I. Introduction

This lecture deals with the subject of self-governing communities. The case in question is the Faroe Islands, and in the following the international relations of this self-governing Island Community will be examined.

The following aspects will be dealt with:

1. Constitutional and legal basis of the present status of the Faroe Islands including the main principles of the Home Rule Act and its special provisions concerning international relations.

2. Factors affecting the relations between the Faroe Islands and the international community.

3. Some general remarks on the Faroe Islands and international treaties, including the question of application to the Faroe Islands of international treaties concluded by the Government of Denmark.

4. Some practical instances concerning the Faroe Islands and international organizations.

5. The conclusion of treaties of special interest to the Faroe Islands.

6. The Faroe Islands and Nordic cooperation.

II. An Inquiry into the International Relations of the Faroe Islands

1. Constitutional and legal basis

1.1. Status of the Faroe Islands within the Kingdom of Denmark

The Faroe Islands have the status of a self-governing community within the Kingdom of Denmark. According to the Danish Constitution, the Kingdom of Denmark is a unitary state. The special status of the Faroe Islands is defined in the so-called Home Rule Act.¹

Within the framework of this Act the Faroese People, through its elected repre-

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¹ Act No 137 of 23 March 1948, on Self-Government of the Faroe Islands, in the following abbreviated to HRA.
sentatives, the Løgting, and Executive established by the Latter, the Landsstýrið, takes over, within the Unity of the Realm, the administration and government of Faroese affairs as indicated in this Act.\(^2\)

1.2. Main principles of the Home Rule Act

The principle of the HRA is that competence is delegated to the Faroese authorities within those fields which are explicitly stated in Annex A or Annex B to the Act. The Faroese Home Government can decide that all or some of the matters and fields of administration mentioned in Annex A shall be transferred to the Home Government with the consequence that the latter will take over the expenses involved.\(^3\) As regards Annex B, it is to be decided after negotiations between the Faroese Home Government and the Government of Denmark if and to what extent they can be transferred.\(^4\) The Home Government holds the legislative and administrative authority over those fields of administration which come within its province.\(^5\)

Matters which do not, according to the Act, come under the Faroese Home Government shall be handled as joint concerns by the national authorities of Denmark.\(^6\)

In order to ensure for the Løgting the widest possible influence on the formulation of special provisions for the Faroes in Acts passed by Danish authorities, Danish Government Bills containing provisions relating exclusively to the Faroes shall be put before the Home Government for consideration before they are tabled in the Danish parliament. Other Danish legislation affecting local Faroese matters shall be put before the Faroese Home Government for consideration before they are put in force in the islands.\(^7\)

Among the matters which can be taken over by the Home Government are matters regarding culture, education, health, social welfare, labour-relations, agriculture, fishery and industry.

Among the fields of administration which appear in Annex B are the Established Church, police, underground resources, radio, aviation, and import and export controls.

1.3. Special provisions of the Home Rule Act concerning international relations

Among the matters which do not appear in Annex A or B and in consequence cannot be taken over by the Home Government are the judicial system and the monetary system, defence, and foreign policy.

According to Section 5 of the HRA, the competence of the Faroese authorities shall always be subject to the limitations following from treaty and other international rights and obligations. In matters affecting the relations of the Realm with foreign countries, the decision lies with the national authorities, i.e. the Danish Government.

\(^2\) Section 1.
\(^3\) Section 2.
\(^4\) Section 3.
\(^5\) Section 4.
\(^6\) Section 5.
\(^7\) Section 6.
\(^7\) Section 7.