted of two Greenlandic MPs in the Danish parliament and five Greenlandic members appointed by the Greenlandic Consultative Assembly. One representative came from the municipal association in Greenland (KANUKOKA) (Skydsbjerg, 1999). The aim of this commission was to achieve a Home Rule Act for Greenland within the Danish realm. After the commission's consideration in 1973 a Danish-Greenlandic commission was established in 1975. Here seven Greenlandic and seven Danish politicians were appointed by their respective executives with a neutral chair. The commission's task was to investigate the legal and public administrative conditions for Greenland of taking over some competences from Denmark (Skydsbjerg, 1999). The result were special competences that could be directly transferred to the Home Rule institutions, other matters where specific matters where additional funding from the Danish state was needed in order for them to be transferred, and a third area of matters which would be jointly administrated by both the Greenlandic and Danish governments on an equal basis (Skydsbjerg, 1999).

Eventually, the Greenlandic Consultative Assembly unanimously accepted the Home Rule Act in 1978. The same year the Danish parliament accepted the law and a referendum was held in Greenland in 1979 more as a formality, since everything was already in place. After 20 years of Home Rule it was time to discuss self-government. The Greenlandic society had gone through a rapid development and therefore a new legal framework was needed. Some areas of competence needed a new evaluation and Greenland was eager to receive an extended form of self-government. The major task for the new commission established in 1999-2000 was therefore to evaluate the 20 years of Home Rule and come up with suggestions of how to develop autonomy. Four main areas

were the focal points: foreign and security policy, natural resources, economy and business development as well as lawmaking procedures. The most important result of this work was to have a new partnership deal with Denmark, the so-called Self-Government Act (*Grønlandsk-dansk selvstyrekommissions betænkning om selvstyre i Grønland*, april 2008). The commission realized that Greenland needed extended autonomy in various areas and the political parties were also open to this idea. On 25 November 2008, a referendum took place regarding the new Self-Government Act and a clear majority (75 per cent) of the Greenlandic people voted in favor of it. Finally, the new Self-Government Act was adopted by the Danish parliament on 12 June 2009, but came into force 21 June 2009 on the Greenlandic national holiday (Ackrén, 2015).

### 3.3. Implementation through Special Bodies and Procedures

The establishment of Home Rule back in 1979 gave Greenland its own democratically elected parliament and own government subject to the rules of parliamentarism. Several numbers of matters were transferred to these local authorities and the Home Rule Act had the same effect as ordinary Danish laws (Jensen, 2003). The new Self-Government Act of 2009 has changed the names of the parliament and government into Greenlandic names (*Inatsisartut* and *Naalakkersuisut*, respectively).

In Danish constitutional law it is generally accepted that powers granted to the national authorities can to a certain extent be delegated to local authorities. In fact Article 82 of the Constitution guarantees the existence of local government. The right of municipalities to manage their own affairs independently, under State supervision is laid down by statute (Jensen, 2003). The powers given to some local government authorities may also differ from those given to other local governments. The tradition in Danish constitutional practice is to accept rather broad and vague descriptions of the delegated subject matters (Jensen, 2003).

There is a Danish High Commissioner (*riksombudsmand*) in Greenland since the Home Rule arrangement of 1979, which functions as the link between Greenlandic and Danish institutions. The Danish High Commissioner informs the Danish institutions about the Greenlandic society and the political conditions in Greenland (*Grønlandsk-dansk selvstyrekommissions betænkning om selvstyre i Grønland*, april 2008).

## 4. Legal Basis of Autonomy

The legal basis of autonomy is outlined in the Self-Government Act of 2009. As outlined above in section 3.1., the Self-Government Act is following a residual system, where competences are listed according to two lists.

The Self-Government Act can be amended only with the consent of and after negotiations with the autonomous authorities (Jensen, 2003). The negotiations between the Greenlandic authorities are seen as the first step in order to change the Act. The Act is then presented in the Danish parliament before the Act is adopted. Only a simple majority is needed in the Danish parliament. As a last step a referendum is established as a medium for the local population to express its opinion. The relationship between Danish and Greenlandic authorities regarding legal matters is outlined in chapter 5 of the Act on Greenland Self-Government.

