

DEFENSE

Greenland

**Agreement between the
UNITED STATES OF AMERICA
and DENMARK**

Amending and Supplementing the
Agreement of April 27, 1951

Signed at Igaliku August 6, 2004

with

Joint Declarations



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

DENMARK

Defense: Greenland

*Agreement amending and supplementing
the agreement of April 27, 1951.
Signed at Igaliku August 6, 2004;
Entered into force August 6, 2004.
With joint declarations.*

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF DENMARK, INCLUDING THE HOME RULE GOVERNMENT OF GREENLAND, TO AMEND AND SUPPLEMENT THE AGREEMENT OF 27 APRIL 1951 PURSUANT TO THE NORTH ATLANTIC TREATY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF DENMARK CONCERNING THE DEFENSE OF GREENLAND (DEFENSE AGREEMENT) INCLUDING RELEVANT SUBSEQUENT AGREEMENTS RELATED THERETO

The Parties

- Considering the development of Greenland since the conclusion of the Defense Agreement, including the change of Greenland's status from colony to that of an equal part of the Kingdom of Denmark under the Constitution and the establishment of a wide ranging Greenland Home Rule;
- Considering that the Government of the Kingdom of Denmark always consults and cooperates closely with the Home Rule Government of Greenland in affairs of state of particular importance to Greenland;
- Considering United States military activities since the conclusion of the Defense Agreement, including the reduction of defense areas in Greenland;
- Wishing to facilitate and improve local cooperation between the United States military authorities and the Danish authorities, including Greenland Home Rule authorities;
- Considering their common goal of international peace and peaceful co-existence, and respecting the important contribution of Greenland to this end;
- Acknowledging Greenland's contribution to the mutual security interests and its consequent sharing of the associated risks and responsibilities, and the commitment of the Parties to continuing close cooperation within NATO in ensuring North Atlantic security;

NOTE and AGREE as follows:

Article 1: Defense Areas

1. Thule Air Base is the only defense area in Greenland. The provisions of Article II of the Defense Agreement shall apply to the establishment of new defense areas.

2. The flag of the Kingdom of Denmark, the flag of Greenland and the flag of the United States shall fly over Thule Air Base. To facilitate cooperation concerning the protection and internal security of Thule Air Base, Danish and Greenland authorities shall assist the United States authorities as requested and appropriate, and consistent with existing agreements and arrangements.

Article 2: NATO Status of Forces Agreement

1. The Parties note that the NATO Status of Forces Agreement (NATO SOFA) has applied in Greenland since 1955.
2. The Parties agree that the terms of Article VII of the Defense Agreement shall apply as a supplementary agreement to the NATO SOFA between the Parties.
3. The Parties agree that the terms of Article VIII of the Defense Agreement are superseded by the corresponding provisions of the NATO SOFA.
4. The Parties agree that the terms of Article IX of the Defense Agreement shall apply as a supplementary agreement to the NATO SOFA between the Parties.
5. The Parties agree that the first sentence of Article X of the Defense Agreement is deleted, and that the term "such NATO agreement" in that Article refers to the NATO SOFA.

Article 3: Local Cooperation

1. The Parties confirm that:
 - a. The provision contained in the final clause of the second sentence of Article VI of the Defense Agreement, relating to contact between United States personnel and the local population, was revoked in 1986 and is not in effect.
 - b. In the exceptional case of planned landings of military aircraft in Greenland outside airports, the Government of the United States consults with and informs the Government of the Kingdom of Denmark, including the Home Rule Government of Greenland, in order to ensure due protection of the environment and hunting areas in Greenland.
 - c. Consistent with the Defense Agreement, as amended herein, and the Memorandum of Understanding of March 13, 1991, and without prejudice to other relevant agreements and arrangements between the Parties, the Government of the United States will consult with and inform the Government of the Kingdom of Denmark, including the Home Rule Government of Greenland, prior to the implementation of any significant changes to United States military operations or facilities in Greenland.

