

## **“Close, like-minded partners committed to democratic principles”: Settling the Hans Island/Tartupaluk Territorial Dispute**

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*I cannot imagine many purposes for which Hans Island, or Tartupaluk in Greenlandic, would be useful for a government at all. It is extremely remote, provides no shelter, no decent landing for any vessels, no oil or gas reserves are known to hide in its vicinity, no mineral deposits in its core, it is ice-encapsulated and dangerously windswept most of the year. Perhaps in a distant ice-free future a bit of very high-Arctic traffic might pass by, but it would still most likely have no reason to dwell here. But, of course, as a political phenomenon Hans Island is extremely provoking. It bears testimony to just how easily even the lowliest, most desolate piece of no-good territory may still excite otherwise friendly, democratic, NATO-embedded nations and make them unable to reach any semblance of an agreement even after 45 years of negotiations.*

Danish journalist Martin Breum, May 2018<sup>1</sup>

*This agreement is a significant historic milestone in the relationship between friends and neighbours and is the culmination of years of discussions. The efforts deployed to reach this outcome demonstrate their leadership in the region and commitment to resolve disputes peacefully and in accordance with international law.*

*The land boundary on Tartupaluk reflects the strong historic and cultural relations between communities in Canada and Greenland. It paves the way for stronger cooperation and the establishment of an even closer partnership between them.*

Global Affairs Canada News Release, June 2022<sup>2</sup>

On 14 June 2022, an agreement between Canada and the Kingdom of Denmark, together with Greenland, resolved the long-standing dispute over the sovereignty of Hans Island (which is known as Tartupaluk in Greenlandic) by creating a land boundary. This 1.3 km<sup>2</sup> barren and uninhabited

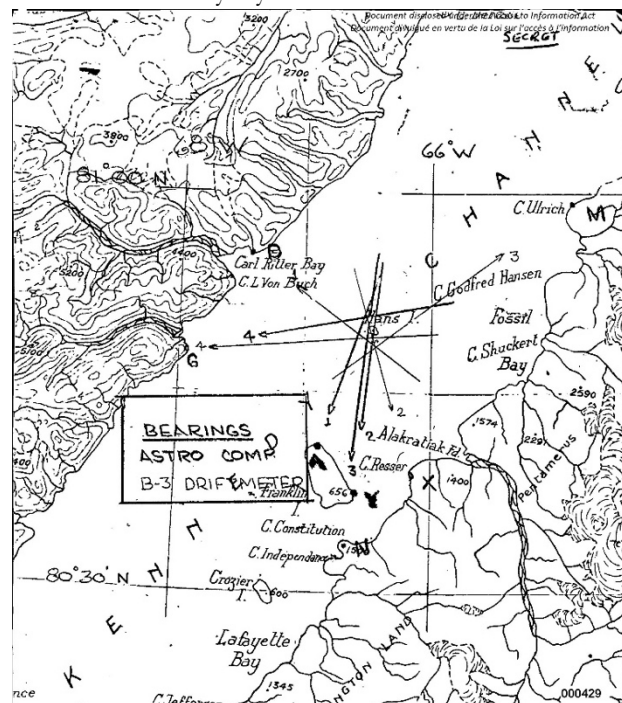
sandstone island is situated in the middle of Kennedy Channel between Ellesmere Island and Greenland, lying exactly 18 km from both islands. Its status as the source of the only outstanding Arctic dispute involving sovereignty over land meant that the island attracted a disproportionate amount of attention as an example of unsettled – and thus uncertain – boundaries.<sup>3</sup>

The question of the ownership of Hans Island first arose in 1973 when Canada and the Kingdom of Denmark delimited the continental shelf between Ellesmere Island and Greenland. The two sides could not agree on the status of the island, which fell right on the maritime boundary line dividing the continental shelf between the two countries, so they chose to set aside the question of the island itself. The shelf surrounding the island was delimited, with the maritime boundary stopping at the low-water mark on the island's south side and starting again from the low-water mark on the north side.<sup>4</sup> Accordingly, and despite popular misconceptions, the dispute had no significant impact on the status of the waters, seabed resources, or navigation rights around Hans Island itself.

Both countries sporadically raised the issue of territorial ownership and undertook various public demonstrations to reinforce their claims. After discovering that Canada's Dome Petroleum was using Hans Island as a platform for research activities, the Danes sent an expedition to it in 1984 to plant their flag and proclaim sovereignty, leaving the message "Welcome to the Danish Island" and a bottle of brandy. Canada responded in kind with its own sign, a Canadian flag, and bottles of Canadian Club whiskey. This comical dance continued for the next two decades and became colloquially known as the "Whiskey War" between the two countries.<sup>5</sup>

The Danish position rested primarily on the principles of discovery, geology, and usage. Hans Island was "discovered" in the second half of the 19th Century by one or several American-led expeditions undertaken in agreement with Danish authorities and with the participation of the famous Greenlandic explorer Hans Hendrik (1834-1889) of Fiskerøset, who was also known by his Greenlandic name Suersaq.<sup>6</sup> Previously and subsequently, Greenlandic Inuit stopped on the island when crossing to Ellesmere Island to hunt. On the other hand, Canadian Inuit have never used Hans Island regularly.<sup>7</sup>

For its part, Canada claims that the entire region was transferred to its control by a British order-in-council in 1880 that incorporated "all British Territories and possessions in North America, not already included in the Dominion of Canada, and all islands adjacent to any such territories or possessions." When Canada looked into the question of sovereignty over Hans Island in 1953, its then-current political map placed Hans Island closer to Ellesmere Island (a



Bearings of Royal Canadian Air Force flights attempting to fix the position of Hans Island during Operation Dibble Number 22, 29 May 1954, Department of External Affairs file S99-2-11 pt. 1, released under Access to Information (ATIP) A-2019-11504.

