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## Consejo de Derechos Humanos

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**Promoción y protección de todos los derechos humanos,  
civiles, políticos, económicos, sociales y culturales,  
incluido el derecho al desarrollo**

## Visita a Dinamarca y Groenlandia

### Informe de la Experta Independiente sobre los derechos humanos y la solidaridad internacional, Cecilia Bailliet\*

#### *Resumen*

La Experta Independiente sobre los derechos humanos y la solidaridad internacional, Cecilia Marcela Bailliet, visitó Dinamarca y Groenlandia del 8 al 18 de abril de 2024. El objetivo principal de la visita era conocer y comprender las políticas y medidas emprendidas por el Estado y los agentes de la sociedad civil para poner en práctica el deber de respetar, proteger y hacer efectivo el derecho a la solidaridad internacional. La Experta Independiente también trató de determinar los progresos realizados y los retos pendientes a ese respecto.

En su informe, presentado en cumplimiento de la resolución 53/5 del Consejo de Derechos Humanos, la Experta Independiente se centra en: a) el marco constitucional y de derechos humanos aplicable; b) la cooperación internacional y la asistencia para el desarrollo como formas de buenas prácticas de solidaridad internacional; y c) los retos y motivos de preocupación detectados durante la visita. La Experta Independiente extrae conclusiones y formula recomendaciones específicas a los Gobiernos de Dinamarca y Groenlandia y a las organizaciones de la sociedad civil.

\* El resumen del presente informe se distribuye en todos los idiomas oficiales. El informe propiamente dicho, que figura en el anexo, se distribuye únicamente en el idioma en que se presentó.



## Anexo

### **Informe de la Experta Independiente sobre los derechos humanos y la solidaridad internacional, Cecilia Bailliet, acerca de su visita a Dinamarca y Groenlandia**

#### **I. Introduction**

1. The Independent Expert on human rights and international solidarity, Cecilia Marcela Bailliet, visited Denmark and Greenland from 8 to 18 April 2024. During her visit, the Independent Expert travelled to Copenhagen and to Nuuk, Greenland.
2. The Independent Expert expresses her appreciation to the governments of Denmark and Greenland<sup>1</sup> for having extended an invitation to the mandate holder to conduct an official visit with the aim of understanding the policies and actions taken by State and civil society actors to implement the duty to respect, protect and fulfil the right to international solidarity.
3. In Copenhagen, the Independent Expert met with representatives of the following: the Ministry of Foreign Affairs, the Ministry of Defence, the Ministry of Social Affairs and Housing, the Ministry of Immigration and Integration, the Ministry of Finance, the Ministry of Taxation, the Ministry for Digital Government and Gender Equality, the Ministry for Children and Education, the Ministry of Higher Education and Science, the municipal authorities of Copenhagen, the authorities of Greenland and the Faroe Islands, the committees of the Parliament of Denmark, the Danish Youth Council and youth groups of the political parties, the Copenhagen police, and the Investment Fund for Developing Countries. She also met with representatives of the University of Copenhagen affiliated with the University of Greenland.
4. During her visit to Nuuk, Greenland, the Independent Expert met with representatives of the following: the Ombudsman of the Parliament of Greenland; the Ministry of Industry, Trade, Mineral Resources, Justice and Gender Equality; the Finance and Tax Committee; the Ministry of Statehood and Foreign Affairs; the Ministry of Housing and Infrastructure; parliamentary committees; and the Prime Minister's Office. She met with the Chief of Police, the Country Judge and the head of the prison service. She also held meetings with representatives of the Human Rights Council of Greenland and of the European Commission.
5. The Independent Expert met with civil society representatives from Denmark and Greenland and thanks them for their contribution towards gaining a broader understanding of international solidarity in practice. She held meetings with those representatives on topics such as Indigenous Peoples; gender equality and equality of lesbian, gay, bisexual, transgender and intersex persons; migrant and refugee protection; and disability and environmental issues. The Independent Expert expresses her sincere gratitude to the Danish Institute for Human Rights for its innovative reports and website, through which it disseminates information on human rights issues around the world, ranging from challenges relating to fisheries and aquaculture to the use of artificial intelligence in government data processing and decision-making. Moreover, she applauds its creation of a helpline for persons experiencing discrimination or exclusion.
6. Furthermore, the Independent Expert is grateful to academics of the University of Copenhagen for facilitating an academic consultation on the revised draft declaration on the right to international solidarity.<sup>2</sup>

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<sup>1</sup> Greenland is a self-governing territory within the Kingdom of Denmark, pursuant to the Act on Greenland Self-Government of 12 June 2009. For more information, see <https://english.stm.dk/the-prime-ministers-office/the-unity-of-the-realm/greenland>.

<sup>2</sup> See <https://www.ohchr.org/sites/default/files/documents/issues/solidarity/reviseddraftdeclarationrightInternationalsolidarity.pdf> and <https://jura.ku.dk/cecs/calendar/2024/academic-consultation-on-the-revised-draft-declaration-on-human-rights-and-international-solidarity/>.

7. The Independent Expert also wishes to thank United Nations entities for the support provided before and during her visit.

8. The main purpose of the Independent Expert's visit to Denmark and Greenland was to learn more about, and gain a first-hand understanding of, issues relating to the experience and practice of international solidarity in Denmark and Greenland, including positive efforts that have been made in that direction and the remaining challenges. These challenges include structural discrimination against and stereotyping of Greenlandic persons, the return of forced migrants and externalization of cross-border migration, insufficient protection against gender-based violence, the risk of criminalization of international solidarity activists, insufficient communication channels between civil society groups and government ministries, the fragmentation of solidarity issues among ministries, and conflicts between Greenlandic and Danish jurisdictions.

## **II. Applicable constitutional and human rights framework**

9. Denmark has ratified most international human rights treaties. Two notable exceptions, however, are the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Independent Expert underlines the importance of ratification of both instruments.

10. International treaties ratified by Denmark apply to Greenland unless territorial declarations have been made by the government of Greenland. Withdrawal of these territorial exclusions requires the approval of the Parliament of Greenland. Territorial declarations restricting the application of treaties in Greenland have been made to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Optional Protocol to the Convention on the Rights of Persons with Disabilities, the Paris Agreement on climate change and the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. The Independent Expert encourages the Parliament of Greenland to pursue the withdrawal of those territorial declarations, given the vulnerability of children, persons with disabilities and the environment in Greenland.

11. In 2007, Denmark voted in favour of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples. Prior to that, in 1996, it ratified the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169). Upon ratification of the ILO Convention, the governments of Denmark and Greenland declared that Denmark had only one Indigenous People in the sense of that Convention, namely the Inuit of Greenland.

