

Meeting of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

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Twentieth Meeting
Geneva, 21–25 November 2022
Item 12 of the provisional agenda
**Consideration of requests submitted
under Article 5**

Request for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Executive summary

Submitted by Argentina

1. The Government of Argentina submits a request for an extension, from 1 March 2023 until 1 March 2026, of the deadline for meeting its obligation under Article 5 of the Convention. The Government firmly intends to complete the humanitarian demining of anti-personnel mines laid in the Malvinas Islands, the only area of Argentine national territory affected by such weapons, which it is unable to gain access to owing to the illegal British occupation.
2. The special and particular colonial situation of the Malvinas Islands is reflected in the interpretative declaration that Argentina submitted upon its ratification of the Convention on 14 September 1999. The interpretative declaration, which has not been amended and which constitutes the main basis for the extension granted to Argentina for meeting its obligation under Article 5, reads as follows:

The Argentine Republic declares that in its territory, in the Malvinas, there are anti-personnel mines. This situation was brought to the attention of the Secretary-General of the United Nations when providing information within the framework of General Assembly resolutions 48/7; 49/215; 50/82; and 51/149 concerning “Assistance in mine clearance”. Since this part of the Argentine territory is under illegal occupation by the United Kingdom of Great Britain and Northern Ireland, the Argentine Republic is effectively prevented from having access to the anti-personnel mines placed in the Malvinas in order to fulfil the obligations undertaken in the present Convention. The United Nations General Assembly has recognized the existence of a dispute concerning sovereignty over the Malvinas, South Georgia and South Sandwich and has urged the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to maintain negotiations in order to find as soon as possible a peaceful and lasting solution to the dispute, with the good offices of the Secretary-General of the United Nations, who is to report to the General Assembly on the progress made. The Special Committee on decolonization has taken the same position, and has adopted a resolution every year stating that the way to put an end to this colonial situation is the lasting settlement, on a peaceful and negotiated basis, of the sovereignty dispute, and requesting both Governments to resume negotiations to that end. The most recent of these resolutions was adopted on 1 July 1999. The Argentine



Republic reaffirms its rights of sovereignty over the Malvinas, South Georgia and South Sandwich and the surrounding maritime areas which form an integral part of its national territory.

3. As the interpretative declaration states, the General Assembly has recognized the existence of a sovereignty dispute between the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland over the Malvinas Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas in resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25 on the question of the Malvinas Islands.

4. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples adopts annual resolutions on the same issue, the most recent of which was adopted by consensus on 24 June 2021.

5. Despite the repeated declarations by the United Nations and other international organizations and regional forums, the United Kingdom persists in refusing to heed calls by the international community to resume sovereignty negotiations.

6. Argentina reaffirms that the Malvinas Islands, South Georgia, the South Sandwich Islands and the surrounding maritime areas are an integral part of Argentine national territory and, being illegally occupied by the United Kingdom since 1833, are the subject of a sovereignty dispute recognized by the United Nations, which calls the question of the Malvinas Islands a special and particular case of decolonization. Argentina rejects any unilateral British activities in the area subject to the sovereignty dispute; moreover, it is prevented from verifying the results of those activities.

7. Argentina regrets that the United Kingdom has persisted in carrying out unilateral demining activities and recalls that, on 11 October 2001 and 3 August 2006, Argentina and the United Kingdom, exchanging notes, entered into agreements, including a formula stating that the agreements had no bearing on either country's claims of sovereignty, on a feasibility study of the removal of anti-personnel mines and unexploded ordnance from mined areas on the Malvinas Islands. The final report in that regard was approved by both Governments and submitted separately to the eighth Meeting of States Parties in November 2007. However, in 2009 the United Kingdom stated that it had initiated demining activities unilaterally and without the participation of Argentina.

8. The Government of Argentina considers that, where difficulties arise in the demining process because it is being carried out on a territory recognized by the United Nations as subject to a sovereignty dispute, priority should be given to cooperation and technical and humanitarian tasks related to the process, so that it might be concluded more quickly and effectively.

9. On 1 October 2009, upon submitting its request for an extension, Argentina presented a schematic plan to implement Article 5 of the Convention in the areas in question during the 10-year extension period, in the event of an agreement by the two countries on the clearance of anti-personnel mines.

10. In March 2019, Argentina requested an additional extension for the period from 1 March 2020 to 1 March 2023. In that context, a proposal, including a formula stating that acceptance of the proposal had no bearing on either country's claims of sovereignty, was made to the United Kingdom for the joint demining of the Malvinas Islands for strictly humanitarian purposes. That proposal was rejected. In 2020, Argentina made a further proposal to the United Kingdom to conclude the demining process jointly, stating that it was open to finding a mutually convenient arrangement that would allow the two countries to make progress on the issue. The United Kingdom also rejected the second proposal.

11. Bearing in mind that Argentina continues to be prevented from having access to the Malvinas Islands in order to meet its obligations under the Convention and that it cannot verify or endorse the unilateral demining activities carried out by the United Kingdom, the Government would be grateful if the Meeting of States Parties looked favourably upon its request for a three-year extension, so that Argentina may continue to fulfil its commitments as a State party to the Convention.