distance of 8 or 9 miles) than to Greenland (a distance of 14 or 15 miles). However, observations taken the previous summer by the Topographical Survey of Canada “place[d] the island exactly on the median line between the two coasts,” thus creating uncertainty about whether it straddled the “boundary line” or “falls to the west of it and is territory over which the Canadian Government claims to exercise sovereign rights.”<sup>8</sup> Royal Canadian Air Force attempts to establish the precise position of Hans Island proved inconclusive, but Canadian maps continued to place the island on the Canadian side of the median line demarking the boundary with Greenland.<sup>9</sup> Canada issued a land use permit to Dome Petroleum in the 1980s to use the island as a scientific base to study ice movements, with Denmark submitting a diplomatic protest. For its part, Canada issued a formal protest when Denmark’s minister of Greenlandic affairs, Tom Høyem, visited the island in 1984 and left a Danish flag as well as a message stating “Welcome to the Danish Island” (“Velkommen til den danske ø” in Danish),<sup>10</sup> and Canada also protested four years later when a Danish inspection crew planted the Dannebrog on the island again.<sup>11</sup> The so-called “Whiskey War” ensued, with Canadians replacing the Danish flag with the Canadian one and leaving a bottle of Canadian Club whenever they visited the island, and the Danes reciprocating and leaving a bottle of schnapps when they visited.

Given that the small island is uninhabited, possesses no strategic value, and boasts no natural resources, this territorial dispute involved no substantive material interests,<sup>12</sup> but it took on heightened symbolic and nationalist significance when the Danes sent naval vessels to the island in 2002 and 2003. “If Canada does not fight aggressively against Danish actions, it will be viewed as a weak and easy target,” Canadian political scientist Rob Huebert warned. “If, in fact, it loses the claim over Hans Island, it could show how little capability Canada has to properly patrol northern Canada. This would mean that other countries that are disputing northern claims with Canada will find it easier to win their claims.”<sup>13</sup> Canada responded in 2005 with an inukshuk-raising and flag-planting visit by Canadian Rangers and soldiers as part of Exercise Frozen Beaver, followed by a highly publicized visit by Minister of National Defence Bill Graham – with the Danes expressing displeasure to the Canadian ambassador in Copenhagen.<sup>14</sup> The media frenzy soon alluded to Canada’s 1995 “Turbot War” with the Spanish and even a possible “domino” effect, suggesting that if Canada lost Hans Island its other Arctic islands might succumb to a similar fate.<sup>15</sup> Danish rear-admiral and former head of the Royal Defense Academy Niels Wang later compared the Canadian flag planting on Hans Island to the controversial Russian planting of a titanium flag on the seabed at the North Pole in 2007, suggesting that both were geopolitical examples of offensive signalling via flags in the Arctic.<sup>16</sup>

Fortunately, the issue soon returned to a diplomatic track. To reduce tensions, Canada and the Kingdom of Denmark issued a joint statement in September 2005 declaring that “we will continue our efforts to reach a long-term solution to the Hans Island dispute.” The statement also provided that “in the tradition of cooperation in the region between our scientists we will explore the feasibility of joint scientific projects on or in the area of Hans Island.” The two neighbours also agreed to keep each other informed of any activities related to the island and pledged that “all contact by either side with Hans Island will be carried out in a low key and restrained manner.”<sup>17</sup> Thus, when a Danish cruise vessel landed on the island in 2010 and tourists’ Facebook posts showed them planting Danish and Greenlandic flags there, the head of Denmark’s Arctic Command urgently called his Canadian counterpart to downplay these unofficial exploits.<sup>18</sup> Consequently, the incident did not generate any backlash in Canadian circles, and the two countries

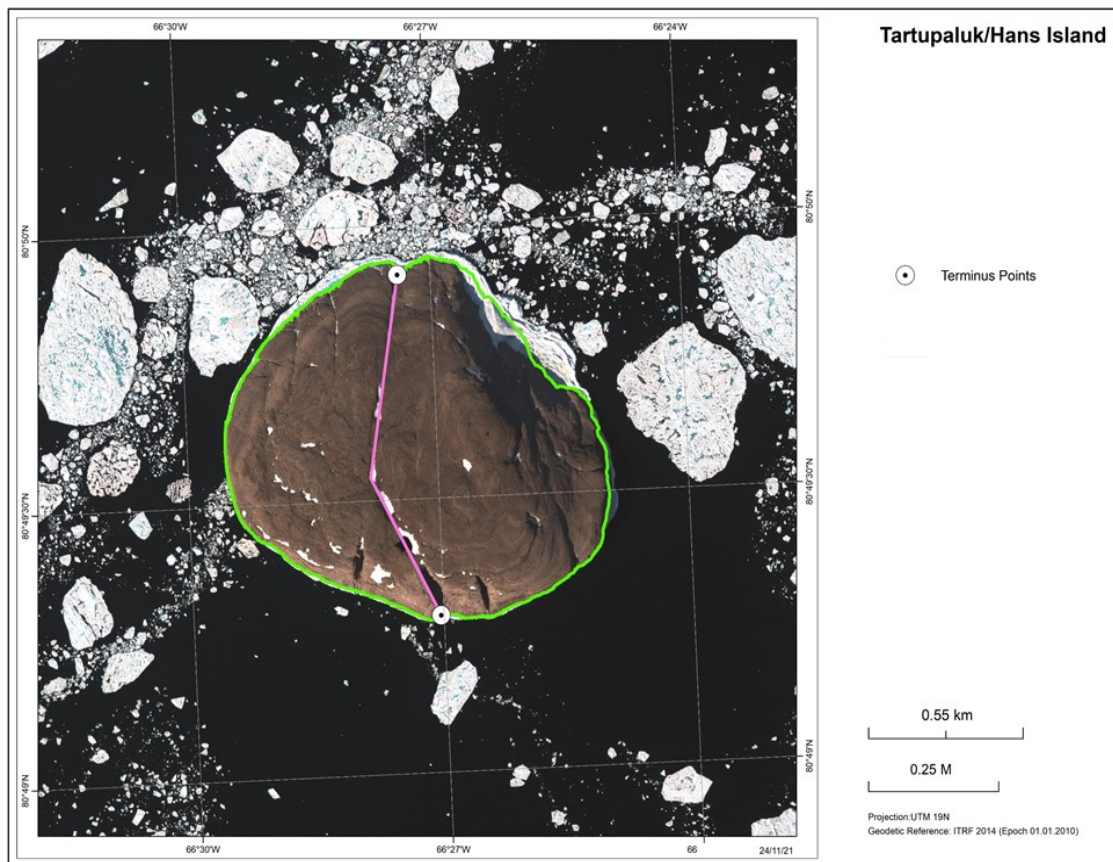
continued to hold bilateral meetings seeking a mutually acceptable solution. Technical discussions also reflected the results of modern satellite imagery, which placed the island in the middle of Nares Strait, 18 km from both Ellesmere Island and Greenland (and not closer to Canada, as Canadian maps had previously indicated).<sup>19</sup>