12. Greenland is a self-governing territory of Denmark. Figures suggest that nearly 90 per cent of the population of around 56,600 is Inuit. The Greenlandic Inuit – the majority of whom identify as Kalaallit – have three major dialects of the Kalaallisut (Greenlandic) language: Kitaamiusut, spoken in the lower latitudes of west Greenland; Inuktun/Avanersuarmitut, spoken in the northernmost latitudes of west Greenland; and Ivi orasii/Tunumiusut, spoken in east Greenland. Despite regional differences in dialects, living conditions and climate, the Kalaallit identify themselves as one people who, in turn, also identify themselves as the Indigenous People of Greenland.

13. The system of self-government came into force on 21 June 2009, with the Act on Greenland Self-Government, which replaced the Greenland Home Rule Act of 29 November 1978. The Act on Greenland Self-Government recognizes the people of Greenland as a people under international law with the right of self-determination. It also recognizes Greenlandic as the official language of Greenland. The Act enables Greenland to take over responsibility for most of its internal matters except for the Constitution; nationality and citizenship; the Supreme Court; foreign, defence and security policies (including the police); the exchange rate; and monetary policy. Lastly, the Act stipulates that the people of Greenland can decide to seek independence and establishes a procedure therefor.

14. To date, Greenland has assumed authority over a wide range of areas, including social issues, health, taxes, industry, the environment, natural resources, trade and education. In practice, there are significant problems relating to a lack of sufficient resources for physical and mental healthcare and education in Greenland, as well as unremedied environmental damage related to military operations conducted in the territory. Moreover, a complex state of legal pluralism has been rendered more salient by increased concessions for the extraction of natural resources that may be approved by the government of Greenland but are allegedly not subject to the free and informed consent of the Inuit. European Union regulations are also relevant.<sup>3</sup> The government of Greenland asserts that there is a system of public hearings and consultations on legislative and administrative acts. It claims that local communities are consulted and can indicate their objections, for example to zoning and mining exploration and exploitation. The government of Greenland recognizes that there is an obligation to conduct environmental and social impact assessments in processes that include the participation of Indigenous Peoples.

15. The branches of government in Greenland consist of the Inatsisartut (Parliament), the elected legislature; and the Naalakkersuisut (government), the executive branch. Justice affairs remain under Danish jurisdiction. In 2008, Denmark adopted the Administration of Justice Act for Greenland (Act No. 305) and the Criminal Code for Greenland (Act No. 306) to reform the judicial system of Greenland. There are cases requiring competence under both Danish and Greenlandic law, as there are intersecting issues which traverse jurisdictions.

16. The judicial reform retains some elements of the Inuit justice system: the principle of resocialization of offenders rather than punishment, and lay judges' courts as district courts of first instance. The four lay judges' district courts follow the principle of geographical proximity to reach small remote settlements. The Court of Greenland, the court of first instance for more complex cases, and the High Court of Greenland, the appeal court, have judicial judges. Judges in Greenland complete a short two-year education programme compared with the full legal education received at universities in Denmark; hence, there is a need to improve the quality of education in Greenland.

17. Greenland elects two representatives to the Parliament of Denmark, as part of the North Atlantic mandates, as does the Faroe Islands. Denmark appoints a high commissioner to coordinate between the Danish authorities and the government of Greenland.

18. Since 2014, the Danish Institute for Human Rights has acted as the national human rights institution for Greenland and works in close cooperation with the Human Rights Council of Greenland to address challenges, such as systemic discrimination and sexual violence, and call for compensation for human rights violations.<sup>4</sup>

### III. International cooperation and good practices in international solidarity

19. Denmark has its solidarity roots in its background as one of the Scandinavian social democracies that sought to end social and economic inequalities through the values of the guild systems, churches engaged in social relief, and labour unions.<sup>5</sup> At present, in Danish schools international solidarity as a value may be taught in the abstract or renamed as

<sup>3</sup> Miriam Cullen, "Climate change, colonialism, and human rights in Greenland", in *Human Rights and Small States*, Petra Butler and Jean-Pierre Gauci, eds. (Springer, forthcoming). See also Ulla Neergaard, "'Eurasctic': colonialism and EU-Greenland relations", in *Colonialism and the EU Legal Order*, Hanna Eklund, ed. (Cambridge University Press, forthcoming). See also Regulation (EU) 2024/1252 of the European Parliament and of the Council of 11 April 2024 establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) Nos. 168/2013, 2018/858, 2018/1724 and 2019/1020.

<sup>4</sup> See <https://menneskeret.dk/files/media/document/Beretning%20til%20Inatsisartut2022-23.pdf> (in Danish).

<sup>5</sup> Eric S. Einhorn, "The Scandinavian democratic model" *Scandinavian Political Studies* 203, cited by Cecilia M. Bailliet, "Introduction: researching international law and international solidarity", in *Research Handbook on International Solidarity and the Law*, Cecilia M. Bailliet, ed. (Edward Elgar Publishing, 2024), p. 7.

“togetherness”, partly as a consequence of global challenges, such as climate change and the impact of globalization.<sup>6</sup> The Independent Expert was encouraged to learn that there are many State institutions and civil society actors in Denmark and Greenland that promote networked international solidarity actions, linking State, corporate and civil society actors together to tackle common challenges and secure “the right to have rights” for everyone. She expressed her admiration for the work that they do and encouraged them to continue their efforts in implementing their mandates.

20. Denmark is a dedicated partner of multilateralism and supporter of international solidarity. It granted aid amounting to 0.67 per cent of gross national income for official development assistance in 2022 and aims to reach 0.7 per cent in the future.<sup>7</sup> The Government has a financial target of 35 per cent of development aid being directed to climate response and adaptation projects, with a focus on those most at risk, including forcibly displaced persons.<sup>8</sup> In its strategy for development cooperation, entitled “The world we share”, the Ministry of Foreign Affairs has set out a vision to support democracy in the global South through international solidarity with civil society actors:<sup>9</sup>

We will maintain strong and targeted support for defenders of democracy who are subject to harassment and attack – both online and physically. These include human rights advocates, journalists, trade union representatives, faith-based actors, environmental activists, etc. We will engage civil society in tackling the dark sides of digitisation and help build digital resilience. We will bolster open debate, freedom of opinion and freedom of expression in the digital era partly by supporting a free media. We will contribute to strengthening democratic institutions, including political parties, and, especially empowerment of women and young people, as an important part of democratic processes. And we will strengthen our interaction with public authorities, civil society and the business community in order to ensure progressive, responsible, democratic and safe development and application of technology with respect for human rights.

21. The Ministry of Foreign Affairs strongly supports the international solidarity participation of young people, such as by facilitating the Danish Youth Council to send youth delegates to international forums and support youth groups and youth political parties to support projects, in various countries in Africa, Asia and the Americas, addressing issues of equality and sexual and reproductive health, climate change and the environment, democracy, and vocational education and job creation.<sup>10</sup> The sustained, engaged participation of young people in international solidarity actions is a very positive contribution to addressing global challenges. The Youth Delegate Programme’s uniqueness is that it is “by youth, for youth”, thereby empowering the voice of young people. It is surprising that the Danish Youth Council has never visited Greenland.