2. The Parties agree that to enhance local cooperation

a. The Home Rule Government of Greenland may appoint a representative with whom the U.S. commanding officer at Thule Air Base will consult on local affairs that affect the Home Rule Government of Greenland. The appointment of such a representative does not affect the status of the Danish liaison officer in relation to the U.S. commanding officer.

b. The Parties note and declare that they shall consult without undue delay regarding any question which one of the Parties may raise concerning matters pertaining to the U.S. military presence in Greenland and covered by the Defense Agreement and this agreement. To the extent that such matters cannot be resolved through local consultation, the Parties shall consult with each other either in the Permanent Committee or through diplomatic channels, as appropriate.

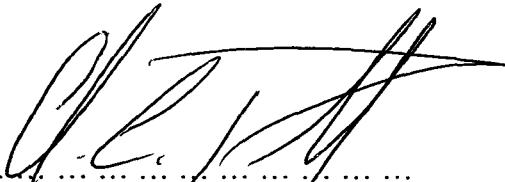
Article 4: Entry Into Force and Amendment

This Agreement shall enter into force on the date of signature, and shall remain in force for the duration of the Defense Agreement. This Agreement may be amended at any time by mutual agreement of the Parties.

Done at Igaliku this sixth day of August 2004 in duplicate, in the English and Danish languages, both texts being equally authentic.

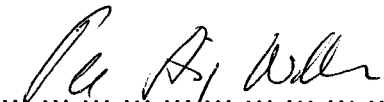
For the Government of the United States of
America

For the Government of the Kingdom of
Denmark, including the Home Rule
Government of Greenland



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Colin L. Powell



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Per Stig Møller
For the Government of Denmark



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Josef Motzfeldt
For the Home Rule Government of
Greenland

**AFTALE MELLEM AMERIKAS FORENEDE STATERS REGERING OG
KONGERIGET DANMARKS REGERING INKLUSIVE GRØNLANDS
LANDSSTYRE OM ÆNDRING OG SUPPLERING AF
OVERENSKOMST AF 27. APRIL 1951 I HENHOLD TIL DEN
NORDATLANTISKE TRAKTAT MELLEM REGERINGERNE I
KONGERIGET DANMARK OG AMERIKAS FORENEDE STATER OM
FORSVARET AF GRØNLAND (FORSVARSAFTALEN) MED SENERE
RELEVANTE TILLÆGSAFTALER RELATERET HERTIL**

Parterne

- i betragtning af den udvikling, der er sket i Grønland siden Forsvarsaftalens indgåelse, herunder ændringen af Grønlands status fra koloni til ligestillet del af Kongeriget Danmark under grundloven og indførelsen af et vidtgående grønlandsk hjemmestyre;
- i betragtning af, at Kongeriget Danmarks regering altid konsulterer og samvirker tæt med Grønlands hjemmestyre i rigsanliggender, der er af særlig betydning for Grønland;
- i betragtning af de amerikanske militære aktiviteter siden Forsvarsaftalens indgåelse, herunder indskrænkningen af forsvarsområder i Grønland;
- ud fra ønsket om at lette og forbedre samarbejdet på lokalt plan mellem de amerikanske militære myndigheder og de danske og grønlandske myndigheder;
- i betragtning af den fælles målsætning om mellemfolkelig fred og fredelig sameksistens og respekten for Grønlands vigtige bidrag hertil;
- i anerkendelse af Grønlands bidrag til de gensidige sikkerhedsinteresser og den deraf følgende deltagelse i risici og ansvar og Parternes ønske om et fortsat tæt samarbejde inden for NATO om varetagelse af den nordatlantiske sikkerhed;

KONSTATERER og ENES OM følgende:

Artikel 1: Forsvarsområder

1. Thule-basen er det eneste forsvarsområde i Grønland. Bestemmelserne i Forsvarsaftalens artikel II finder anvendelse ved oprettelse af nye forsvarsområder.
2. Kongeriget Danmarks flag, Grønlands flag og de Forenede Staters flag vajer over Thule-basen. For at styrke samarbejdet om varetagelsen af Thule-basens beskyttelse og indre sikkerhed bistår danske og grønlandske myndigheder, efter anmodning og

som det skønnes passende, de amerikanske myndigheder i overensstemmelse med eksisterende aftaler og ordninger.