Commentators noted various diplomatic options for resolving this dispute. Canada and Denmark might have agreed to have one country gain complete sovereignty over the island; although the simplest solution, it was politically unattractive to both sides. Alternatively, the island could simply be split by connecting the lines currently demarcating Nares Strait, which would result in roughly half of the island going to each party, thus creating a new land border for both countries. Others proposed less conventional solutions, such as creating an international park or a “condominium” arrangement whereby Canada and the Kingdom of Denmark/Greenland would co-own the island with certain rules.<sup>20</sup> Former premier of Greenland and current Inuit Circumpolar Council (ICC) Greenland president Kuupik Kleist promoted Inuit ownership, lamenting that the Canadian and Danish states did not provide solutions in the interests of Nunavut and Greenland – a sentiment that he reiterated after the agreement was signed in June 2022, arguing that this was a missed opportunity to do something novel in terms of solving border disputes more in line with Inuit preferences.<sup>21</sup> Others suggested simply ceding power to the Inuit of Nunavut and Greenland to co-manage the island as part of the Pikialasorsuaq (North Water Polynya) area,<sup>22</sup> or Canada “gifting it” to the people of Greenland.<sup>23</sup>

A negotiated solution requires political will, and the optics of surrendering sovereign territory – however small and insignificant in practical terms – created political sensitivities for countries that had publicly staked their sovereignty claims. “A plan to divide the island ... through the middle would give Canada a second foreign land border and settle a spat that captured international attention as much for its absurdity as its potential seriousness,” journalist Adrian Humphreys noted in April 2012. Nevertheless, as Canadian Foreign Affairs spokesperson Joseph Lavoie noted at the time, “the dispute continues to be well-managed in accordance with the 2005 Joint Statement on Hans Island. Canada and Denmark have excellent relations and we are satisfied with how our current arrangement is working.”<sup>24</sup> Given the excellent relations and stability between the two countries, there was no acute pressure to settle the dispute.

The tenth anniversary of the Ilulissat Declaration in May 2018 (and the Arctic states’ affirmation of their commitment to maintaining the Arctic as a low-tension region where disputes are resolved peacefully) proved to be a catalyst for action on the Hans Island file. During a meeting later that month in Ottawa, officials from Copenhagen and Nuuk announced that they were setting up a joint task force to explore options and provide recommendations on how to officially resolve outstanding boundary issues in the Arctic with Canada. Statements by the Canadian and Danish foreign ministers emphasized collaboration and a commitment to “peaceful and constructive” deliberations. “Canada is looking forward to fruitful bilateral discussions with the Kingdom of Denmark under this newly established Task Force,” Global Affairs Canada spokesperson Elizabeth Reid told reporters. “This work is a demonstration of our excellent cooperation with Denmark in the Arctic and our collective leadership in the region.”<sup>25</sup>

The task force held intensive in-person negotiations in 2018 and 2019 before converting to a virtual format in 2020 and 2021 owing to pandemic-related travel constraints. As the chief negotiators recounted during a panel at the Arctic Circle Forum in Nuuk in August 2022, the transition to a virtual format facilitated weekly (and at times even daily) meetings to work methodically through technical details. They emphasized how the friendly relations and close cooperation that characterize the Canada-Denmark-Greenland relationship proved instrumental,<sup>26</sup> culminating in a five-day “marathon” final meeting in Reykjavík in November 2021. Three days of legal and technical discussions were followed by two days of intensive legal negotiations that yielded an agreement-in-principle.<sup>27</sup> After receiving political approval in the various political capitals, this “3 in 1” agreement was officially signed in Ottawa on 14 June 2022.