22. The Independent Expert met with representatives of the youth parties of the Socialist Party, the Liberal Party, the Conservative Party and the Radical Socialist Party. All youth parties have established partnerships with youth groups from other countries and have created and are implementing projects on a variety of topics, such as observation of elections, development, promotion of democracy, women’s engagement in politics, and capacity-building on how to create a political party. Partnerships have been established in Azerbaijan, Georgia, Morocco, Rwanda, Ukraine, the United Republic of Tanzania and Zambia, among others. Youth parties receive funding from the Danish Youth Council and the Ministry of Foreign Affairs; nevertheless, their focus is primarily on domestic issues. They have not created networks with the private sector. The youth party representatives

<sup>6</sup> Jonas Lieberkind, “Democracy and togetherness: between students’ educational and political status – a study of primary and lower secondary education in Denmark”, *Multicultural Education Review*, vol. 12, No. 1 (2020), pp. 17–30; and Thomas W. Nielsen and Jennifer S. Ma, “Examining the social characteristics underpinning Danish ‘hygge’ and their implications for promoting togetherness in multicultural education”, *Multicultural Education Review*, vol. 13, No. 2 (2021), pp. 179–189.

<sup>7</sup> See <https://qery.no/only-four-countries-hit-un-0-7-foreign-aid-target-in-2022/>.

<sup>8</sup> See <https://stateofgreen.com/en/news/denmark-to-increase-its-green-development-cooperation-to-an-all-time-high/>.

<sup>9</sup> See <https://amg.um.dk/policies-and-strategies/strategy-for-danish-development-cooperation>.

<sup>10</sup> For more information, see <https://en.duf.dk>.

indicated a critical perspective of the United Nations, for example that it was perceived as one-sided on certain issues, and there was disappointment at the lack of condemnation of violations perpetrated by powerful countries and at the Organization's inability to issue sanctions against violators of international law. The youth representatives indicated scepticism of the capacity of the United Nations to really make a change. They expressed the view that the majority of the Danish population agreed with Danish migration policy (although externalization was still a divisive topic); however, a substantial minority disagreed and had distanced themselves from the stricter views of the main parties. They also indicated that the demonstrations concerning Israel and Gaza had fuelled new discussions on migration. They expressed a lack of hope regarding the international community's ability to resolve global challenges, such as climate change, implicitly underscoring the potential value of promoting an international solidarity approach.

23. Denmark participates in the Just Energy Transition Partnership to help countries in different regions of the world transition from coal to renewable energy.<sup>11</sup> Nevertheless, there are studies that caution that Just Energy Transition Partnerships carry a risk of protecting investors rather than host societies, while creating a chilling effect on regulations to protect the environment and sacrificing social safeguards. The Independent Expert therefore recommends a human rights and environmental review of their impact.<sup>12</sup> The Government has also pursued 14 partnerships with private sector actors to reduce greenhouse gas emissions by 70 per cent by 2030.<sup>13</sup>

24. A particularly innovative actor in international solidarity is the Investment Fund for Developing Countries. It provides a model for international solidarity for sustainable development through its investment projects; it follows a human rights matrix at the pre-investment stage to assess due diligence obligations and risks in Africa, Asia, Latin America and parts of Europe.<sup>14</sup> The Fund's investments are intended to support the green transition and contribute to poverty alleviation and reduced inequality. It promotes good working conditions and socially and environmentally sustainable outputs. It also examines gender issues, such as women's representation on boards and their participation in the workforce. Its policies may serve as inspiration for other corporations and investors engaged in projects in regions marked by environmental and stakeholder vulnerability, in keeping with the European Union Corporate Sustainability Due Diligence Directive.<sup>15</sup>

25. The municipality of Copenhagen pursues targeted solidarity programmes, such as the following: (a) the "City of Talents" programme for employers, with a focus on diversity recruitment and unconscious bias; (b) financial support for an organization representing ethnic minority lesbian, gay, bisexual, transgender and intersex persons; and (c) an advisory committee on initiatives for the Inuit people of Greenland. Local civil society organizations lead international solidarity marches in Copenhagen and other Danish cities, provide support to civil society in countries in Africa and other regions and promote corporate sustainable investment by Danish and Nordic investors.

26. The Danish police have a dedicated policy of pursuing primary dialogue with civil society activists who would like to hold public demonstrations of international solidarity – before, during and after the event. Civil society groups have a right to engage in freedom of expression and peaceful assembly in Denmark, and the police provide them with information to ensure logistical success. Civil society groups are encouraged to notify the police 24 hours ahead of an event so that the police can provide proper support.<sup>16</sup> This policy is exemplary at a time when civil society spaces in many countries are closing to international solidarity demonstrations. In May 2024, students of the University of Copenhagen set up a peaceful

<sup>11</sup> See, for example, <https://vietnam.um.dk/en/climate-energy/vietnam-energy-outlook-report>.

<sup>12</sup> Celine Tan, Anil Yilmaz Vastardis and Gamze Erdem Türkelli, "Evaluation of the Just Energy Transition Investment Plan (JET-IP)", policy brief, contribution to the Climate Finance for Equitable Transitions (CLiFT) project (30 March 2023).

<sup>13</sup> See <https://climatepartnerships2030.com>.

<sup>14</sup> See <https://www.ifu.dk/en/about-ifu/>.

<sup>15</sup> For more information, see [https://www.corporate-sustainability-due-diligence-directive.com/CSDDD\\_Links.html](https://www.corporate-sustainability-due-diligence-directive.com/CSDDD_Links.html).

<sup>16</sup> See <https://politi.dk/offentlige-arrangementer/information-om-arrangementer/demonstration-og-optog> (in Danish).



solidarity encampment on campus and negotiated with the university to divest from companies that were doing business in the occupied West Bank. The following month, however, pro-Palestinian activists were arrested in front of a Danish shipping and logistics company's building on charges of disturbing the peace when they protested against the company's transfer of arms; others were arrested for blocking the entrance to the Danish Parliament when protesting against the Government's military assistance to Israel. It is important that the police abide by the aim of using the least-intrusive methods and respect the principles of participation, accountability, non-discrimination, differentiation and attention to vulnerability and equality when managing public solidarity protests.

27. In Greenland, the Independent Expert witnessed international solidarity in action as Greenlandic civil society organizations gave voice to vulnerable communities seeking greater enjoyment of their human rights, including with regard to access to a good education, healthcare and the right to a clean, healthy environment. She also witnessed solidarity through the work of the High Court of Greenland, which disseminates law to teachers and students, translating material into the Greenlandic language, in order to increase legal knowledge and encourage the study of law at university. The police force, which is composed of Danish and Greenlandic police officers, visits schools all over Greenland to teach children how to protect themselves from sexual abuse and violence. The United Nations Children's Fund (UNICEF) National Committee holds "democratic *Nakuusa* forums", where Greenlandic children can pick issues to discuss and pass resolutions to present to State authorities, who, in turn, are required to respond. This is in keeping with article 7 (4) of the revised draft declaration on the right to international solidarity, which would require that States agree to take appropriate, transparent and inclusive action to ensure the active, free and meaningful participation of all individuals and peoples, including younger generations, in decision-making processes at the national, bilateral, regional and international levels on matters that affect their enjoyment of solidarity.