## 5. Autonomous Institutions

### 5.1. The Parliament (*Inatsisartut*)

The parliament in Greenland is called *Inatsisartut* and is the legislative assembly composed of 31 members elected for four year-terms. The elections are according to general, free and secret ballots. All elected representatives gather as soon as possible after the election, but not more than 45 days after election day. It is the most experienced or oldest member, who then starts the negotiations for the establishment of the new compilation of the assembly. This is the negotiation rounds, where a coalition is outlined and where a chair for *Inatsisartut* is appointed. The decision-making in parliament is based on the majority principle. For a decision to be valid at least half of the members must be present. The meetings in the parliament are public and they are in Greenlandic. However, interpretation to Danish is available. All proceedings are translated into both Greenlandic and Danish. The parliament discusses proposals coming from members of parliament or from *Naalakkersuisut*, the Government of Greenland. Legislation or new acts require three readings in the parliament before they are accepted or acknowledged. The first reading is usually based on a draft form of the act according to general principles and the background of the proposal, while the second reading is based on more detailed information. Between the readings the act have gone through a legal committee or another standing committee (depending on the matter), where issues

have been discussed in more detail before the third and last reading takes place. The third reading is usually the last and final version of the act, which is either accepted or rejected by the parliament.<sup>9</sup>

### 5.2. The Government (*Naalakkersuisut*)

The government of Greenland or *Naalakkersuisut* is appointed by the *Inatsisartut* and follows the parliamentary principle, where the government must have the parliament's confidence. The chair of *Naalakkersuisut* is elected by members of the parliament.<sup>10</sup> The premier is then establishing a list of candidates for *Naalakkersuisut* (minister portfolios). This list is then going to the parliament, where voting takes place. Since the latest election of 2014, the government of Greenland consists of 11 departments: Department of the Premier's Office of *Naalakkersuisut*, Department of Nature and Environment, Department of Social Affairs, Family, Equality and Jurisdiction, Department of Business, Labor Market, Commerce and Energy, Department of Fisheries and Hunting, Department of Finances and Taxes, Department of Education, Culture, Research and Church, Department of Health, Department of Independence, Foreign Affairs and Agriculture, Department of Municipalities, Settlements, Outer Districts, Infrastructure and Housing and Department of Natural Resources. The departments vary between the elections, since it is the premier who decides how many departments he/she would have in his/her government (*Naalakkersuisut - Government of Greenland*, 2017).

### 5.3. The Court System

Greenland has first and second instance courts within the Danish court system. All the courts in Greenland are funded via the block grant from Denmark, i.e. they are financed by the Greenlandic Self-Government. The judges are following the same rules as in Denmark regarding court procedures and qualifications. Specific educational programs for judges of the district courts do exist for which the Country Court in Greenland is responsible. There are four district courts (*kredsretter*) and one Greenlandic Court (*retten i Grønland*), which functions as a first instance. Moreover, there is the so-called Country Court in Greenland (*Grønlands landsret*), which

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<sup>9</sup> Inatsisartutlov nr. 26 af 18. november 2010 om *Inatsisartut* og *Naalakkersuisut* (Parliament Act no. 26 of 18 November 2010 of *Inatsisartut* and *Naalakkersuisut*). Accessed September 2, 2017.

<http://lovgivning.gl/lov?rid=%7B3E828278-C263-46FD-82FE-D821B6502C00%7D>.

<sup>10</sup> *Ibid.*

functions as the second instance. The district courts are located in each municipality and here issues, such as, criminal affairs, estate affairs, fatherhood issues, marriage issues, parenthood issues and enforcement issues are handled. In the Greenlandic Court, matters such as, civilian affairs, insolvency issues, specific special laws issues, registration and legal fees are dealt with. The so-called Country Court in Greenland, located in Nuuk, is the court of appeal for the issues coming from the lower instances. The decision from the Country Court can only be challenged before the Supreme Court of Denmark (Om Grønlands domstole, 2016).

## 6. Autonomous Powers

As mentioned earlier, the Self-Government Act of 2009 regulates the autonomous powers. Issues enumerated in List I of the act can be transferred directly to the autonomous institutions if the Greenlandic authorities wish to do so. These areas include work insurance, areas regarding the health area which has not yet been transferred, traffic, property rights and taxation of capital and diving.

Issues enumerated in List II are matters that need further negotiations with Denmark. These matters include treatment of offenders, passport, citizenship, foreign- and security matters, police, monetary issues etc.<sup>11</sup>

Overall Greenland has an extended autonomy and can be seen as a “state” within a state or as a partially independent territory (see e.g. Hannum, 1996; Rezvani, 2014). Some authors even argue that Greenland could be seen as part of a commonwealth. Comparisons to commonwealth areas are made due to the financial relationship with the metropolitan power, small size regarding the overall population, the context of an indigenous population and the interests of mining from foreign investors (McDougall, 2017).