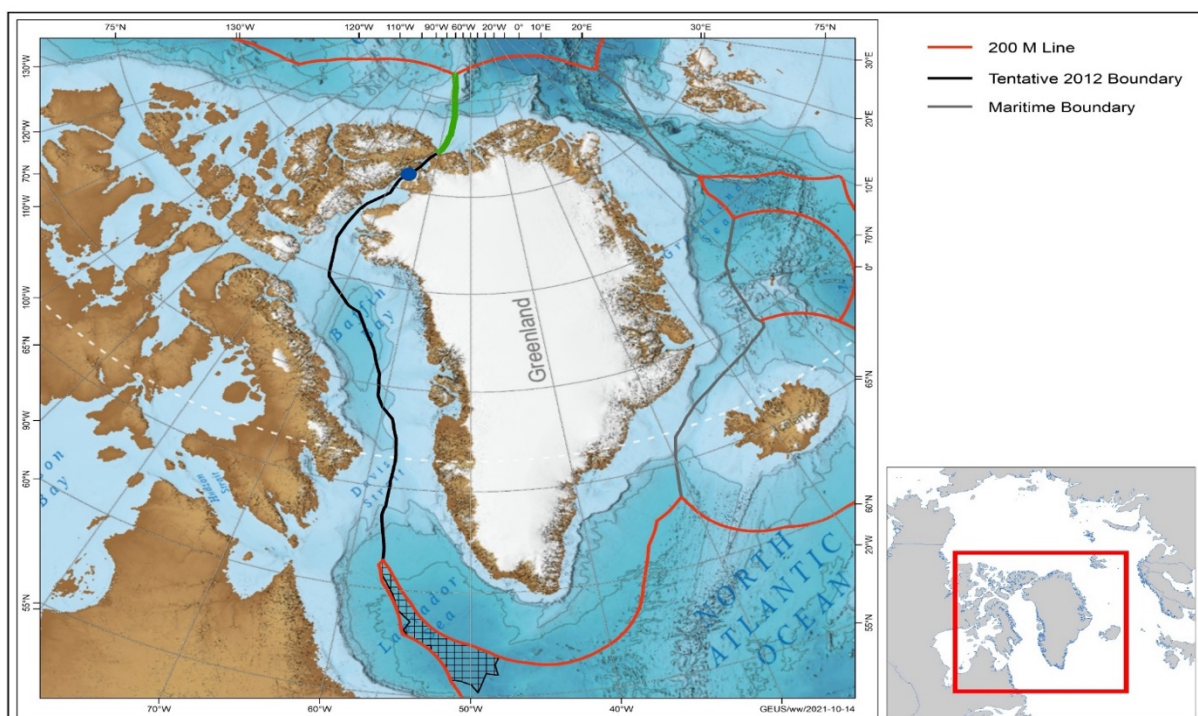


The agreement sets a land boundary on Hans Island/Tartupaluk that follows a natural ravine that runs the length of the island, in a general direction from north to south, and divides the island roughly in half. This yields an outcome where the Kingdom of Denmark/Greenland has sovereignty over slightly more of the island than Canada, but adopting a natural contour with clear northern and southern terminus points and a turning point in the middle of the island offered an equitable compromise requiring only three coordinates to establish the land boundary. Discussions with local Greenlandic and Nunavummiut partners may determine what form a marker might take to physically situate the turning point – or whether one is necessary at all.<sup>28</sup>

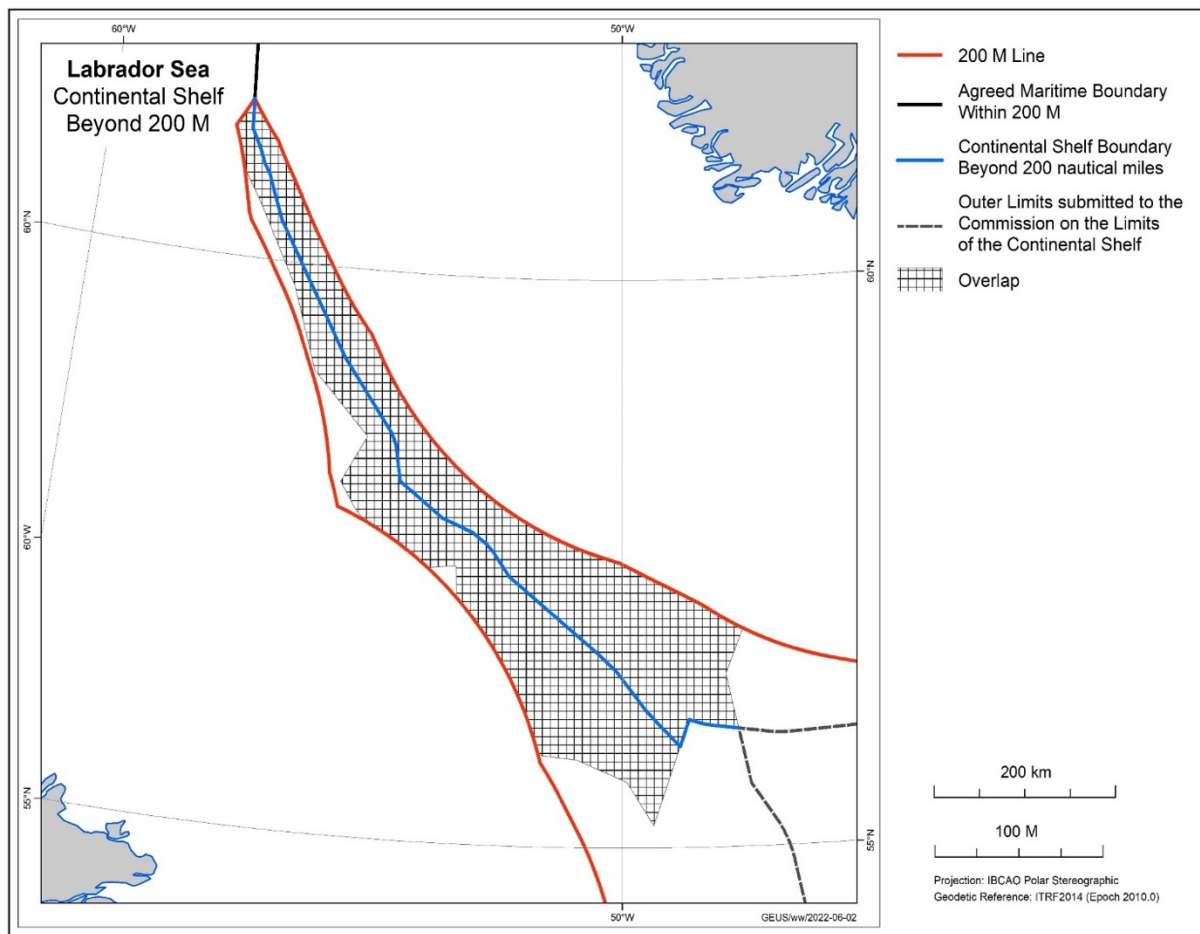
While the setting of a boundary reflects conventional state practice and divides a part of Inuit Nunaat (the Inuit homeland that transcends state boundaries), the agreement also includes an innovative provision that is reflective of Inuit priorities by affirming the “traditional, symbolic and

historic significance” of the island. The deal commits all parties to maintaining continued access to and freedom of movement on the entire island for Inuit and local people living in Avanersuaq, Kalaallit Nunaat, and Nunavut, Canada, including for hunting, fishing, and other related cultural, traditional, historic, and future activities.<sup>29</sup> A practical and workable border-implementation regime for all visitors must still be devised, but the negotiators were particularly proud of achieving an outcome that ensures mobility rights and means that “there will be no fences on the island.”<sup>30</sup>