28. State-owned businesses and ministries in Greenland also invite children and families to *Kulturnat* events, which involve musical and other cultural performances, in order to inspire young people's aspirations for possible future career paths. These impressive solidarity examples are aimed at empowering Greenlandic children and young people. Nevertheless, as one member of a civil society organization said: "It takes everybody to engage in order to change the direction of the ship."

#### **IV. Challenges and areas of concern identified during the visit**

29. The Independent Expert appreciated the openness of the constructive dialogues held with many interlocutors from the Government, civil society and international organizations about the challenges currently being faced by the country regarding the areas of focus of the visit.

30. During her visit, the Independent Expert met with stakeholders who raised some challenges that could hinder the full enjoyment of the right to international solidarity in Denmark and Greenland, as outlined below.

##### **A. Situation of Indigenous Peoples: structural discrimination against and stereotyping of Inuit and Greenlandic persons**

31. The integration of Greenland into Denmark occurred without any analysis of the impact of the colonial period on the Inuit and Greenlandic people. A common theme of conversations that the Independent Expert had during her visit with Inuit people was that they seek recognition of their identity as an Indigenous People, in accordance with ILO Convention No. 169 and the United Nations Declaration on the Rights of Indigenous Peoples. They also seek the enjoyment of their right to self-determination (International Covenant on Civil and Political Rights, art. 1), as well as respect for their free, prior and informed consent in matters relating to the exploitation of natural resources in their territory and activities affecting their natural environment. Pursuant to the Act on Greenland Self-Government, the Greenlandic authorities have responsibility over mineral resources and have the right to

utilize the mineral resources in the subsoil.<sup>17</sup> The government of Greenland grants mining concessions to investors and has signed a memorandum of understanding with the European Union to guarantee a supply of sustainable minerals to the European Union.<sup>18</sup> From her meetings, the Independent Expert learned that not all Inuit people feel represented by the government of Greenland and that they fear the flexible rules on Greenlandic permanent residency can easily be exploited by persons who seek to capitalize on Greenlandic natural resources for commercial gain. Moreover, the Inuit are unable to participate in investor-State arbitration cases involving extractive industries in their territory, nor do they have direct representation within European Union institutions; hence, they are limited in their ability to collectively defend their interests.<sup>19</sup> One innovation is the European Union Arctic Forum and Indigenous Peoples' Dialogue, which unites Arctic stakeholders, including governments, international organizations, civil society, industry, research, and Indigenous and local communities, to address international cooperation on sustainable development, climate change and societal concerns.<sup>20</sup> There is concern that consultation with local communities is not the same as with the Inuit; hence, there is a risk of disagreements between groups of stakeholders that may weaken solidarity perspectives.

32. Representatives of the Ministry of Statehood and Foreign Affairs of Greenland explained the dilemmas related to fisheries and the complicated solidarity relationship with the European Union. According to the understanding of the Independent Expert, the perspective of the government of Greenland is that, in the second half of the twentieth century, the European Communities had depleted fish stocks by fishing in Greenlandic waters. In 1979, "home rule" was introduced in Greenland as a result of a referendum, which was followed by another referendum concerning membership of the European Communities, in 1982. The majority voted to leave the European Communities; the withdrawal of Greenland was formalized in 1985. An agreement between the European Communities and Greenland followed, pursuant to which, for many years, the European Communities (and, later, the European Union) paid a higher price for imported fishery products in compensation for the depletion of fish stocks. The fisheries agreements are renewed every seven years. In 2007, the agreement was split into two components – one focusing on funding for education purposes; the other on fisheries. The funds received by Greenland from the European Union were the same as in previous agreements (even though two different components had been created). This was renewed in 2014 and for the subsequent agreement (until 2021). In 2021, the European Union expressed the necessity of adding another component that it considered would be more beneficial; as a result, 10 per cent of the funds previously dedicated to education are now being redirected to initiatives linked to renewable energy and research on biodiversity.<sup>21</sup> The Greenlandic view is that these renegotiations have actually decreased the compensation paid for the depleted fish stocks because the same funds are now being reassigned to other purposes instead of additional funds being added for the new projects. In their opinion, this represents solidarity in bad faith. It is notable that article 9 (1) (d) of the revised draft declaration on the right to international solidarity calls for creating a global enabling environment for sustainable development that is centred on individuals and peoples and is grounded in intergenerational justice and equity. This includes the increased use of sustainable agriculture and fishing, as well as the transition to renewable energy. The challenge will be to implement this standard in good faith.

<sup>17</sup> See the Greenland self-government arrangement and the Act on Greenland Self-Government. See also <https://govmin.gl/exploration-prospecting/get-an-exploration-licence/mining-act/>.

<sup>18</sup> See <https://single-market-economy.ec.europa.eu/system/files/2023-12/MoU%20EU-GREENLAND%20FINAL%20EN.pdf>.

<sup>19</sup> See, for example, <https://www.ejiltalk.org/transition-minerals-a-cautionary-tale-from-greenland/>. Indigenous People are invited to interact with European Union bodies through non-governmental organization channels, such as <https://www.docip.org/en/indigenous-peoples-at-the-eu/meetings-indigenous-peoples-eu/>.

<sup>20</sup> For more information, see [https://oceans-and-fisheries.ec.europa.eu/events/eu-arctic-forum-and-indigenous-peoples-dialogue-2024-05-14\\_en](https://oceans-and-fisheries.ec.europa.eu/events/eu-arctic-forum-and-indigenous-peoples-dialogue-2024-05-14_en).

<sup>21</sup> For more information, see [https://oceans-and-fisheries.ec.europa.eu/fisheries/international-agreements/sustainable-fisheries-partnership-agreements-sfpas/greenland\\_en](https://oceans-and-fisheries.ec.europa.eu/fisheries/international-agreements/sustainable-fisheries-partnership-agreements-sfpas/greenland_en) and [https://oceans-and-fisheries.ec.europa.eu/news/eu-and-greenland-reach-agreement-new-fisheries-partnership-2021-01-08\\_en](https://oceans-and-fisheries.ec.europa.eu/news/eu-and-greenland-reach-agreement-new-fisheries-partnership-2021-01-08_en).