Artikel 2: NATO-overenskomsten vedrørende status for styrker

1. Parterne konstaterer, at NATO-overenskomsten vedrørende status for styrker (NATO SOFA) har fundet anvendelse i Grønland siden 1955.
2. Parterne er enige om, at bestemmelserne i Forsvarsaftalens artikel VII skal finde anvendelse mellem Parterne som en supplerende aftale til NATO SOFA.
3. Parterne er enige om, at bestemmelserne i artikel VIII i Forsvarsaftalen er afløst af de tilsvarende bestemmelser i NATO SOFA.
4. Parterne er enige om, at bestemmelserne i Forsvarsaftalens artikel IX skal finde anvendelse mellem Parterne som en supplerende aftale til NATO SOFA.
5. Parterne er enige om, at den første sætning i Forsvarsaftalens artikel X bortfalder, og at betegnelsen 'sådan NATO-overenskomst' i denne artikel henviser til NATO SOFA.

Artikel 3: Lokalt samarbejde

1. Parterne bekræfter at:

- a. Bestemmelsen indeholdt i Forsvarsaftalens artikel VI, 2. punktum, 2. led vedrørende kontakt mellem amerikansk personel og den lokale befolkning blev ophævet i 1986 og ikke er i kraft.
- b. I ekstraordinære tilfælde af planlagte landinger af militære luftfartøjer i Grønland uden for lufthavne vil Amerikas Forenede Staters regering konsultere og informere Kongeriget Danmarks regering inklusive Grønlands landsstyre med henblik på at sikre passende beskyttelse af miljøet og jagtområder i Grønland.
- c. I overensstemmelse med Forsvarsaftalen som ændret ved nærværende aftale og Memorandum of Understanding af 13. marts 1991 og uden præjudice for andre relevante aftaler og ordninger mellem Parterne vil Amerikas Forenede Staters regering konsultere og informere Kongeriget Danmarks regering inklusive Grønlands landsstyre forud for gennemførelse af enhver væsentlig ændring af Amerikas Forenede Staters militære operationer eller faciliteter i Grønland.

2. Med henblik på at fremme lokalt samarbejde er Parterne enige om at:

- a. Grønlands landsstyre kan udpege en repræsentant, som den amerikanske kommanderende officer på Thule-basen vil rådføre sig med i lokale anliggender, der

berører Grønlands landsstyre. Udpegelsen af en sådan repræsentant berører ikke den danske forbindelsesofficers forhold i relation til den kommanderende amerikanske officer.

b. Parterne konstaterer og erklærer, at de uden unødigt forsinkelse konsulterer hinanden om ethvert spørgsmål, som en af parterne måtte rejse om forhold vedrørende den amerikanske militære tilstedeværelse i Grønland og omfattet af Forsvarsaftalen og af nærværende aftale. I det omfang sådanne spørgsmål ikke kan afklares ved lokale konsultationer, konsulterer Parterne hinanden enten i det Permanente Udvalg eller gennem diplomatiske kanaler, alt efter hvad der er passende.

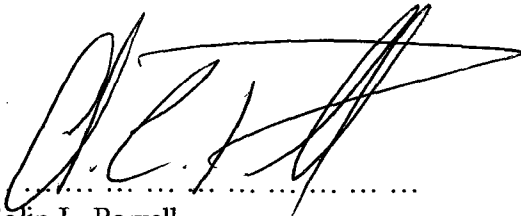
Artikel 4: Ikrafttræden og ændringer

Denne aftale træder i kraft på datoen for Parternes underskrift og skal forblive i kraft i overensstemmelse med varigheden af Forsvarsaftalen. Denne aftale kan til enhver tid ændres ved fælles aftale mellem Parterne.

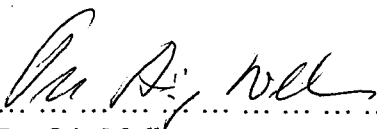
Udfærdiget i Igaliku, den sjette august 2004, i to eksemplarer på dansk og engelsk, begge tekster af lige gyldighed.