Although most media attention fixated on the Hans Island agreement, the negotiations actually yielded a broader package deal that covers continental shelf issues, an arguably more important part of the bargaining solution than sovereignty over Hans Island.<sup>31</sup> The negotiations also modernized the 1973 boundary within 200 nautical miles and established the maritime boundary in the Lincoln Sea (north of Ellesmere Island and Greenland). The 1973 bilateral treaty establishing a dividing line between Greenland and Canada went as far as, but did not include, the Lincoln Sea (which is north of Ellesmere Island and Greenland).<sup>32</sup> Although Canadian and Danish negotiators reached a tentative agreement on the maritime boundary in the Lincoln Sea in 2012,<sup>33</sup> it was never finalized. The 2022 deal thus completes the process of making technical adjustments to the coordinates of the existing maritime boundary line from 1973 and establishes a single, modernized 4000 km maritime boundary from the Lincoln Sea in the north to the Labrador Sea in the south – the longest continuous maritime boundary in the world. As a Danish negotiator explained, a strong commitment to resolving all three issues simultaneously opened space for creative solutions and compromise, rooted in a high level of trust and openness both politically and in the technical and legal delegations.<sup>34</sup>



Moreover, the June 2022 agreement settles an approximately 79,000 km<sup>2</sup> overlap in the continental shelf beyond 200 nautical miles in the Labrador Sea. The Kingdom of Denmark's 2012 submission and Canada's 2013 submission to the UN Commission on the Limits of the Continental Shelf (CLCS) revealed an overlapping area of continental shelf, which is a normal part of the scientific process of delineating the outer limits of the continental shelf under the United Nations Convention on the Law of the Sea (UNCLOS). The negotiations from 2018-2021 yielded a binding boundary line in the overlapping area, which represents an equitable solution consistent with Article 83 of UNCLOS. Reaching an agreement prior to receiving a recommendation from the CLCS also follows regional practice<sup>35</sup> and international law, and it further affirms Ilulissat Declaration commitments to the orderly, peaceful settlement of overlapping claims amongst the Arctic coastal states.



While the deal reached between the Kingdom of Denmark/Greenland and Canada might seem modest, it sends an important signal at a volatile time in regional and international affairs. Dignitaries at the June 2022 announcement in Ottawa emphasized various strategic messages. “The Arctic is a beacon for international cooperation, where the rule of law prevails,” Canadian foreign minister Mélanie Joly noted, with obvious reference to the precarious geopolitical climate in the wake of Russia’s further invasion of Ukraine in February 2022. “As global security is being threatened, it’s more important than ever for democracies like Canada and the Kingdom of Denmark to work together alongside Indigenous peoples, to resolve our differences in accordance with international law.” Her Danish counterpart, Jeppe Kofod, emphasized how the sovereignty

of Hans Island/Tartupaluk has been contested for more than a half century, but diplomatic efforts yielding a solution “demonstrate our firm common commitment to resolve international disputes peacefully. I hope that our negotiation and the spirit of this agreement may inspire others. This is much needed at a time when respect for the international rules-based order is under pressure.” For the Greenlandic premier, Múte B. Egede, the land border on Hans Island/Tartupaluk was not a sign of division but of “the very close ties between our countries, people and culture,” marking the “beginning of a closer partnership and cooperation between us in areas of shared interest and of particular benefit to Inuit and local people living in Avanersuaq, Kalaallit Nunaat, and Nunavut, Canada.”<sup>36</sup> In his opening speech to the Greenlandic parliament, Inatsisartut, in September 2022, he stressed how a peaceful solution was obtained in a time of geopolitical conflict in the Arctic.<sup>37</sup>

When Russia and Norway signed their historic maritime delimitation and cooperation agreement in the Barents Sea and Arctic in September 2010,<sup>38</sup> foreign ministers Sergei Lavrov and Jonas Gahr Støre told Canada to “take note” and paternalistically instructed Ottawa to follow their lead. “We firmly believe that the Arctic can be used to demonstrate just how much peace and collective interests can be served through the implementation of the international rule of law,” they explained. “Moreover, we believe that the challenges in the Arctic should inspire momentum on international relations, based on cooperation rather than rivalry and confrontation.”<sup>39</sup> Twelve years later, Canada and the Kingdom of Denmark/Greenland sent a similar reminder to the Kremlin, taking the signing of their historic agreement as an opportunity to emphasize how they are “close, like-minded partners committed to democratic principles, including the rule of law and gender equality. We work closely to support multilateralism and the rules-based international order, to protect human rights, minorities, Indigenous peoples and to safeguard democracy.”<sup>40</sup> In contrast to Russia’s brutal tactics attempting to redraw boundaries in Europe, the solution was presented as a win-win-win outcome by the Canadian foreign minister, Mélanie Joly,<sup>41</sup> which was echoed by a Greenlandic negotiator at the Arctic Circle Forum in Nuuk in August 2022. “From the Lincoln Sea in the north to the Labrador Sea in the south, the line is the longest continuous maritime boundary in the world,” a Global Affairs Canada news release trumpeted. “This agreement is a testament to our excellent relations, and it demonstrates our commitment to the rules-based international order and in maintaining our shared ambition of the Arctic as a region of low tension and cooperation.”<sup>42</sup> These messages remain crucial as Arctic coastal states look to settle their overlapping continental shelves in the central Arctic Ocean<sup>43</sup> – a process that, we hope, will also reinforce common interests in peace, stability, compromise, and cooperation.