33. The Inuit Circumpolar Council (an international non-governmental association representing the Inuit of Canada, the Russian Federation, the United States of America (Alaska) and Greenland) has identified protocols for ethical and equitable engagement, which may be interpreted as a type of inclusive international solidarity framework, to form a basis for developing policies and practices for better communication among actors in pursuit of sustainable development, as follows:

- (a) “Nothing about us without us” – always engage with Inuit;
- (b) Recognize Indigenous knowledge in its own right;
- (c) Practise good governance;
- (d) Communicate with intent;
- (e) Exercise accountability – build trust;
- (f) Build meaningful partnerships;
- (g) Ensure information- and data-sharing, ownership and permissions;
- (h) Fund Inuit representation and knowledge equitably.<sup>22</sup>

34. The focus on the Arctic region as a strategic zone underscores the importance of ensuring the enjoyment by Inuit communities of their right to international solidarity with other Indigenous Peoples and with State, corporate and civil society organizations who share a commitment to common inclusive principles. The government of Greenland announced its foreign, security and defence strategy for the period 2024–2033, repeating the principle “nothing about us without us”.<sup>23</sup> It seeks to create an Arctic North American forum to pursue solidarity cooperation between the governments and parliaments of Alaska, the Yukon, the Northwest Territories, Nunavut, Nunavik and Greenland. This intergovernmental entity would address climate change, biodiversity, education, healthcare, the mining sector, renewable energy sources, tourism and supply chain security. The inclusion of the Inuit in Arctic defence units signals the need for attention to be paid to gender and human rights during their recruitment, training and integration. The presence of the military in the Arctic region will continue to affect the environment. There is a need for open consultation with the Inuit to ensure the protection of vulnerable areas. One promising proposal is to create a peace centre, with a focus on peace in the Arctic. Moreover, as Denmark is chairing the Arctic Council in 2025, Greenland is expected to be given a more prominent role.

35. In spite of promising, future-oriented international solidarity initiatives, there is a need to address solidarity challenges that remain outstanding. There is a lack of understanding of the continuous violations and traumas that are rooted in Danish-Greenlandic history. Although a historical inquiry into the relationship between Greenland and Denmark is ongoing,<sup>24</sup> there appears to be a need to take additional measures to address continuous human rights violations and meet aspirations of reconciliation for a better future. Greenlandic people have expressed a profound lack of social cohesion with Danish society in that the latter appears to lack contact with and understanding of Greenlandic culture, leading to misunderstandings and stigmatization. There is a need for Danish and Greenlandic society to claim the right to truth as part of solidarity-building. The Inuit community, the Government of Denmark and the Parliament of Greenland should discuss the creation of a truth commission to gather stories from persons who suffered the trauma of separation from family, loss of culture and language, violence (including sexual violence), discrimination and other continuous violations linked to past colonial policies and practices. A truth commission would help to provide for a common understanding between the people of Denmark and the Greenlandic and Inuit people in order to create greater social cohesion, as has been shown by

<sup>22</sup> See <https://www.inuitcircumpolar.com/>.

<sup>23</sup> See <https://nps.edu/documents/105500366/143516978/Greenland-2024-Arktisk-strategi-english.pdf/f832ac50-bc8d-2478-ef3e-3d569ead1fd0?t=1709677749601>.

<sup>24</sup> See <https://uk.uni.gl/media/yrbavc23/terms-of-reference-historical-inquiry-into-the-relationship-between-greenland-and-denmark.pdf>.

previous studies on truth commissions.<sup>25</sup> It is notable that Norway and Sweden have had truth commissions to address the protection needs of their Indigenous populations.<sup>26</sup>

36. In her meetings with civil society organizations and the Danish Institute for Human Rights, the Independent Expert was told that Inuit and Greenlandic people in Denmark face structural discrimination and stereotyping in public institutions, including universities, schools, places of employment and private institutions.<sup>27</sup> The dropout rate among Greenlandic persons in Danish universities is very high (around 50 per cent, but half are believed to have continued in other educational programmes). Greenlandic students in Danish universities should be consulted in order to strengthen integration, identify measures to decrease dropout rates, design research scholarships for PhD students and increase the number of Greenlandic students in bachelor's and master's degree programmes. Students from Greenland in Denmark enjoy free tuition at Danish educational institutions, including universities. They receive monthly stipends, reimbursement of expenses for books and free travel home, funded by the Agency for Education Support of the government of Greenland. Greenland would benefit from an increase in the education of Greenlandic lawyers, doctors, engineers, scientists, information and communications technology/artificial intelligence technicians and other professionals to support its sustainable development.

37. Greenlandic children in remote locations of Greenland lack access to good education. There is a need to support the translation of educational materials and their dissemination to all regions of Greenland. This calls for the creation, in cooperation with the educational publishing house Ilinnisiorfik and the government of Greenland, of artificial intelligence programs to translate educational materials into the Greenlandic language and facilitate digital learning programmes to improve the quality of education.

38. Civil society organizations have reported cases of systemic stereotyping of and hate speech against Greenlandic people in State institutions and society in Denmark. Article 3 (8) of the revised draft declaration on the right to international solidarity advocates countering misinformation, disinformation and hate speech with facts, science and knowledge. The Independent Expert recommends the continuous dissemination of the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence to all State institutions and civil society actors in order to promote inclusion, diversity and pluralism. Moreover, it would be beneficial to promote more cultural exchange initiatives, including student exchanges and art and music festivals, in different cities and towns of Denmark to reduce cultural misunderstandings and stereotyping and improve social cohesion.

39. Civil society organizations reported that mechanisms for processing discrimination claims presented by Inuit and other minorities and victims of intersecting forms of discrimination (including women) to the Danish Board of Equal Treatment, as well as to courts in Denmark, had failed to provide effective remedy, due in part to delays and other factors.<sup>28</sup> Some have expressed concern that the current system has minimal impact and lacks the trust of vulnerable individuals.

40. Some challenges are structural, such as the fact that “mentally ill” Greenlandic persons who commit crimes are sent to mental health institutions in Denmark. There is a need to finance the creation of a mental health institution in Greenland to address the specific needs of this population locally. Some criminal cases involve Greenlandic child witnesses or victims who require psychological healthcare. These types of cases underscore the need for

<sup>25</sup> Elisabeth Bunselmeyer, *Truth, Reparations and Social Cohesion: Transitional Justice Lessons from Peru* (Abingdon and New York, Routledge, 2020); and Jonathan Allen, “Balancing justice and social unity: political theory and the idea of a truth and reconciliation commission”, *University of Toronto Law Journal*, vol. 49, No. 3 (1999), pp. 315–354, p. 315.

<sup>26</sup> See <https://www.stortinget.no/en/In-English/About-the-Storting/News-archive/Front-page-news/2022-2023/the-truth-and-reconciliation-commission> and <https://sanningskommissionensamer.se/en/about-the-commission>.

<sup>27</sup> Input from civil society organizations and the Danish Institute for Human Rights; see also <https://menneskeret.dk/nyheder/flertallet-groenlandske-studerende-danmark-oplever-fordomme-eksklusion> (in Danish).

<sup>28</sup> See <https://ast.dk/naevn/ligebehandlingsnaevnet> (in Danish).

Danish universities to create an elective law course on Greenlandic law so that lawyers are able to handle cases involving conflicts of law, such as between Danish criminal law and children's rights under Greenlandic health law.