For Amerikas Forenede Staters regering

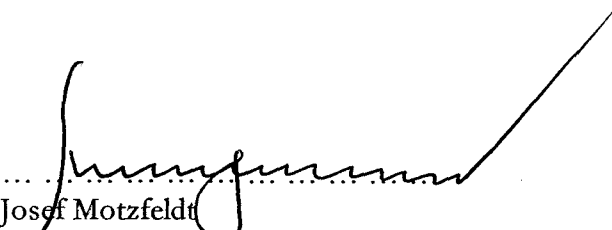
For Kongeriget Danmarks regering
inklusive Grønlands landsstyre



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Colin L. Powell



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Per Stig Møller
For Kongeriget Danmark



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Josef Motzfeldt
For Grønlands landsstyre

Joint Declaration
by
The Government of the United States of America
and
The Government of the Kingdom of Denmark,
including the Home Rule Government of Greenland,
on
Economic and Technical Cooperation

Meeting in Igaliku on August 6, 2004, Colin L. Powell, Secretary of State of the United States of America, Per Stig Møller, Foreign Minister of the Kingdom of Denmark and Josef Motzfeldt, Deputy Premier of the Greenland Home Rule Government

declared:

- The Government of the United States of America and the Government of the Kingdom of Denmark, including the Home Rule Government of Greenland (“the partners”), attach importance to the existing traditional ties between the people of the United States of America and of Greenland. These ties are based on the democratic and freedom-loving values we share, our common commitment to international peace and security, as well as the cultural and geographical solidarity of the peoples of the Arctic region;
- The Government of the United States of America and the Government of the Kingdom of Denmark, including the Home Rule Government of Greenland, wish to strengthen good neighbourly relations and friendship, as well as reinforce close and lasting relations,
- To that end the partners have decided to strengthen cooperation between the United States and Greenland.

Paragraph 1

1. To help realize mutual benefits for our citizens, broad economic and technical cooperation shall be established between the United States of America and Greenland, including cooperation on, inter alia, research, technology and energy cooperation, environmental issues, education, development, tourism, air traffic planning and trade.

Paragraph 2

1. To promote and coordinate the wide spectrum of activities foreseen within this enhanced economic and technical cooperation a Joint Committee shall be established to cooperate on all issues of mutual interest within this broad framework.

2. The Joint Committee will:

- constitute a forum for formal and informal exchange of information and regular coordination and consultation on economic and technical issues of mutual interest,
- coordinate and monitor existing national programs, projects and other activities with a view toward their full implementation,
- identify and consider proposals for and agree, subject to funding approval, new or enhanced joint cooperation projects and programs,
- examine other questions arising within this framework.

Joint projects and programs will be implemented through joint contributions. Financial support is envisaged to be one form of contribution but also technical and expert assistance, know how, referral to appropriate loan and investment guarantee institutions, in-kind contributions etc. will be considered as contributions to joint projects, as appropriate. Contributions will be subject to the availability of funds in accordance with national laws and procedures.

Paragraph 3

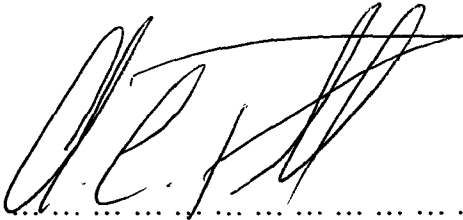
The Joint Committee, consisting of representatives of the United States Government and representatives from the Danish Government, including the Greenland Home Rule Government, shall meet at least annually. In addition the committee will convene at other times as required in expert configurations according to substance matter. The Chair will alternate between the partners annually.

Paragraph 4

In their endeavours to promote this enhanced economic and technical cooperation the Government of the United States of America and the Government of the Kingdom of Denmark, including the Home Rule Government of Greenland, will use their best efforts to find timely common solutions to any issues that may arise within the framework of this declaration.