## Notes

Thanks to the presenters and audience members during the panel on “The Historic Agreement on Tartupaluk (Hans Island), Lincoln Sea and Labrador Sea: Insights from the Negotiators” at the Arctic Circle Forum in Nuuk, Greenland, on 28 August 2022, for their information and insights.

<sup>1</sup> Martin Breum, “Analysis: Hans Island - and the endless dispute over its sovereignty,” *High North News*, 28 May 2018, <https://www.highnorthnews.com/en/analysis-hans-island-and-endless-dispute-over-its-sovereignty>.

<sup>2</sup> Global Affairs Canada, “Canada and the Kingdom of Denmark, together with Greenland, reach historic agreement on long-standing boundary disputes,” News Release, 14 June 2022, <https://www.canada.ca/en/global-affairs/news/2022/06/canada-and-the-kingdom-of-denmark-together-with-greenland-reach-historic-agreement-on-long-standing-boundary-disputes.html>.



<sup>3</sup> For example, Canada's *Northern Strategy* (2009) observed that "Canada's sovereignty over its Arctic lands and islands is undisputed, with the exception of Hans Island, which is claimed by Denmark." See Department of Indian Affairs and Northern Development, *Canada's Northern Strategy*, reproduced in P. Whitney Lackenbauer and Ryan Dean, eds., *Canada's Northern Strategy under Prime Minister Stephen Harper: Key Speeches and Documents, 2005-15* [Documents on Canadian Arctic Sovereignty and Security (DCASS) No. 6] (Calgary and Waterloo: Centre for Military, Security and Strategic Studies/Centre on Foreign Policy and Federalism/Arctic Institute of North America, 2016), 104.

<sup>4</sup> *Agreement between the Government of Canada and the Government of the Kingdom of Denmark relating to the delimitation of the continental shelf between Greenland and Canada*, in force on 13 March 1974, Canada Treaty Series (CTS) 1974/9. See Article 2, para. 4, and Annex 4.

<sup>5</sup> Kenn Harper, "Hans Island Rightfully Belongs to Greenland, Denmark," *Nunatsiaq News*, 9 April 2004; Canadian Broadcasting Corporation (CBC) News, "Canada, Denmark agree to resolve dispute over Arctic island," 19 September 2005, <https://www.cbc.ca/news/world/canada-denmark-agree-to-resolve-dispute-over-arctic-island-1.551223>; and Rob Huebert, "Return of the 'Vikings': The Canadian-Danish dispute over Hans Island – new challenges for the control of the Canadian North," in *Breaking Ice: Renewable Resource and Ocean Management in the Canadian North*, eds. Fikret Berkes, Rob Huebert, Helen Fast, Micheline Manseau, and Alan Diduck (Calgary: University of Calgary Press, 2005), 319-336.

<sup>6</sup> Peter R. Dawes, "Hans Hendrik og Pantherekspeditionen, 1869," *Tidsskriftet Grønland*, no. 6 (1987), 191-218; Poul Kristensen, "Hans Island: Denmark Responds," letter to the editor, *Ottawa Citizen*, 28 July 2005. Fiskeresset is today known by its Greenlandic name, Qeqertarsuaq. The "discovery" and the life of Hans is covered in the Dawes text (in Danish) and elaborated in Jan Løve, "Hans Hendrik og Hans Ø" (Copenhagen: Det Grønlandske Selskab, 2016)

<sup>7</sup> Milton Freeman, *Inuit Land Use and Occupancy Project: Report* (Ottawa: Ministry of Supply and Services, 1976); Peter R. Dawes, "Hans Ø og Hans Ø," *Grønland* 2 (1985): 47-59.

<sup>8</sup> Department of External Affairs, "Canadian Sovereignty Over Hans Island," circa January 1953, file S99-2-11 pt. 1, released under Access to Information (ATIP) A-2019-11504.

<sup>9</sup> Indeed, the topographic maps that Canada used in 1967 to determine the island's co-ordinates when negotiating the 1973 treaty have proven inaccurate compared with satellite imagery gathered in the twenty-first century. See, for example, Canadian Press, "Satellite imagery moves Hans Island boundary: report," 26 July 2007, <https://www.cbc.ca/news/science/satellite-imagery-moves-hans-island-boundary-report-1.684285>.

<sup>10</sup> "Canada stirs up Arctic dispute again," 5 April 2019, clip on file at Global Affairs Canada, released under Access to Information (ATIP) A-2019-00529.

<sup>11</sup> Huebert, "Return of the 'Vikings'"; Mark Walker, "Hans off our island!," *Copenhagen Post*, 19 January 2016, <https://cphpost.dk/?p=9757>.

<sup>12</sup> In 2000, a team of scientists from the Geological Survey of Canada mapped the island and took geological samples. Canadian sources also suggest that the geological and geomorphological evidence cited by Denmark is relevant only when claiming continental shelf and not islands, where the test is effective occupation.

<sup>13</sup> Huebert, "Return of the 'Vikings.'" A plain language summary is available at [https://umanitoba.ca/institutes/natural\\_resources/canadaresearchchair/Breaking%20Ice%20Renewable%20Resource%20and%20Ocean%20Management%20in%20the%20Canadian%20North,%20Plain%20Language%20Version.pdf](https://umanitoba.ca/institutes/natural_resources/canadaresearchchair/Breaking%20Ice%20Renewable%20Resource%20and%20Ocean%20Management%20in%20the%20Canadian%20North,%20Plain%20Language%20Version.pdf). See also Rob Huebert, "Denmark's gunboat diplomacy over Hans Island a warning for future Arctic conflicts," *National Post*, 15 June 2022, <https://nationalpost.com/opinion/rob-huebert-denmarks-gunboat-diplomacy-over-hans-island-a-warning-for-future-arctic-conflicts>.