## **B. High rates of domestic violence and sexual violence against women and children in Denmark and Greenland**

41. In article 2 (2) of the revised draft declaration on the right to international solidarity, reactive solidarity is characterized as including actions to respond to violence against women and children, and article 3 (9) includes a specific objective on combating violence against women and the use of gender stereotypes. Moreover, article 7 (2) would require that States undertake to support each other in the establishment of transparent institutions to address discrimination and violence against women through reporting, according to indicators that are established for that purpose. The Danish Women's Society reports that, every year, 118,000 women are exposed to emotional or physical abuse in Denmark and that there has been no improvement, in spite of several action plans to address the issue. In terms of intersectional discrimination and violence, there is also concern over the lack of impact of the Government's action plan to combat racism. Greenland has very high rates of domestic violence and sexual violence against women and children (affecting one third of girls and one fifth of boys). It also has high foster care rates: Greenlandic children enter foster care at seven times the rate of Danish children. The intergenerational systematic violence in Greenland requires a comprehensive, preventive and responsive solidarity-based approach in order to educate society and strengthen mental health support for victims and treatment for offenders. There is a need for the Greenlandic health authorities to provide resources in order to establish community mental health centres and mobile psychiatric response programmes to treat adults and children experiencing stress and depression due to trauma in Greenland. There should be a particular focus on providing increased resources for psychological support to women and child victims of sexual abuse and domestic violence in Greenland, in accordance with articles 25 and 26 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) and article 19 of the Convention on the Rights of the Child.

42. Some Greenlandic women are suing the Danish State, for 300,000 Danish kroner each, alleging that they were fitted with the contraceptive coil without their consent or knowledge.<sup>29</sup> Some of the women say they were as young as 12 when they were fitted with an intrauterine device by Danish doctors in an attempt to reduce the population of Greenland. It is believed that, between 1966 and 1970, 4,500 women and girls were affected.<sup>30</sup> The Ministry of Health is analysing the issue and a lawsuit is under way. The Government of Denmark has a due diligence obligation to conduct an objective, independent investigation and provide remedy to the victims of intrauterine device and other birth control cases in Greenland.<sup>31</sup> Forced contraception is considered a serious gender-based crime; moreover, these cases have an impact on human dignity and the enjoyment of socioeconomic rights.<sup>32</sup> Solidarity-based reparation may include issuing an apology and providing psychological support to victims, as well as symbolic measures, such as the creation of a fund to support sexual and reproductive health and rights and programmes for the prevention of sexual abuse and domestic abuse in Greenland, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women. Although the Independent Expert requested an

<sup>29</sup> See <https://www.theguardian.com/world/2023/oct/02/greenlandic-women-sue-danish-state-over-historical-contraceptive-violation> and <https://www.theguardian.com/news/audio/2024/apr/19/the-chilling-policy-to-cut-greenlands-high-birth-rate-podcast>.

<sup>30</sup> Ibid.

<sup>31</sup> Committee on the Elimination of Discrimination against Women, general recommendation No. 39 (2022) on the rights of Indigenous women and girls, para. 39. See also Naja Dyrendom Graugaard and Amalie Høgfældt Ambrosius, "The silenced genocide: why the Danish intrauterine device (IUD) enforcement in Kalaallit Nunaat calls for an intersectional decolonial analysis", *Kvinder, Køn & Forskning*, No. 2 (2023), pp. 162–167.

<sup>32</sup> See <https://menneskeret.dk/nyheder/spiralkampagne-groenland-udgoer-grov-kraenkelse-menneskerettighederne> (in Danish).

appointment with the Ministry of Health to discuss the cases, she regrets that it was not granted and her written queries went unanswered. The Independent Expert considers as highly problematic the territorial declaration to the Istanbul Convention, by which that Convention does not apply to Greenland and the Faroe Islands, and the reservation against establishing jurisdiction for forced sterilization.<sup>33</sup>

### **C. Shift from integration to return of forced migrants in Denmark**

43. Denmark has been very successful in integrating refugees through language education, job placements and access to housing in order to provide for a durable solution, in accordance with the Convention relating to the Status of Refugees. However, in 2015, there was a paradigm shift in favour of temporary residency, requiring serial evaluations of status in the light of conditions in the country of origin, resulting in increased denial of renewal of status of persons who have not received individual protection under the Convention or other protected status.<sup>34</sup> This policy places pressure on the human rights solidarity-based approach to forced migration, as refugees and migrants experience severe psychological stress due to the fear of eventual deportation in an era of protracted conflicts around the world. Moreover, the Independent Expert is concerned about the marked decrease in the resettlement of quota refugees; it is estimated that, since 2017, only 436 refugees have been resettled.<sup>35</sup> It is of concern that the Ombudsman of Denmark does not have a mandate to review cases involving asylum-seekers or refugees.<sup>36</sup> It is arguable that the immigration authorities would benefit from objective oversight of the Refugee Appeals Board, in particular for cases involving the cancellation or cessation of status of persons who have lived in Denmark for a long time and have families. The Independent Expert advises that a solidarity approach to migration may be informed by the revised draft declaration on the right to international solidarity, in particular article 3 (4), which would establish a general objective of supporting refugee and migrant-centred approaches to the contemporary challenges of forced and irregular migration, including efforts to increase opportunities for safe, orderly and regular migration and legal protections for migrants, including access to justice; and article 9 (1) (e) on correcting structures that increase the vulnerability of migrants and the violation of their human rights, including externalization of migration control and transfer mechanisms that frustrate access to asylum and to fair and effective refugee determination procedures.

#### **Gender vulnerability in the context of migration**

44. Forced migrant women have a higher likelihood of receiving temporary protection and less protective permits.<sup>37</sup> Under new work obligation regulations they are at risk of being underpaid. Migrant women who are victims of domestic violence and arrived in Denmark through family reunification programmes fear losing their residency permit if they report the abuse to the authorities.<sup>38</sup> This inhibits the reporting of abuse to the authorities. The Ministry of Immigration and Integration should abide by article 59 of the Istanbul Convention by evaluating women migrants who are victims of domestic abuse for autonomous residence permits.

### **D. Risk of criminalizing international solidarity activists in Denmark and Greenland**

45. Civil society organizations that engage in international solidarity actions claim to be increasingly at risk of potential criminalization of their actions. Some allege that they may

<sup>33</sup> See <https://www.coe.int/en/web/conventions/full-list?module=declarations-by-treaty&numSte=210&codeNature=2&codePays=DEN> and <https://www.coe.int/en/web/conventions/full-list?module=declarations-by-treaty&numSte=210&codeNature=4&codePays=DEN>.

<sup>34</sup> Denmark, Act No. 2014/1 LSF 72, §7,3. (February 2015).

<sup>35</sup> See <https://refugees.dk/en/focus/2024/january/denmark-is-failing-resettlement-refugees/>.

<sup>36</sup> See <https://www.en.ombudsmanden.dk>.

