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Kontor: Politikontoret
Sagsnr.: 2009-945-1501
Dok.: MLP40495

JUSTITSMINISTERIET

Executive Order on Access to and Conditions for Travelling in Certain Parts of Greenland

The following is laid down pursuant to section 264(1) of the Penal Code for Greenland, see Act No. 306 of 30 April 2008:

Part 1

Travelling on the inland ice and in the National Park in North and East Greenland, etc.

1. With the exceptions listed in sections 2 to 5 and section 14 of this Order, travelling without a permit is prohibited:

- 1) on the inland ice in Greenland and glaciers issuing therefrom;
- 2) in the National Park in North and East Greenland and the adjoining sea territory;
- 3) in the rest of East Greenland from the National Park to a line east/west of the Lindenow Fjord; and
- 4) in the rest of North Greenland from the National Park to latitude 78° N.

2. No permit is required for travelling:

- 1) in the area near Qaanaaq between latitudes 78° N and 79° N west of longitude 66° W;
- 2) in Illoqqortoormiut in the area extending from the town and up to the National Park, towards the west to longitude 29° W and towards the south to latitude 70° N; and
- 3) in the area extending up to 150 km from the centre of Tasiilaq.

3. (1) No permit is required under this Order for travels of less than 24 hours' duration in the land areas listed in section 1 of this Order.

(2) A permit is required for sailing in the areas listed in section 1 of this Order regardless of duration.

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4. No permit is required for ordinary traffic and travelling on the occasion of usual fishing and hunting activities in the areas listed in section 1 of this Order carried out by persons permanently residing in Greenland.

5. Travelling in the areas listed in Section 1 of this Order in connection with activities relating to prospecting for, exploration for and exploitation of mineral resources, see Act on Mineral Resources and Activities of Relevance therefor, as adopted by the Parliament of Greenland (Mineral Resources Act) (*Inatsisartutlov om mineralske råstoffer og aktiviteter af betydning herfor (råstofloven)*), does not fall within the scope of Part 1 of this Order.

6. (1) Travel permits for the areas listed in Section 1 of this Order are issued by the Government of Greenland.

(2) Applications will be processed upon consultation with the Chief Constable of Greenland and the Greenland Command, and decisions granting a permit require the approval of those authorities.

7. (1) Applications for travel permits for the areas listed in Section 1 of this Order must be received by the Government of Greenland at least 12 weeks before the anticipated start of the trip.

(2) The application must provide a number of particulars as specified by the Government of Greenland, including particulars on the travel route, equipment, planned activities, proof of the participants' fitness for accomplishing the trip, etc.

8. (1) Conditions aiming at avoiding or facilitating any rescue operations, such as travel restrictions in terms of time or geographical area, and the requirement of bringing an emergency radio or other emergency equipment, etc., may be stipulated in connection with the issue of a travel permit for the areas listed in section 1 of this Order.

(2) The applicants may also be required to take out insurance with a recognised insurance company or to provide similar adequate security to cover public expenses in connection with any rescue operations.

(3) In connection with the issue of a permit, the applicants may be required to provide information on the accomplishment of the trip in the form of a travel report.

9. (1) A fee of DKK 4,000 is payable for the processing by the Government of Greenland of an application for a travel permit for the areas listed in Section 1 of this Order, but see subsection (2) hereof.

(2) An annual fee of DKK 25,000 per research station is payable for the processing by the Government of Greenland of applications for travel permits for the areas listed in Section 1 of this Order.

(3) The fee referred to in subsection (1) hereof must be paid to the Government of Greenland in connection with submission of the application for a travel permit for the areas listed in Section 1 of this Order.

10. (1) A travel permit for the areas listed in Section 1 of this Order may be refused if the trip is deemed manifestly reckless, including if the applicant is deemed unfit to accomplish the trip applied for, or if the trip implies a violation of the rights of the Danish State, the Government of Greenland or any third party.

(2) A travel permit for the areas listed in Section 1 of this Order may also be refused if:

- 1) the application does not arrive in due time and the assessment of the trip therefore cannot be made with the requisite thoroughness;
- 2) the application does not provide the desired particulars, and the assessment of the trip therefore cannot be made on a fully adequate basis;
- 3) there is probable cause to assume in advance that the applicant will not comply with the conditions stipulated for the permit; or
- 4) the applicant has not complied with the conditions set out in permits issued or with the general rules applicable to stays in the relevant area in connection with previous travels in one of the areas listed in Section 1 of this Order.

11. A travel permit for the areas listed in Section 1 of this Order may be revoked at any time by the Government of Greenland or the Chief Constable of Greenland. The permit may be revoked, for example, if the trip is deemed manifestly reckless on the basis of new and important information or implies violations of the rights of the Danish State, the Government of Greenland or any third party.