<sup>14</sup> Canadian Press, "Satellite imagery moves Hans Island"; Bill Graham, *The Call of the World: A Political Memoir* (Vancouver: UBC Press, 2016). When Danish representative Svend Roed Nielsen told the *National Post* that his government was trying to "keep our ammunition dry" in the dispute, Canada's minister of foreign affairs told Parliament: "I can assure this House, this government will not surrender any sovereignty of any of Canada's lands in the Arctic or anywhere else in the world." Media coverage prompted a rally in front of a Danish consulate by protesters declaring "We Eat Danish for Breakfast." Adrian Humphreys, "New proposal would see Hans Island split equally between Canada and Denmark," *National Post*, 11 April 2012, <https://nationalpost.com/news/canada/new-proposal-would-see-hans-island-split-equally-between-canada-and-denmark>.

<sup>15</sup> Rob Huebert, "Who Owns the Arctic?," The Agenda with Steve Paikin, TV Ontario, broadcast on 29

September 2008. On media coverage, see Mathieu Landriault, *La sécurité arctique 2000-2010 : Une décennie turbulente?* (Peterborough: North American and Arctic Defence and Security Network, 2020), 98-125; and Landriault, “Arctic Security and Sovereignty through a Media Lens: From a Pile of Frozen Rocks to the Bottom of the Sea,” in *Breaking Through: Understanding Sovereignty and Security in the Circumpolar Arctic*, eds. Wilfrid Greaves and P. Whitney Lackenbauer (Toronto: University of Toronto Press, 2021), 62-79. See also Kristensen, “Hans Island: Denmark Responds.”

<sup>16</sup> Niels Wang, *Sikkerhedspolitik i Arktis: en ligning med mange ubekendte*, Copenhagen: Atlantsammenslutningen – forum for sikkerhedspolitik (January 2012).

<sup>17</sup> Canada–Denmark Joint Statement on Hans Island, 19 September 2005. In 2008, the two countries cooperated in setting up an automatic weather station on the island to measure atmospheric conditions in Nares Strait, which connects the Arctic Ocean with the North Atlantic Ocean and thus plays a key role in the global hydrologic cycle. J.P. Wilkinson, P. Gudmandsen, S. Hanson, R. Saldo, and R.M. Samelson, “Hans Island: Meteorological Data From an International Borderline,” *Eos* 90, no. 22 (2 June 1990): 190-191. See also Humfrey Melling, Tom A. Agnew, Kelly K. Falkner, David A. Greenberg, Craig M. Lee, Andreas Münchow, Brian Petrie, Simon J. - Prinsenberg, Roger M. Samelson, and Rebecca A. Woodgate, “Fresh-Water Fluxes via Pacific and Arctic Outflows Across the Canadian Polar Shelf,” in *Arctic-Subarctic Ocean Fluxes: Defining the Role of the Northern Seas in Climate*, eds. Robert R. Dickson, Jens Meincke, and Peter Rhines (Dordrecht: Springer, 2008), 193-247.

<sup>18</sup> Breum, “Analysis: Hans Island - and the endless dispute over its sovereignty.” See also Albatros Expeditions, “The Dispute of Hans Island: A Tale of Canadian and Danish Diplomacy,” <https://albatros-expeditions.com/inspiration/dispute-hans-island>.

<sup>19</sup> Canadian Press, “Satellite imagery moves Hans Island”; CBC News, “Canada, Denmark continue talks on Hans Island,” 12 April 2012, <https://www.cbc.ca/news/canada/north/canada-denmark-continue-talks-on-hans-island-1.1254470>.

<sup>20</sup> For example, in 2015, international legal scholar Michael Byers and Professor Michael Böss of Aarhus University proposed that Canada and Denmark should share sovereignty and jurisdictional responsibility over the island, appointing a joint commission to settle governance issues where required. Bob Weber, “Experts say Canada, Denmark should share control of Arctic island,” *Globe and Mail*, 11 November 2015; Tarik Kehli, “En mulig løsning på Hans Ø-konflikten i sigte?,” *Magasinet Europa*, 8 December 2015, <https://magasineteuropa.dk/en-mulig-loesning-paa-hans-oe-konflikten-i-sigte/>.

<sup>21</sup> Marie Kûtse Kristensen, “Kuupik V. Kleist: Inuit bør eje Tartupaluk, ikke staterne,” Kalaallit Nunaata Radioa, 16 June 2022, <https://knr.gl/da/nyheder/kuupik-v-kleist-inuit-b%C3%B8r-eje-tartupaluk-ikke-staterne>.

<sup>22</sup> See, for example, Canada, Special Senate Committee on the Arctic, *Northern Lights: A Wake-Up Call for the Future of Canada* (June 2019), 112.

<sup>23</sup> Adam Lajeunesse and Heather Exner-Pirot, “Hans Island: A Housewarming Gift?” (June 2018), [https://adamlajeunesse.com/uploads/3/4/9/1/34912685/hans\\_island\\_-\\_3.pdf](https://adamlajeunesse.com/uploads/3/4/9/1/34912685/hans_island_-_3.pdf).

<sup>24</sup> See, for example, Humphreys, “New proposal would see Hans Island split equally.”

<sup>25</sup> Levon Sevunts, “Canada and Denmark set up joint task force to resolve Arctic boundary issues,” *Eye on the Arctic*, 23 May 2018, <https://www.rcinet.ca/eye-on-the-arctic/2018/05/23/greenland-canada-hans-island-sea-boundary/>; Christian W, “Denmark and Canada look to resolve border issue,” *Copenhagen Post*, 24 May 2018, <https://cphpost.dk/?p=100311>; and Sevunts, “Hans Island: a housewarming gift for Greenland?,” *Eye on the Arctic*, 18 June 2018, <https://www.rcinet.ca/eye-on-the-arctic/2018/06/18/hans-island-housewarming-gift-greenland/>.