<sup>37</sup> See [https://refugeeswelcome.dk/media/1300/they-dont-know\\_web.pdf](https://refugeeswelcome.dk/media/1300/they-dont-know_web.pdf).

<sup>38</sup> See <https://menneskeret.dk/nyheder/udlaendingeloven-stiller-hoeje-krav-ofre-partnervold> (in Danish).

be subject to exclusion from banking services or have their financial accounts frozen or closed due to their work in countries under scrutiny due to ongoing armed conflict or violence. They claim an increase in costs, both monetary and time, to accommodate the requirements of banks. This is often coupled with requirements such as applying for approval before conducting money collections and online or offline fundraisers; these requirements have increased primarily due to anti-money-laundering protocols. Banks have asked for further details about board members and have delayed bank account issuance, risking potential discretionary discrimination if the questions posed concern persons from specific backgrounds. Hence, there is a need for the Ministry of Industry, Business and Financial Affairs to improve communications with civil society organizations and consider strengthening humanitarian carveouts in anti-money-laundering, counter-terrorism and anti-extremism legislation. It may be noted that, in article 3 (6) of the revised draft declaration on the right to international solidarity, one of the objectives of international solidarity would be empowering civil society organizations and social movements.

46. Some civil society actors who engage in international solidarity actions calling for protection of the environment, protesting against Danish extractive companies mining in the global South or supporting ceasefire and peace movements say that they fear the risk of being registered as potential extremists and, if they are foreign nationals, potentially losing their residency status or having their applications for citizenship denied. Moreover, foreign nationals living outside Denmark who work for Danish civil society organizations claim that they face an increased risk of being denied visas to attend international solidarity events or participate in development projects in Copenhagen. They claim that these stringent policies actually increase global inequality because they are hindered from completing their projects. The Ministry of Immigration and Integration should engage in dialogue with civil society organizations in order to review the potential impact of its policies on the shrinking civic space for international solidarity expression and action. There is a need to strike a balance between freedom of expression, freedom of peaceful association and assembly, and security concerns in the context of international solidarity actions. The State may be guided by article 8 (3) of the revised draft declaration on the right to international solidarity, which states that, in accordance with the right to freedom of expression, States have the duty to take steps within their respective capacities to facilitate the protection of actual and virtual spaces of communication, including access to the Internet and infrastructure, in order to enable individuals and peoples to share solidarity ideas.

## **E. Better coordination for implementation of human rights treaties**

47. The Independent Expert is concerned at reports that persons in vulnerable situations in Denmark and Greenland, including persons with disabilities, children, women, lesbian, gay, bisexual, transgender and intersex persons, migrants, refugees, minorities and Indigenous Peoples, are unable to fully enjoy their rights under the core human rights treaties due to delayed responses by State institutions to protection claims. There is a need to strengthen competence within State institutions and create or improve communication channels with civil society groups. One civil society organization submission received described the devastating impact of the lack of response by Greenlandic authorities to the plight of children with disabilities:

Children with disabilities lack their right to education – there are no real ambitions and many do not finish with exams. Children refuse to attend school and often develop additional diagnoses, like eating disorders or depression, without any intervention. Young people with disabilities are offered early retirement and beds in nursing homes without any other effort. Relatives are not heard or helped but are instead labelled as “difficult” and the cause of the problems. A mother of an adult woman with multiple disabilities told me about decades of neglect by authorities, institution leaders, politicians and municipalities; signs of violence in the institution that were never investigated – again the list was long. She and others have talked about leaders, employees and politicians teaming up and protecting each other, without listening or responding to critical situations or cases.

48. The government of Greenland admits that geography and long distances between inhabited areas, combined with a shortage of staff, limit its ability to meet the needs of persons with disabilities. It has adopted an action plan to improve the protection of those persons.

49. As another example, the Independent Expert met with a representative of a civil society organization representing intersex persons. She described how the Danish Ministry for Digital Government and Gender Equality had dropped the letter “i” for “intersex” from LGBTI – referring to lesbian, gay, bisexual, transgender and intersex persons – and replaced it with a “+”. In practice, this meant that intersex persons were now required to go through the psychiatric assessments required for transgender persons, irrespective of the fact that intersex persons were born with their mixed characteristics. The failure to recognize the detrimental impact of the non-recognition of their specific identity may arguably be a result of a lack of sufficient communication between civil society and government actors. Government ministries should jointly coordinate a good faith international solidarity-based approach to address cases that involve cross-cutting human rights issues, such as the environment and defence (clean-up of military waste still outstanding), health and gender (intrauterine device/birth control cases), children and health (lack of enjoyment by children with disabilities of the right to education or participation in sports in Greenland), in order to provide holistic responses to stakeholders. Fragmentation between ministries and between the Danish and Greenlandic jurisdictions results in neglect of the needs of the most vulnerable. International solidarity calls for the dedicated cooperation of State actors, corporations and civil society to meet the needs of those who are marginalized or excluded, ensure the inclusion of all persons in the enjoyment of human rights and break the cycle of inequality and discrimination.

50. UNICEF has reported that Danish children’s knowledge of human rights is low; there is a clear need to strengthen human rights education in the curriculum.<sup>39</sup> Denmark should commit to fostering a culture of human rights in order to ensure social cohesion, mutual understanding and tolerance within a diverse society to reduce polarization. A human rights culture is one in which people:<sup>40</sup>

- (a) Have knowledge about and respect for human rights and fundamental freedoms;
- (b) Have a sense of individual self-respect and respect for others; they value human dignity;
- (c) Demonstrate attitudes and behaviours that show respect for the rights of others;
- (d) Practise genuine gender equality in all spheres;
- (e) Show respect, understanding for and appreciation of cultural diversity, particularly towards different national, ethnic, religious, linguistic and other minorities and communities;
- (f) Are empowered and active citizens;
- (g) Promote democracy, social justice, communal harmony, solidarity and friendship between people and nations;
- (h) Are active in furthering the activities of international institutions aimed at the creation of a culture of peace, based on universal values of human rights, international understanding, tolerance and non-violence.

51. Danish schools should teach human rights and responsibilities so that people are able to recognize when violations occur in public and private places. This knowledge would enable individuals to take action in solidarity to protect others from discrimination, exclusion and abuse in Denmark and in other countries. Perhaps explicit recognition within the educational system of international solidarity as a Danish value would enable the design of

<sup>39</sup> See <https://menneskeret.dk/udgivelser/boern-begraenset-kendskab-rettigheder> (in Danish).

<sup>40</sup> See <https://www.coe.int/en/web/compass/introducing-human-rights-education>.



creative curricula supporting positive civic participation by young people, domestically and internationally.

