

Expert Mechanism on the Rights of Indigenous Peoples

Third Session July 12-16, 2010

Item 4 – Intervention by the Danish Delegation

Mr. Chairperson,

Distinguished Members of the Expert Mechanism, Indigenous Experts and State Delegates.

It is a pleasure to report to you on some developments under the agenda item, which also relates to the previous agenda item discussed
As reported to the Permanent Forum on Indigenous Issues as well as to the Expert Mechanism last year, the Act on Greenland Self-Government was, as in the case of the preceding Home Rule Government, endorsed by the Greenland people in a referendum. *that during last couple of days*

While the establishment of the Self-Government arrangement is an illustration of Denmark's de facto implementation of the UN Declaration of the Rights of Indigenous Peoples vis-à-vis Greenland, the Government of Greenland itself is also striving to implement important provisions of the Declaration in its day to day work.

as stated by
To quote the Premier of Greenland ~~from his statement~~ *and quote* to the Expert Mechanism at its second session in August last year: "The new relationship between Denmark and Greenland primarily entails a further devolution of powers to Greenland. It is based on a partnership, which now includes the recognition of the Greenland people as a people under international law and thereby confirms our right to self-determination." – End of quote,

The Act on Self-Government opens up for gradual further transfer of powers and responsibilities from Denmark to Greenland with one of the core principles of the negotiation process being, that rights and responsibilities go hand in hand. This is why transfers of additional areas of responsibility to the Government of Greenland, according to the Act, must be financed by Greenland itself.

The affirmation of Greenland's ownership and control of all natural resources in the Act is related to this principle of transfer and is an example of how the right of self-determination is implemented by Denmark in respect of Greenland.

Following the inauguration of Self-Government, one of the first areas of responsibility to be transferred to Greenland was the administration and control of Greenland's mineral resources. On December 7, 2009 the Greenland Parliament passed the Greenland Parliament Act on mineral resources and mineral activities (Mineral Resources Act), allowing the Government of Greenland to exercise the control over oil and mineral resources.

Since the adoption of the Mineral Resources Act, different important stakeholders have raised concern with regard to the level of transparency and consultation in the process leading to the current exploratory drillings off the west coast of Greenland. These concerns have to a large extent been expressed with reference to provisions of the UN Declaration. - One of these stakeholders is the Inuit Circumpolar Council present in the room. ^{on the rights of indigenous peoples}

Mr. Chairperson,

To underline the dynamics of dialogue in the implementation process, my delegation wishes to share with you the following concrete example:

The Inuit Circumpolar Council has, on a number of occasions, voiced its concerns with regard to the public hearing process prior to the granting of exploration licenses. In essence, ICC is thereby attempting to hold the Government of Greenland accountable to the further implementation of the UN Declaration of the Rights of Indigenous Peoples.

Similarly, Members of ^{the Greenland} Parliament have based proposals for improved hearing procedures concerning major industrial development projects and mineral resources exploration projects on compliance with the UN Declaration on the Right of Indigenous Peoples, by way of directly citing relevant provisions of the Declaration.

It is important to note that both parliament and government have welcomed and responded to such expressions of concern. Furthermore, during its spring session the Greenland Parliament supported a proposal to strengthen the consultation process by ensuring that all relevant organizations are duly included.

A very concrete demonstration of the commitment of the Government of Greenland to this principle came at the recent 11th General Assembly of the ICC, hosted by

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- Extract of the
- The Declaration of the
- Rights of Indigenous Peoples
- in 2009
- the Declaration of the
- Rights of Indigenous Peoples
- Agenda 17

Greenland. In his welcome speech to the delegates of the General Assembly, the Premier of Greenland encouraged ICC to work with the Government of Greenland in developing hearing mechanisms based on the organization's experiences within the Arctic. The Premier further stated that - quote: "We stand firm on the principle that the right of decision making and regulations with regards to exploitation of minerals and oil in the Arctic belongs to the arctic peoples."

The prompt response from ICC's General Assembly, which has been welcomed by the Government of Greenland, was – in the Nuuk Declaration - to mandate the ICC leadership, as a matter of urgency, to plan and facilitate an Inuit leaders' summit on resource development with the aim of developing a common circumpolar Inuit position on environmental, social and cultural assessment processes.

Thank you for your attention. *no. chairperson*