

Greenland's legal status as a factor in international politics

The island of Greenland has become one of the most attractive and even strategic objects in the competition for global economic and military influence. President Trump has again publicly proposed to buy the island from Denmark. Moreover, in the event of expected difficulties in implementing this plan (the Danish authorities categorically refused), Trump is not only prepared to exert economic pressure, but has not publicly ruled out a military solution to the issue. Ousting China from the commodity market and shipping routes in the Western Hemisphere has become a strategic task for Washington. In terms of military security, the main threat to the United States is Russia with its missile arsenal. Therefore, the base in Greenland with an air defence system is aimed specifically at countering the Russian threat, and is a kind of «shield» for the United States against a possible missile attack.

Despite its geographical location in North America, Greenland is historically, culturally and economically much closer to Europe. Close ties with Norway and Denmark (former colonial metropolises) and Iceland, the presence of its official language, and belonging to the Scandinavian cultural community form the socio-cultural identity of Greenland and the identity of its inhabitants.

Being a part of the Kingdom of Denmark since 1953 guarantees Greenland broad autonomy, which was significantly expanded after the 2008 referendum at the request of its residents. In fact, today Copenhagen controls only foreign policy and defence issues, while the islanders decide all other issues on the basis of self-government. In 1982, Greenland withdrew from the European Economic Community (the predecessor of the European Union), which it joined together with Denmark in 1972. Although the main role was played by the interests of navigation and trade, which were under pressure from the restrictions of the European Community, the situation showed that the Greenlanders were able to make their own decisions on foreign policy. Since 2009, they have also been granted the right to manage the island's natural resources independently.

A decade later, in 2019, President Trump first attempted to conclude a deal with Denmark to buy Greenland for annual payments of \$600 million. However, Danish and local politicians opposed it.

As can be seen from the background of the issue, Trump and his team's current encroachments on Greenland should not be seen as a whim of an extravagant president or bravado under the guise of protecting US national interests. In today's complex international processes, they occupy their own niche in a complex system of trends, challenges and threats to world politics, and act as a kind of catalyst.

The island occupies an extremely favourable geographical position on the route from America to Europe. It is the shortest shipping route between the two

parts of the world. Greenland is also the gateway to the Arctic with its natural resources. Therefore, owning it is an absolute economic advantage in the face of fierce competition in the global markets for food, raw materials and industrial products [1].

The island is becoming increasingly attractive as a major military base, which is of great geostrategic importance in the context of the growing global security crisis and active talk of a «Third World War». The United States has had a base here for more than half a century, equipped with a missile warning system.

«We are not for sale and we will not be for sale», said Greenland's Prime Minister Mute Egede at the end of December 2024. The transition to US jurisdiction is seen by the islanders as a «loss in the war for years of freedom» [2]. Greenland seeks to strengthen its independence by diversifying its economy and expanding tourism opportunities, which was made possible by the opening of a new capital airport. However, financing is an important issue. The Greenlandic government has not yet given up its \$500 million annual subsidies from Copenhagen. It remains to be seen whether Washington will be willing to offer more and on what terms.

The international crisis around Greenland is definitely not beneficial for Ukraine, as it brings additional international challenges and threats, which our country is already facing. We are talking about the growing destructiveness in the global system of international relations, where the rule of force, rather than the rule of law, is increasingly dominating. The US military takeover of Greenland, which is possible through the deployment of naval troops, will set a precedent for the unlawful settlement of territorial disputes between states. A priori, it will be even more difficult for the democratic West, whose leader will still be the United States, to justify why it is necessary to support Ukraine in its righteous struggle against the Russian aggressor. The USA's move into the realm of anti-democratic practices and violations of international law will finally legitimise the process of establishing a new world order where there will be no place for any global human principles, and will unleash further aggression against other countries and the expansion of new territories under any pretext [3].

There is only one way to resolve the Greenland issue in a civilised manner – through a comprehensive trilateral cooperation agreement between the US, Denmark and Greenland, which will give the US side greater access to the island's infrastructure and natural resource capabilities in the long term, as well as a series of special agreements on the implementation of specific joint projects on its territory involving US capital. For example, the concession of certain territories and mineral deposits is appropriate. Significant international experience of this kind of cooperation is evident and will be an effective guarantee against further escalation of tensions in the region.

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Яке значення має Tallinn Manual в російсько-українській війні в контексті прав людини?

Війна росії проти України характеризується багатьма вимірами, як наприклад: конвенційний, економічний, кібер, інформаційний, культурний [1]. Сьогодні справжнім викликом для міжнародних експертів є визначення кібервійни та закріплення її принципів та правил у міжнародному нормативно-правовому документі, і досвід України в цьому питанні є ключовим.

Поки ще існує тільки академічна спроба врегулювати це питання – це Tallinn Manual [2; 3]. У виданнях 2013 та 2017 років згадується як основний міжнародно-правовий документ, який допомагає тлумачити застосування норм міжнародного права до кібероперацій. Талліннські рекомендації допомагають аналізувати ці атаки як “застосування сили”: деякі масштабні кібератаки можуть кваліфікуватися як застосування сили, якщо мають наслідки, подібні до збройного нападу (наприклад, виведення з ладу енергосистем, що спричиняє жертви). Все ще складним є питання розмежування цивільних і військових об’єктів та як юридично довести, що атака була здійснена саме державою (РФ), а не хактивістами або приватними групами? Складність аналізу і кваліфікації також полягає у поєднанні кібератак з інформаційними кампаніями, фейками, маніпуляцією громадською думкою.

В академічних колах можна спостерігати дві протилежні ідейні групи: у першій – кібервійна існує, у другій – кібервійна це певна умовність. Так, у Таллінському мануалі (Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations, 2017), робиться уточнення, що «кібервійна» вживається у чисто описовому, а не нормативному сенсі, і те, що Таллінський мануал є академічним, а не міжнародно-правовим актом.

На мою думку, небезпечна активність рф у кіберпросторі має достатній рівень небезпечної «мілітаризації», і російські кібератаки становлять серйозну проблему не лише для України. Росія застосує наступальні кіберможливості не лише проти України, але й проти Заходу і його критичної інфраструктури як покарання за санкції і підтримку України. РФ має великий досвід у здійсненні кібератак. Широко відомий каскад кібератак DDoS було застосовано в Естонії у