

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
AND  
THE GOVERNMENT OF THE KINGDOM OF DENMARK  
(INCLUDING THE HOME RULE GOVERNMENT OF GREENLAND)  
CONCERNING  
THE DUNDAS AREA**

Article I

1. This Memorandum of Understanding (MOU) regulates cooperation between the Government of the United States of America and the Government of the Kingdom of Denmark (including the Home Rule Government of Greenland), which has been agreed upon in connection with the Exchange of Notes this day between the Danish and the United States Governments regarding the relinquishment of Dundas from the Thule defence area.
2. Having reference also to the NATO Status of Forces Agreement, this MOU is in implementation of the United States – Denmark Agreement Concerning the Defence of Greenland, dated April 27, 1951 (hereinafter referred to as “the 1951 Agreement”), and related agreements.

Article II

1. Notwithstanding the provisions of any other agreement, the Danish Government (including the Greenland Home Rule Government) accepts the return of Dundas “as is” and assumes complete responsibility for any environmental remediation or other actions it may believe necessary.
2. The Danish Government (including the Greenland Home Rule Government) hereby waives any and all claims of the Danish Government (including the Greenland Home Rule Government) against the Government of the United States arising out of any acts or omissions related to or in connection with the use of Dundas during the period of its inclusion within the Thule defence area.
3. Any and all claims cognisable under the NATO Status of Forces Agreement shall be dealt with in accordance with the provisions of that Agreement.
4. The Government of Denmark assumes jurisdiction and liability for any and all claims, not covered in paragraph 3 above, for damages that resulted in any way, in whole or in part, from any acts or omissions (or alleged acts or omissions) by

the claimant, the Government of Denmark (including the Greenland Home Rule Government) or a third party occurring after the return of the Dundas Peninsula. Nothing herein should in any way be interpreted as limiting or otherwise affecting the applicability of the NATO SOFA provisions pertaining to claims.

5. The foregoing paragraphs of this article shall not apply to contractual claims against the Government of the United States.

### Article III

Except as otherwise agreed in the Permanent Committee, there shall be no settlement of persons or erection of permanent structures in Dundas for three years from the date of the Exchange of Notes regarding the relinquishment of Dundas from the Thule defence area. This does not prevent restoration that does not alter the original size and essential character of existing buildings. For an additional period of three years the U.S. authorities will be consulted no later than six months in advance in case any initiative should be taken that would alter the original size and essential character of existing buildings.

### Article IV

The following security measures shall be taken regarding the Thule defence area:

1. United States authorities and Danish/Greenlandic authorities undertake to cooperate to ensure that the return of Dundas to Danish jurisdiction and control does not compromise the security of Thule Air Base or the Thule defence area. This cooperation includes periodic joint threat assessments by appropriate experts.
2. Danish/Greenlandic authorities undertake to ensure necessary policing of Dundas, including, if necessary, by police forces supplementing the local police on short notice. The Danish/Greenlandic authorities shall ensure regular patrol activities in and surveillance of Dundas, and, if appropriate and for a limited period of time, relevant checks of incoming aircraft and passengers.
3. Danish/Greenlandic authorities shall ensure that non-residents of the Qaanaaq Municipality are not permitted in Dundas on a permanent basis and that such non-residents do not enter the Thule defence area from Dundas without permission of competent United States authorities at Thule Air Base.

4. Consultations and exchange of information on matters relating to Dundas that may have implications for the security of Thule Air Base will be dealt with in the Permanent Committee.

#### Article V

The Permanent Committee shall monitor the implementation of this Memorandum of Understanding.

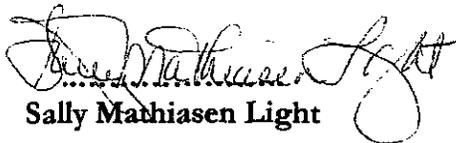
#### Article VI

1. Any disagreement regarding the interpretation or application of this MOU shall be resolved by consultation between the parties.
2. This Memorandum of Understanding shall enter into force on the date of signature and shall remain in force for the duration of the 1951 Agreement. This understanding may be amended at any time by mutual written agreement of the Parties.

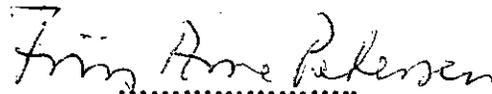
In witness whereof, the undersigned representatives have signed this Memorandum of Understanding.

Done in Nuuk this twentieth day of February 2003 in duplicate, in the English and Danish languages, both texts being equally authentic.