## V. Conclusions and recommendations

52. The country visit to Denmark and Greenland occurred at a time when increased inequality, polarization and fragmentation in the world have underscored the need for identification of best practices in international solidarity. The country visit revealed that the enjoyment of international solidarity is a process that calls for conscious engagement in responding to the protection needs of vulnerable persons in the country, in other countries and across generations. The institutions of Denmark and Greenland have committed to a wide range of international solidarity initiatives, ranging from the policies of the Investment Fund for Developing Countries, which pursues pre-investment due diligence analysis, to the Greenlandic police force's strong dedication to the protection of children from domestic violence. The support of the Danish Youth Council, whose members travel around the world to disseminate civic skills to young people in the global South, is exemplary and inspiring, as is the Danish police force's principled policy of allowing peaceful solidarity marches to be held in Copenhagen without repression. However, there is a need for a transparent process for documenting human rights violations linked to the colonial history of Greenland. The search for the truth is necessary to create meaningful reconciliation that will promote solidarity between the peoples of Greenland and Denmark. The historical inquiry is a first step in that regard and requires follow-up by a substantive truth commission. The creation of a process for open dialogue with mutual respect and empathy may lead to better communication that strengthens cohesion between Denmark and Greenland. Moreover, there is a need to desist from engaging in externalization processes regarding refugees and migrants and, instead, to refocus through a sustained inclusion campaign against hate speech and discrimination affecting minorities, refugees, migrants, lesbian, gay, bisexual, transgender and intersex persons, persons with disabilities and other vulnerable groups. International solidarity begins at home.

53. The Independent Expert recommends that, within their fields of competence, Denmark and Greenland should:

- (a) Consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- (b) Withdraw the territorial exclusions to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Optional Protocol to the Convention on the Rights of Persons with Disabilities, the Paris Agreement and the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters;
- (c) Remove the territorial declaration to the Istanbul Convention, by which the Convention does not apply to Greenland and the Faroe Islands, and the reservation against establishing jurisdiction for forced sterilization;
- (d) Increase regular dialogues, in the form of round tables, between the Government of Denmark, the Greenlandic authorities and civil society in order to harmonize a common approach towards promoting international solidarity and identifying challenges;
- (e) Review Just Energy Transition Partnership agreements for their human rights and environmental impacts;
- (f) Create artificial intelligence programs to translate educational materials into the Greenlandic language and facilitate digital learning programmes to improve the quality of education;
- (g) Expand the education of judges in Greenland to match the complete legal degree offered in Denmark.

54. The Independent Expert also recommends that:

(a) The Government of Denmark, the Inuit community and the Parliament of Greenland should discuss the creation of a truth commission to gather stories from persons who suffered the trauma of separation from family, loss of culture and language, violence (including sexual violence), discrimination and other continuous violations linked to past colonial policies and practices. A truth commission would help to provide for a common understanding between the people of Denmark and the Greenlandic and Inuit people in order to create greater social cohesion. The report of the truth commission should be included in the school curricula of Denmark and Greenland;

(b) The Danish Ministry of Higher Education and Science should provide Greenlandic students with scholarships to attend Danish universities, accompanied by mentoring, language tutoring and psychosocial support in order to promote integration and decrease dropout rates;

(c) The health authorities of Greenland should provide resources to establish community mental health centres and mobile psychiatric response programmes to treat adults and children experiencing stress and depression due to trauma in Greenland;

(d) The Danish authorities should finance the creation of a mental health institution in Greenland in order to treat “mentally ill” Greenlanders who commit crimes, and end the practice of sending them to Denmark;

(e) The Danish and Greenlandic authorities should ensure the full implementation of the Convention on the Rights of Persons with Disabilities in the provision of access to healthcare, education (in particular for children with disabilities), recreation and employment, in conjunction with their obligations pursuant to the Convention on the Rights of the Child;

(f) The Government of Denmark should disseminate the Rabat Plan of Action to promote inclusion, diversity and pluralism. The State should also promote cultural exchange initiatives, including student exchanges and art and music festivals, in different cities and towns in Denmark to reduce cultural misunderstandings and improve social cohesion;

(g) The Ministry for Children and Education should strengthen human rights education in Danish schools and ensure that they teach the history, colonial past and present challenges of Denmark and Greenland;

(h) The Danish police should review the practical toolkit for law enforcement officials to promote and protect human rights in the context of peaceful protests;<sup>41</sup>

(i) The Danish universities should create an elective course on Greenlandic law;

(j) The Government of Denmark should provide psychological support resources to women and child victims of sexual abuse and domestic violence in Greenland, in accordance with articles 25 and 26 of the Istanbul Convention and article 19 of the Convention on the Rights of the Child;

(k) The Government of Denmark should pursue its due diligence obligation to conduct an independent investigation and provide remedy to the victims of the intrauterine device and other birth control cases in Greenland. Solidarity-based reparation may include issuing an apology and providing psychological support and compensation to victims, as well as symbolic measures, such as the creation of a fund to support sexual and reproductive health and rights and programmes for the prevention of sexual abuse and domestic abuse in Greenland, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women;

<sup>41</sup> See <https://www.ohchr.org/en/documents/tools-and-resources/practical-toolkit-law-enforcement-officials-promote-and-protect-human>.

(l) The Government of Denmark should provide increased resources to strengthen mechanisms for processing discrimination claims in Denmark, as well as increase legal aid to the Inuit, other minorities and victims of intersecting forms of discrimination (including women) to enable them to present discrimination claims to administrative boards addressing discrimination, as well as to the courts;

(m) The Ministry of Defence should conduct human rights-based assessments (including on gender) addressing the inclusion of Inuit and Greenlandic people in Arctic defence units;

(n) The Ministry of Immigration and Integration should raise the number of resettlement refugees admitted into Denmark to the previous level of 500;

(o) The Ministry of Immigration and Integration should abide by article 59 of the Istanbul Convention by evaluating women migrants who are victims of domestic abuse for autonomous residence permits;

(p) The Ministry of Immigration and Integration should be guided by article 9 (1) (e) of the revised draft declaration on the right to international solidarity, on correcting structures that increase the vulnerability of migrants and the violation of their human rights, including externalization of migration control and transfer mechanisms that frustrate access to asylum and to fair and effective refugee determination procedures;

(q) The Ministry of Immigration and Integration should create a channel for dialogue with civil society organizations to review its policies regarding denial or delay of visas to international solidarity activists in order to improve the transparency of procedures and open the civic space for international solidarity expression and engagement in development projects;

(r) The mandate of the Ombudsman of Denmark should be revised to include review of case processing regarding asylum-seekers and refugees, including persons subject to cancellation or cessation of status;

(s) The Ministry of Industry, Business and Financial Affairs should create channels for communication with civil society organizations to pursue humanitarian carveout exemptions from the freezing or closure of the financial accounts of civil society organizations working in countries facing conflict or violence and subject to anti-money-laundering and counter-terrorism legislation;

55. The Independent Expert also calls upon the governments of Denmark and Greenland to implement in good faith the recommendations issued by the Special Rapporteur on the rights of Indigenous Peoples in his report on his visit to Denmark and Greenland in 2023.<sup>42</sup>

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<sup>42</sup> [A/HRC/54/31/Add.1](#).