

Analysis of the request submitted by Argentina for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Submitted by the Committee on Article 5 Implementation

(Belgium, France, Iraq and Sri Lanka)

1. Argentina ratified the Convention on 14 September 1999. The Convention entered into force for Argentina on 1 March 2000. In its initial transparency report submitted on 31 August 2000, Argentina reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Argentina was obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 March 2010. Argentina, believing that it will be unable to do so by that date, submitted, on 27 April 2009 to the President of the Ninth Meeting of the States Parties, a request for an extension of its deadline until 1 March 2020. The 2009 Second Review Conference granted the request.
2. On 19 March 2019, Argentina submitted to the Chair of the Committee on Article 5 Implementation ("the Committee") a request for extension of its 1 January 2020 deadline. Argentina's request was for three years (until 1 March 2023). The Committee noted with satisfaction that Argentina had submitted its request in a timely manner and had engaged in a cooperative dialogue with the Committee, including by meeting with the Committee on the margins of the Convention's May 2019 Intersessional Meetings. The Fourth Review Conference granted the request.
3. In granting the request, the Fourth Review Conference highlighted in its decision that Argentina has expressed that the sole circumstance which impeded the ability of Argentina to destroy all anti-personnel mines in mined areas that it had reported to be under its jurisdiction or control was that Argentina "does not exercise territorial control over the land to be demined". The Conference further noted the importance of a State Party providing information on changes to the status of the control of mined areas when such a State Party has indicated that matters related to control affect the implementation of Article 5 during extension periods.
4. On 25 March 2022, Argentina submitted to the Chair of the Committee a request for extension of its 1 March 2023 deadline. On 15 June 2022, the Committee wrote to Argentina requesting additional information and clarity on key areas of its request. On 30 August 2022, Argentina submitted to the Committee additional clarification in response to the Committee's questions. Argentina's request is for three years (until 1 March 2026). The Committee noted that Argentina had submitted the request in accordance with the process established by the States Parties and has engaged in a fruitful discussion with the Committee on matters related to the extension request.
5. As in Argentina's previous request, the request indicates that circumstances that made it necessary for Argentina to request an extension in 2019 remain unchanged. The request also recalls the Interpretive Declaration that the Argentine Republic formulated at the time of ratifying

the Convention¹. The request indicates that calls from Argentina to the United Kingdom in 2020 to conclude with implementation in a cooperative manner, under the sovereignty formula and for strictly humanitarian ends, have been rejected. The request also indicates that Argentina remains unable to carry out verification and declare fulfilment of its obligations under Article 5 of the Convention. The request furthermore refers to information contained within the 2009 request.

6. The Committee noted that, given the circumstances highlighted by Argentina which prevent it from declaring completion and taking into account the information contained in the document mentioned in the Final Report of the Nineteenth Meeting of the States Parties under the quotation APLC/MSP.19/2021/MISC.6, Argentina may find itself in a situation wherein it could proceed with implementation faster than that suggested by the amount of time requested.
7. The Committee noted the importance of seeking a cooperative solution to the current impasse and assumes that, during the period leading to the requested extended deadline, Argentina would continue to evaluate the situation and form a fresh opinion as to whether matters have evolved so that Argentina is, or may in the future be, in a position to declare completion of its obligations under Article 5. The Committee noted the importance of Argentina keeping the States Parties regularly apprised of efforts in this regard and other pertinent developments regarding its implementation of Article 5.

¹ https://treaties.unoda.org/a/mine_ban/argentina/RAT/un