12. (1) Travelling in the areas listed in Section 1 of this Order without the requisite permit, contrary to a permit or after revocation of a permit pursuant to section 11 of this Order may be terminated pursuant to a decision by the Chief Constable of Greenland.

(2) Where such travelling is terminated, the Chief Constable of Greenland or any person so authorised by him may decide to leave the participants' luggage and equipment behind and put down their dogs.

13. Decisions made by the Government of Greenland or the Chief Constable of Greenland under the rules of this Part may be appealed to the Danish Ministry of Justice. An appeal does not suspend enforcement of the decision. The appeal must be received by the Ministry of Justice within eight weeks of the decision.

14. (1) The rules of this Part do not apply to members of NATO forces, Danish military authorities or Danish civilian State authorities, authorities under the Government of Greenland or municipal authorities in Greenland.

(2) The Government of Greenland must be notified of trips made by the authorities, etc., listed in subsection (1) hereof at least two weeks before the start of the trip.

(3) Subsection (2) hereof does not apply to military or police activities.

Part 2

Transiting, entering and exiting defence areas in Greenland

15. With the exceptions listed in Section 16 of this Order, it is prohibited to transit, enter and exit the defence area in Greenland established pursuant to the Agreement of 27 April 1951 between the Governments of Denmark and the United States of America on the Defence of Greenland, as subsequently amended.

16. (1) The following persons are free to transit, enter or exit the defence area in Greenland referred to in Section 15 of this Order:

- 1) Members of NATO forces whose presence in the defence area in Greenland is necessary in connection with activities pursuant to the said Agreement or other NATO arrangements, and their family members;
- 2) civilian personnel seconded from the United States of America by the relevant military authorities or by a private company authorised by any such authority and whose presence in the said area is necessary in connection with activities pursuant to the said Agreement or other NATO arrangements, and their family members;

- 3) representatives of Danish and Greenlandic authorities;
- 4) persons registered in the Civil Registration System as residents of Greenland north of latitude 75° N and west of longitude 63° W;
- 5) persons granted access to the defence area by specific authority from the Danish Government; and
- 6) persons granted access to the defence area by specific authority from the U.S. Government.

(2) Civilian personnel seconded from Denmark or countries other than the United States of America and whose presence in the defence area in Greenland referred to in Section 15 of this Order is of the nature stated in subsection (1)(ii) hereof as well as their family members may transit, enter and exit the defence area with the prior permission of the Danish Ministry of Foreign Affairs.

(3) Persons other than those listed in subsections (1) and (2) hereof, apart from Danish nationals residing in Greenland, may enter and exit the defence area in Greenland referred to in Section 15 of this Order with the prior permission of the Danish Ministry of Foreign Affairs or of another Danish authority authorised by the Ministry of Foreign Affairs.

(4) Transit travellers comprised by the Agreement of 19 January 1995 between the Governments of the United States of America and the Kingdom of Denmark (including the Government of Greenland) concerning transit of tourists and other visitors through Thule Air Base, Greenland, may transit the defence area in Greenland with the prior permission of the Danish Ministry of Foreign Affairs or another Danish authority authorised by the Ministry of Foreign Affairs and with permission from the U.S. military authorities in Greenland.

(5) Danish nationals residing in Greenland and not comprised by subsections (1) and (2) hereof may transit, enter and exit the defence area in Greenland referred to in Section 15 of this Order with the prior permission of the High Commissioner of Greenland.

17. (1) Applications from persons comprised by section 16(2) of this Order must be received by the Danish Ministry of Foreign Affairs at least one week before departure to the defence area. Applications from persons comprised by section 16(3) and (4) of this Order must be received by the Ministry of Foreign Affairs at least three weeks before departure to the defence area.

(2) Applications for approval by the High Commissioner of Greenland of persons comprised by section 16(5) of this Order must be received by the High Commissioner of Greenland at least one week before departure to the defence area.

18. Access to other military areas in Greenland is conditional upon permission from the Danish military authority responsible for the area.

Part 3

Violation and entry into force

19. Any person who intentionally or negligently violates section 1 or 15 of this Order or violates conditions or orders imposed pursuant to section 8 of this Order may become liable to pay a fine. Moreover, equipment, etc., may be confiscated.

20. (1) This Executive Order takes effect on 10 February 2010.

(2) At the same time, Executive Order No. 1280 of 7 December 2006 on Access to and Conditions for Travelling in Certain Parts of Greenland is repealed.

Ministry of Justice, 8 February 2010

Brian Mikkelsen

/ Barbara Bertelsen