For the Government of  
The United States of America

  
.....  
Sally Mathiasen Light

For the Government of  
The Kingdom of Denmark  
(including The Home Rule Government of  
Greenland)

  
.....  
Friis Arne Petersen  
For the Government of Denmark

  
.....  
Hans Enoksen  
For The Home Rule Government  
of Greenland

*Ambassador of the United States of America.*

March 12, 2003

Dear Mr. Minister:

I have the honor to refer to your note of February 20, 2003 which reads as follows:

"I have the honour to refer to Exchanges of Notes of October 14, 1964, May 5, 1965, September 30, 1986, and September 29, 1992, between our two Governments concerning certain adjustments of the geographical extension of the defence areas in Greenland made available to the United States by the Government of Denmark pursuant to Article II (3) of the Agreement of April 27, 1951, Concerning the Defence of Greenland as set forth in Technical Schedule of March 20, 1958, and the Memorandum of Understanding of March 13, 1991 between the Government of the United States of America and the Government of the Kingdom of Denmark (including the Home Rule Government of Greenland) Concerning Use of Sondrestrom Aviation Facility, Kulusuk Airfield and Other Matters Related to United States Military Activities in Greenland.

(1). Following the agreement in the Memorandum of Understanding of today's date concerning removal of Dundas from the defence area and discussions between our representatives, I have the honour to propose that the defence area in Greenland be redefined as follows:

(1.1). Thule

The defence area of Thule covers the area of the Southern bank of Wolstenholme Fjord limited by Harald Moltke's Glacier (Sermerssuag), the ice cap and a straight line between the following two points: 69° 10'W, 76° 30'N and 68° 35'W, 76° 18'N, save the area delimited by a line beginning at the coast south at 76° 325 min N following the watershed to 68° 46'W, 76° 332'N and from there north to a point on the coast on 68° 44'W.

(2). It is agreed that, in case of emergency or if performance of a mission makes it necessary, access to and movement by the Armed Forces of the United States in any of the portions of the defence areas relinquished in accordance with this and earlier Exchanges of Notes is authorized subject to the provisions of Article V(3) and Article VI (as modified in 1986) of the Agreement of April 27, 1951, Concerning the Defence of Greenland.

It is understood and agreed that the entitlement to priority use by the United States facilities in Sondrestrom and Kulusuk shall continue in accordance with Article XV of the Memorandum of Understanding of March 13, 1991 referenced above.

(3). The Danish Liaison Officer at Thule shall be informed immediately, and whenever possible in advance, of any access or movement in the areas relinquished in accordance with this and earlier Exchanges of Notes, as authorized therein.

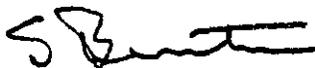
If this proposal is agreeable to the Government of the United States of America, this Note and Your Excellency's reply to that effect shall constitute a new Technical Schedule to the Agreement of April 27, 1951, Concerning the Defence of Greenland, superseding the Technical Schedule contained in the Exchange of Notes of September 29, 1952. It shall enter into force on the date of Your Excellency's reply and remain in force for the duration of the Agreement of April 27, 1951.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration."

I confirm that the foregoing proposal is agreeable to the Government of The United States of America and that your note and this reply shall constitute a new Technical Schedule to the Agreement of April 27, 1951, Concerning the Defence of Greenland, superseding the Technical Schedule contained in the Exchange of Notes of September 29, 1952, and that it shall enter into force on the date of this reply and remain in force for the duration of the Agreement of April 27, 1951.

Accept, Excellency, the renewed assurances of my highest consideration.

Sincerely,



Stuart Bernstein

His Excellency  
Per Stig Møller,  
Minister of Foreign Affairs,  
The Kingdom of Denmark.

N.NFG. File No. 107.F.1.r

Copenhagen, February 20, 2003

Your Excellency,

I have the honour to refer to Exchanges of Notes of October 14, 1964, May 5, 1965, September 30, 1986, and September 29, 1992, between our two Governments concerning certain adjustments of the geographical extension of the defence areas in Greenland made available to the United States by the Government of Denmark pursuant to Article II (3) of the Agreement of April 27, 1951, Concerning the Defence of Greenland as set forth in Technical Schedule of March 20, 1958, and the Memorandum of Understanding of March 13, 1991 between the Government of the United States of America and the Government of the Kingdom of Denmark (including the Home Rule Government of Greenland) Concerning Use of Sondrestrom Aviation Facility, Kulusuk Airfield and Other Matters Related to United States Military Activities in Greenland.

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2. It is agreed that, in case of emergency or if performance of a mission makes it necessary, access to and movement by the Armed Forces of the United States in any of the portions of the defence areas relinquished in accordance with this and earlier Exchanges of Notes is authorized subject to the provisions of Article V (3) and Article VI (as modified in 1986) of the Agreement of April 27, 1951, Concerning the Defence of Greenland.

His Excellency  
Mr. Stuart Alan Bernstein  
Ambassador of the United States of America  
Copenhagen

It is understood and agreed that the entitlement to priority use by the United States of facilities in Sondrestrom and Kulusuk shall continue in accordance with Article XV of the Memorandum of Understanding of March 13, 1991 referenced above.

3. The Danish Liaison Officer at Thule shall be informed immediately, and whenever possible in advance, of any access or movement in the areas relinquished in accordance with this and earlier Exchanges of Notes, as authorized therein.

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I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.



Per Stig Møller  
Minister for Foreign Affairs