The relationship with Denmark is rather complex. There are matters where Greenland is underneath the Danish Constitution and then there are matters which are directly regulated by the self-government authorities. There is also some overlapping legislation regarding the natural resources and international relations for instance. The question of international relations has been

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<sup>11</sup> Lov om Grønlands Selvstyre (Act on Greenland Self-Government). Lovtidene A 2009, nr. 473 udgivet den 13. juni 2009. Available at: <https://www.retsinformation.dk/pdfPrint.aspx?id=125052>.

addressed by the autonomous institutions on several occasions. Greenland is an overseas country and territory (OCT) in relation to the European Union. This means that Greenland has bilateral agreements in form of a partnership agreement and a fishery agreement with the EU. Greenland has also its own representation in Brussels as well as in Washington D.C. The Greenlandic government has also the right to sign international agreements within areas of special interests for Greenland (Ackrén, 2014b). Greenland can become a member of international organizations, which focus on matters of Greenlandic interest, the Inuit Circumpolar Council being one of the most important examples. Another important forum is the Arctic Council, where a Greenlandic representative usually sits next to the Danish and Faroese one (Ackrén, 2014b).

## 7. Financial Arrangements

As mentioned earlier, Greenland is very dependent on the block grant from Denmark. However, revenues from the exploitation of natural resources also play a role. There are many different licenses for investors within the mining, oil and gas industries. Currently, however, only one mine is exploited, that is the ruby mine in Aappaluttoq located 160 km south of Nuuk. According to the Self-Government Act of 2009, the Danish government shall grant the autonomous institutions of Greenland DKK 3.4 billion as an annual subsidy. This grant is fixed according to 2009 price and wage levels, but it is adjusted according to the inflation rate in Denmark each year. Moreover, the revenue from the exploitation of mineral resources in Greenland accrues to the autonomous institutions. If this revenue from mineral resources exceeds DKK 75 million a year, the block grant is reduced by half of the amount. This means accordingly that if Greenland receives, for example, DKK 80 million during one year, the cut of the grant would be DKK 40 million. If the Danish government's subsidy to Greenland is reduced to zero, negotiations shall be initiated regarding the future economic relations between the government of Greenland and the Danish government.<sup>12</sup>

The Greenlandic economy is for the most part dependent on one major sector and that is fisheries, especially shrimps. It is estimated that this sector accounts for about 90 per cent of exports. The fishing and hunting sector is regulated according to a quota and license system regulated by the Greenlandic authorities themselves (Greenland in Figures 2017).

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<sup>12</sup> *Ibid.*

Internally Greenland has the right to raise direct and indirect taxes. Within the workforce everyone pay taxes to the Greenlandic taxation bureau. The taxation level is lying at 42 per cent for everyone. It is a so called flat taxation that is used for the whole country. Within the mining industry another form of taxation is used. Here the gross-level of the salaries are used with 35 per cent taxation (Vejledning for tilflyttere til Grønland, 2017).

## **8. Intergovernmental Relations**

At the national level, there are meetings between the Danish prime minister, the Faroese premier and the Greenlandic premier, which are held annually in all three parts of the Kingdom. There are also meetings of officials from different departments in both Denmark and Greenland. The Greenlandic government has a foreign office or a Department of Foreign Affairs, which handles coordination, contact and functions as an advisory board for the relations between Nuuk and the Greenlandic representation in Copenhagen and the Greenlandic representation in Brussels (Ackrén, 2014b).

The Joint Committee between Denmark, Greenland and the USA handles cooperation within the areas of foreign and security policy. Due to the existence of an American air base, Thule or *Pituffik*, this cooperation is mostly focused on this base in northern Greenland, but there are also other matters in environmental, technical and economic areas where cooperation takes place (Ackrén, 2014b).

Greenland is very active in the Nordic cooperation and has, just as the other Nordic autonomous regions, two seats in the Nordic Council. Cooperation also takes place within the West-Nordic Council, which Greenland is part of together with representatives from the Faroe Islands and Iceland. A third Nordic network is the North Atlantic Cooperation (NORA), which facilitates cooperation between Greenland, the Faroe Islands, Iceland and coastal Norway (Ackrén, 2014b).

In terms of intergovernmental relations, also the Danish Supreme Court may play a role, as it is not only the highest judicial instance for decisions regarding crimes and other breaches of law. In a matter of dispute between Denmark and Greenland, both the Danish government and the Greenlandic government can refer the issue of the dispute to a committee composed of two members appointed by each government and additional three judges from the Danish Supreme

Court. It is the same system that also applies to the Faroe Islands. The Supreme Court will then make the final decision regarding the dispute.