Issued this day, August 6 2004, in Igaliku

For the Government of the United States of
America

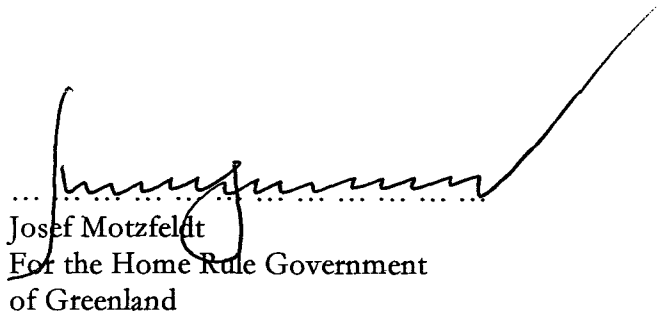


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Colin L. Powell

For the Government of the Kingdom of
Denmark, including the Greenland Home
Rule Government



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Per Stig Møller
For the Government of Denmark



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Josef Motzfeldt
For the Home Rule Government
of Greenland

Joint Declaration
by
The Government of the United States of America
and
The Government of the Kingdom of Denmark,
including the Home Rule Government of Greenland,
on
Cooperation on the Environment in Greenland

Meeting in Igaliku on August 6 2004, Colin L. Powell, Secretary of State of the United States of America, Per Stig Møller, Foreign Minister of the Kingdom of Denmark and Josef Motzfeldt, Deputy Premier of the Greenland Home Rule Government

declared:

1. The Government of the United States of America and the Government of the Kingdom of Denmark, including the Home Rule Government of Greenland (“the partners”), recognize the importance of protecting and improving the environment in Greenland. Acknowledging the vulnerability of the arctic environment, the partners undertake to cooperate with regard to:
 - prevention and combating of pollution dangerous to human health,
 - prevention and combating of other pollution of air, water, ice, and earth,
 - protection of nature, its wild animals, plants, and their habitats,
 - protection of the landscape and areas of historical and scientific value.

2. The partners will address environmental issues cooperatively through appropriate channels. The partners further intend to establish an Environmental Subcommittee of the Permanent Committee established pursuant to the 1991 Memorandum of Understanding. This Subcommittee will meet regularly to identify and address environmental issues and recommend relevant countermeasures to risks that may be posed by environmental contamination affecting the Thule Defense Area and the areas adjacent to the Defense Area. The common goals are to protect the environment and to prevent detrimental effects from any activities to the health and safety of residents of Greenland, as well as of the military and civilian personnel associated with the U.S. armed forces in Greenland.

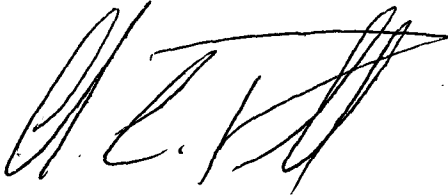
3. The partners recognize that U.S. armed forces in the Thule Defense Area respect Greenland Home Rule environmental standards. This is demonstrated in the Final Governing Standards applying at the Thule Defense Area, which the U.S. Government updates periodically to reflect the more protective of the U.S. or Greenlandic environmental standards. To assist in the process of updating the Final Governing Standards, the partners will exchange information and consult as appropriate regarding these standards.

4. Representatives of the Government of the Kingdom of Denmark, including the Home Rule Government of Greenland, will have access, consistent with the military mission, security and relevant safety considerations, to the Thule Defense Area to acquaint themselves with environmental conditions there. This access will be facilitated through the Thule base commander. With due regard for security classifications and consistent with their respective applicable laws and regulations, the partners will cooperate fully to exchange relevant and available information pertaining to environmental matters.

5. In light of the principles underlying the environmental cooperation established herein, the partners acknowledge that environmental considerations will be a natural element of consultations related to any realignment of the Defense Area.

Issued this day, August 6 2004, in Igaliku

For the Government of the United States of
America

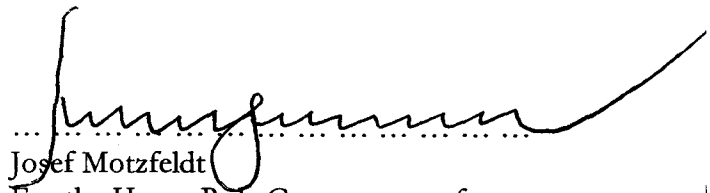


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Colin L. Powell

For the Government of the Kingdom of
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Per Stig Møller
For the Government of Denmark



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Josef Motzfeldt
For the Home Rule Government of
Greenland