<sup>26</sup> For example, negotiations did not go off the rails when, in early April 2019, Canada issued a prospecting permit to mining geologist John Robins, who admitted that his primary purpose was to “stir the pot” and press Canada to assert its sovereignty. Bob Weber, “‘Bit of a lark’: Canadian miner files claim on disputed Arctic island,” Canadian Press, 4 April 2019; Martin Breum, “New Dispute Illustrates What is in the Waiting at the North Pole,” 23 April 2019, newspaper clip released under Access to Information (ATIP) A-2019-00529. The Government of Canada, however, explained to Robins that a negotiated agreement between the Kingdom of Denmark and Canada “could affect any rights acquired under the Nunavut Mining Regulations in relation to the permit area,” and that Robins would have to provide advance notice of any activities on the island “to ensure that Canada has the opportunity to properly inform the Kingdom of Denmark” pursuant to the 2005 Joint Declaration. Erik Allain, Director of Lands, Crown-Indigenous Relations and Northern Affairs Canada to John Robins, 4 February 2019, released under Access to Information (ATIP) A-2019-00529. The next day (5 February 2019), the Canadian

legal advisor informed his Danish counterpart that Canada had issued the permit. Robins had secured a similar permit in 2006 and did not act upon it.

<sup>27</sup> “The Historic Agreement on Tartupaluk (Hans Island), Lincoln Sea and Labrador Sea: Insights from the Negotiators,” panel at the Arctic Circle Forum, Nuuk, 28 August 2022.

<sup>28</sup> “Historic Agreement on Tartupaluk (Hans Island), Lincoln Sea and Labrador Sea” panel.

<sup>29</sup> Global Affairs Canada, “Canada-Kingdom of Denmark joint statement on bilateral cooperation,” 14 June 2022, <https://www.canada.ca/en/global-affairs/news/2022/06/canada-kingdom-of-denmark-joint-statement-on-bilateral-cooperation.html>.

<sup>30</sup> “Historic Agreement on Tartupaluk (Hans Island), Lincoln Sea and Labrador Sea” panel.

<sup>31</sup> Ivik Kristiansen and Bibi Nathansen, ”Forsker: Delingen af Hans Ø er symbolsk - det spændende ligger i havet syd for Grønland,” Kalaallit Nunaata Radioa, 20 June 2022, <https://knr.gl/da/nyheder/forsker-delingen-af-hans-%C3%B8-er-symbolsk-det-sp%C3%A6ndende-ligger-i-havet-syd-gr%C3%B8nland>.

<sup>32</sup> There was disagreement concerning whether you could count a small island (Beaumont Island) as a base point on the Greenland side, which was resolved when Denmark modified its method. Michael Byers and Andreas Østhagen, “Why Does Canada Have So Many Unresolved Maritime Boundary Disputes?,” *Canadian Yearbook of International Law/Annuaire canadien de droit international* 54 (2017): 28-31.

<sup>33</sup> Department of Foreign Affairs and International Trade, “Canada and Kingdom of Denmark Reach Tentative Agreement on Lincoln Sea Boundary,” News Release, 28 November 2012.

<sup>34</sup> “Historic Agreement on Tartupaluk (Hans Island), Lincoln Sea and Labrador Sea” panel.

<sup>35</sup> For example, the Kingdom of Denmark, Iceland, and the Faroe Islands reached a political understanding in 2006 prior to their submission to the CLCS three years later, and they signed three continental shelf delimitation agreements in 2019. Government of the Faroe Islands, “Historic agreement expands Faroese continental shelf area,” 9 December 2019, <https://www.faroeislands.fo/the-big-picture/news/historic-agreement-expands-faroese-continental-shelf-area/>.

<sup>36</sup> Global Affairs Canada, “Canada and the Kingdom of Denmark, together with Greenland, reach historic agreement.”

<sup>37</sup> Múte B. Egede, “Múte: Inuusuttut nukittuut takorluisinnaasut kissaatigaakka,” 23 September 2022, [https://naalakkersuisut.gl/nyheder/2022/09/2309\\_aabningstale?sc\\_lang=kl-gl](https://naalakkersuisut.gl/nyheder/2022/09/2309_aabningstale?sc_lang=kl-gl).

<sup>38</sup> See Øystein Jensen, “The Barents Sea: Treaty between Norway and the Russian Federation concerning Maritime Delimitation and Cooperation in the Barents Sea and the Arctic Ocean,” *International Journal of Marine and Coastal Law* 26, no. 1 (2011): 151-168.

<sup>39</sup> Sergei Lavrov and Jonas Gahr Støre, “Canada, take note: Here’s how to resolve maritime disputes,” *Globe and Mail*, 21 September 2010.

<sup>40</sup> Statements also affirmed how “the ongoing and historical links fostered by Inuit in both Greenland and Canada provide opportunities to strengthen cooperation, between the two countries’ governments, including in areas of culture, mobility and transport, natural resources, and sustainable development through trade and infrastructure.” Global Affairs Canada, “Canada-Kingdom of Denmark joint statement.”

<sup>41</sup> “Canada ser deling af Hans Ø og hav som en sejr for alle parte,” *Politiken*, 14 June 2022, <https://politiken.dk/udland/art8829844/Canada-ser-delning-af-Hans-%C3%98-og-hav-som-en-sejr-for-alle-parter>.

<sup>42</sup> Global Affairs Canada, “Canada-Kingdom of Denmark joint statement.”

<sup>43</sup> On extended continental shelf delimitation processes, see Klaus Dodds, “Flag planting and finger pointing: The Law of the Sea, the Arctic and the political geographies of the outer continental shelf,” *Political Geography* 29, no. 2 (2010): 63-73; Michael Byers, *International Law and the Arctic* (Cambridge: Cambridge University Press, 2013); Elizabeth Riddell-Dixon, *Breaking the Ice: Canada, Sovereignty, and the Arctic Extended Continental Shelf* (Toronto: Dundurn, 2017); and Andreas Østhagen and Clive Schofield, “An ocean apart? Maritime boundary agreements and disputes in the Arctic Ocean,” *Polar Journal* 11, no. 2 (2021): 317-341.