## 9. Inter-group Relations within the Autonomous Entity

### 9.1. Employment in Public Administration

Even though some policy ideas are imported from Iceland and the Faroe Islands, the public administration in Greenland mostly relies in this regard on Denmark. This is linked to the fact that there are many academics from Denmark working in the public sector in Greenland (Jakobsen, 2008).

The employment in the public administration follows the same procedures as any Danish authority. The requirements are often put into the advertisement of a specific position and it is usually a recommendation to be familiar with Greenland or the Greenlandic language. However, this is not an absolute condition. The heads of departments within the bureaucracy are usually Greenlanders, since the public administration prioritizes those concerning leading positions (Binderkrantz and Jakobsen, 2009). This means that there are both Greenlanders and Danes working side by side in the public administration, which sometimes can lead to conflicts on the working place due to different cultures. The process of Greenlandization of the public administration is seen as a long-term goal in order to be able to reach independence (Binderkrantz and Jakobsen, 2009). This work has been going on for decades. However, due to the small number of Greenlanders entering higher education, the autonomous administration is still dependent on personnel from outside the island. In 2015, about 9.000 Greenlanders and roughly 1.000 Danes were working in the public administration (Grønlands statistik, 2015).

### 9.2. Language Use in Public Administration and in the Judiciary

Greenland has its own legislation regarding the language use in public administration and other public authorities.<sup>13</sup> According to Article 3 of the Language Policy Act, Greenlandic is the major and preferential language in use in public affairs. Official Greenlandic language includes all three major dialects spoken in Greenland: Avanersuaq, Tunu and Kitaa. Danish might be used in public

<sup>13</sup> Inatsisartutlov nr. 7 af 19. maj 2010 om sprogpolitik (Parliamentary Act no. 7 of 19 May 2010 on Language Policy). Accessed September 18, 2017. Available at <http://lovgivning.gl/lov?rid=%7BEEFD42E2-0B6C-4715-9D98-C420635B7A6D%7D>.

affairs as well. English and other languages are used, if necessary. Article 4 of the Act stipulates that private enterprises with at least 10 employees, public authorities and other institutions should have their own language policy. Since it is up to the enterprises, authorities and institutions themselves what kind of language policy they implement the language issue is diverse at the various locations. At the University, *Ilisimatusarfik*, for instance, three languages are used: Greenlandic, Danish and English. These are used in relation to both teaching and research communication. Within the judiciary both Greenlandic and Danish are used and interpreters are usually available.

### 9.3. Education

Due to the long colonial period, the educational system in Greenland is very much based on the Danish system. As a result, it follows the welfare model where education is free for everyone and the primary school is mandatory from the first to the ninth grade. Greenland as a nation has developed at a rapid pace over the decades, and education has become one of the most important cornerstones within the society. There are various educational institutions, from primary school to the university level. The primary school has been improved, and much attention has been given to the “good school” strategy (*Atuarfitsialak*) of elementary school reform<sup>14</sup>. The “good school” strategy has had the pupil in focus. Values and competences have been included in the curricula that focus on the individual development of learning. It has been a focus on individual work and team work as well as respect for other people's values and attitudes. The own culture has been the basis for learning, but an understanding for different countries and cultures is also included. However, improvements are being demanded. Numerous vocational training programs and higher-level educational programs have been developed over the years. Various policies to prevent low graduation rates from every level of education have also been implemented but with little effect. This remains one of the largest problems in the education sector. Another problem is the difficulty of making talented people stay within the country. Many students are going abroad or to Denmark to continue their education, and then they do not come back to Greenland. The result is a huge “brain drain”, which is not merely a problem for Greenland since it is also true for other small communities around the world.

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<sup>14</sup> Landstingsforordning nr. 8 af 21. maj 2002 om folkeskolen (Parliamentary Regulation no. 8 of 21 May 2002 on the primary school).

The current educational system consists of the following schools: several elementary schools in larger towns and settlements around Greenland; branch schools in Qaqortoq, Narsaq, Paamiut, Nuuk, Maniitsoq, and Ilulissat; high schools in Aasiaat, Nuuk, Sisimiut and Qaqortoq; one university, Ilisimatusarfik, in Nuuk; and the Arctic Technology Centre in Sisimiut, a joint program with the Technical University of Denmark. Branch schools provide basic education beyond elementary school, including various forms of craftsmanship and business programs. There is also a police school in Nuuk (Statistics Greenland, 2014). The Greenland Maritime Centre, Imarsiornermik Ilinniarfik, offers basic and advanced courses regarding navigation, fisheries, and other topics in Paamiut, Nuuk, and Uummannaq. In other words, the educational sector has grown considerably in recent decades. The number of institutions has increased and diversity within the educational system continues to grow.

