THE RIGHT OF AUTONOMOUS REGIONS TO PARTICIPATE IN NORDIC CO-OPERATION

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The Faroe Islands and Åland were able to participate in Nordic co-operation as from 1971, when the Helsinki Agreement was altered. That meant that all popular assemblies in the Nordic countries were then represented in the Nordic Council.

In 1980 the Danish Government submitted a proposal that Greenland (which obtained self-government in 1979), the Faroes and Åland should have independent representation in the Nordic Council. At present representatives of autonomous territories are included in national delegations.

To study the matter a committee was appointed, consisting of the executive body of the Nordic Council and the Ministers of Justice of the Nordic countries (the so-called Petri Committee). The report of the committee established that the position of the Nordic autonomies in Nordic co-operation was to be consolidated as follows:

a) The Faroes, Greenland and Åland are to have two members in the Nordic Council. To the Council of Ministers the autonomies are to appoint members in a similar manner as the sovereign states do.

b) The autonomies are to have additional right to participate in Commissions and committees of the Council.

c) The governments of the autonomies are to have similar rights to initiatives as the governments of the member countries.

d) The governments of the autonomies are to have the right to participate in the work of the Council of Ministers and its subordinate bodies. These governments will have the right to accede to agreements of the Council of Ministers to the extent permitted under their autonomy systems. The last-mentioned principle reflects the sovereign legislative competence of the autonomies.

The stand taken by the Petri Committee may be classified as chiefly following the traditional school of thought in public international law. Sovereignty has always been the basic component in proving international legal competence. Ever since Hugo Grotius (1583-1645) demonstrated in his theories of public international law that intercourse involved interaction between two equivalent legal entities, the concept of sovereignty has been dominant. Jus gentium did not acknowledge any hierarchial system, since in its original form it described a legal order between equivalent legal entities without any form of supranational body having authority to bind subordinated entities. Sovereignty derived from the sovereign himself, the head of state, and it granted the bearer or his "deputy", the foreign minister, the right to act on behalf of his country and his people. By and large it was a matter of a personal law between sovereigns as to how to exist in peace. The need of international contacts was basically limited to peaceful – and sometimes not so peaceful – contacts between sovereigns. Traditional public international law is usually described as a legal order of co-existence.
International relations nowadays make quite different demands for a legal order regulating intercourse between states. For legal actions to have their starting-point from sovereigns is no longer possible, partly because of the development of democratic forms of government, and partly because relations are effected at several different levels inside and outside the state mechanism. Instead a need has emerged to facilitate intercourse between states, state administration, organizations, business and individuals. So international public law has to meet these needs of international relations, a legal system of co-operation.

To a certain extent states have not succeeded in following the development of international relations, and they still adhere to Grotius' idea of equivalent sovereigns having a monopoly of international action. One example is the method of states working together in international bodies and at international conferences. Participants usually consist of sovereign states that have equivalent functions in the work involved. From the practical political aspect it is rather surprising that Belize and the Soviet Union, for instance, have equally great rights to decide upon final issues. This circumstance has also led to certain all-embracing international organizations becoming paralyzed in action. Instead, regional international organizations have consolidated their position; member states involved in them usually have more distinct mutual interests, both political and economic.

**ENTITIES OF PUBLIC INTERNATIONAL LAW**

Up to now the concept of sovereignty has still been the key to full international legal competence. But other entities than sovereign states also possess international legal competence. Methods of classifying them differ somewhat in doctrine; to illustrate the questions involved I have selected the following bodies politic:

1. **States**

States can be sub-divided into a) unified states, comprising both monarchies and democracies, in which sovereignty is centrally assembled, b) federations, in which sovereignty is shared between constituent states and federative authorities, with emphasis upon the latter, and c) confederations, in which sovereignty is also shared, but with emphasis upon the constituent states.

Switzerland is usually mentioned as an example of the last-category. The first article of the Constitution fédérale de la Confédération Suisse states that "the population of the 23 sovereign Swiss cantons ... forms the Swiss Confederation." In simplified terms the Swiss canton system can be described as a system in which fundamental sovereignty rests with the village councils, which still today manage their internal affairs supremely to a great extent. The external interests of the villages are managed by the governments of the cantons, to which definite duties are delegated. It is the cantons that possess real sovereignty, and only certain limited functions, primarily relating to foreign policy, are delegated to the central government in Berne.

Confederation as a form of government, with Switzerland as an example, has been discussed here in detail to demonstrate its closeness and similarity to the next group of bodies politic, viz., political entities resembling states.

2. **Political entities resembling states**

Here it is usual to assign political agreements that have occasionally given rise to political unities. For example, the Free City of Danzig used to possess a certain autonomy. A defi-