## 10. Citizenship

The citizenship is based on Danish citizenship in Greenland. In a legal sense, the individuals constituting the Greenlandic people are residents of Greenland who are at least 18 years old and have the right to participate in elections, i.e. to vote or run for office. For this, however, one has to be a Danish citizen and must have lived in Greenland for at least six months prior to the election or referendum. Greenlandic students who study in Denmark also have the right to vote in Greenland (Kleist, 2010). This means that also Danes and Faroese persons living in Greenland as Danish citizens may also have the right to vote. *Inatsisartut* can change the legislation regarding the right to vote, since this is part of internal Greenlandic matters and not part of the Self-Government Act (Kleist, 2010). The legislation regarding elections is in separate laws and not included in the Self-Government Act.

The Greenlanders hold jurisdiction over their land, but the ownership is still held collectively in its original form by the people of Greenland. This means that no one owns the land, as individuals may only own their house. The land is, however, owned by the Greenlandic population as a whole. Since the Greenlandic population is the only indigenous group in the world, which has the right to secede and form its own state, it is in quite a unique situation (Göcke, 2012). The Danish Foreign Ministry has acknowledged in a notification from 2004 that the Greenlandic population is a people under international law. This means that Greenlanders, according to the Danish view, do not

constitute merely an indigenous people but a people with more extensive rights (Barten & Mortensen, 2016).

## 11. General Assessment and Outlook

Greenland as a territorial autonomy could be seen as a clear result of the decolonization process, which also holds true for other autonomies arrangements in the world. It is an example of how an indigenous population has developed from a hunting and gathering society into a modern Scandinavian society. Greenland is usually seen as a successful example amongst other Inuit fellow societies especially in the Canadian north. The flexible Danish model for the autonomous regions of the Faroe Islands and Greenland gives the two territories extended autonomy and also possibilities for their own development according to their own pace.

Greenland is an autonomous region with extended powers and has also the right to secede from Denmark. There is clearly a political will to work towards independence. At the moment, a Constitutional Committee is working on a Constitution for Greenland. There are, however, some different views of how the Constitution should look like. One proposal suggested by the Minister of Independence, Suka Frederiksen (*Siumut*) is that it should be made in a stepwise manner, so the first Constitution should be within the Danish realm as a model of free association. The chair for the Constitutional Committee, Vivian Motzfeldt (*Siumut*) is of another view, since she is stating that Greenland should go for a Constitution, which declares Greenland as a state of its own. A majority of the decision-makers and the general public is in favor of independence. Amongst the political parties, *Siumut*, *Inuit Ataqatigiit*, *Demokraatit*, *Partii Naleraq* and *Partii Inuit* are in favor of independence, while *Atassut* is against. HS Analyse has done some opinion polls amongst the population in 2002 and 2017<sup>15</sup> around the independence issue. In the first poll back in 2002, 61 per cent supported independence provided that living standards would not change. The result in 2017 shows a small decrease in the support. 44 per cent were in favor of independence without any changes. According to the total of people supporting independence overall, the polls show 74 per cent in favor in 2002 and 67 per cent in 2017 including the options of independence in any case and independence with a small adjustment of the living standards. However, these opinion

<sup>15</sup> Sermitsiaq (newspaper), lørdag 1. april 2017. "Selvstændighed kun uden forringelse". (Sermitsiaq, Saturday 1 April 2017. "Independence only without worse conditions"). Accessed October 30, 2017. <http://sermitsiaq.ag/selvstaendighed-kun-uden-forringelser>.

polls only take about 700 people into consideration as a random sample of persons over 18 years of age. On another note the persons have answered several questions where the alternatives have been quite near each other. The 2002 poll shows for instance that those who answered that they would like independence no matter what is 6 per cent, while the figure in 2017 has increased to 11 per cent. These figures should be taken with a pinch of salt, but the entire majority seems to be more leaning towards independence than not<sup>16</sup>.

The time perspective is what divides people. There is not a clear time line for an upcoming referendum. The world market regarding fishery prices and prices for mineral resources is vital for a positive economic development of an independent Greenland. There is a lot of work that needs to be done in all sectors of the Greenlandic society if independence will be the ultimate goal. Some people and politicians are also hesitant towards this development and regard a model of free association with Denmark as a better outcome. It is hard to tell which way Greenland will go. A free association statehood would give Greenland more to say in international affairs and the linkages to Denmark would be more loosely regulated. One can imagine that the cooperation would be focused around economic and security matters, while all other competences will be in Greenlandic hands in such a model.

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<sup>16</sup> *Ibid.*

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