

**ARTICLE 5 DEADLINE: 1 MARCH 2023**  
ON TRACK TO MEET DEADLINE

## RECOMMENDATIONS FOR ACTION

- Argentina should continue to monitor the situation and provide updates if there are any changes to the status of control of mined areas.

## UNDERSTANDING OF AP MINE CONTAMINATION

Argentina reports that it is mine-affected by virtue of its claimed sovereignty over the Malvinas/Falkland Islands.<sup>1</sup> On ratifying the Anti-Personnel Mine Ban Convention (APMBC), Argentina submitted a declaration reaffirming “its rights of sovereignty over the Malvinas, South Georgia and South Sandwich and the surrounding maritime areas which form an integral part of the territory.”<sup>2</sup> It reiterated this declaration most recently at the Fourth Review Conference in November 2019.<sup>3</sup>

The islands were mined, mostly by Argentinian forces, during its armed conflict with the United Kingdom in 1982. Argentina has reported that no other territory under its jurisdiction or control is mine-affected.<sup>4</sup>

## PROGRAMME MANAGEMENT

Argentina has a Humanitarian Demining Working Group (Grupo de Trabajo Desminado Humanitario) established by a Ministry of Defence Resolution, to which the Ministry of Foreign Affairs is invited, and a Humanitarian Demining Training Centre (Centro de Entrenamiento de Desminado Humanitario).<sup>5</sup>

## LAND RELEASE OUTPUTS AND ARTICLE 5 COMPLIANCE

Argentina has stated that it is unable to meet its Article 5 obligations because it has not had access to the Malvinas due to the “illegal occupation” by the United Kingdom. It did, however, make an offer more than a decade ago to support demining of the islands. In November 2018, Argentina reiterated its claim of sovereignty over the islands and declared that if the United Kingdom entered into negotiations over sovereignty, an agreement on demining could be reached between the two states.<sup>6</sup>

Under Article 5 of the APMBC, and in accordance with the three-year and three-month extension granted in 2019 (the second extension granted since Argentina became a State Party in 2000), Argentina is required to destroy all anti-personnel mines in mined areas under its jurisdiction or control as soon as possible, but not later than 1 March 2023. In the request and in its statement at the Fourth Review Conference, Argentina has indicated its readiness to elaborate a new provisional agreement on the basis of a form of joint sovereignty with the United Kingdom, which would enable the full clearance of anti-personnel mines.<sup>7</sup>

In 2018, the United Kingdom submitted and was granted a request to extend its Article 5 deadline by an additional five years until 1 March 2024, which includes a plan to complete the demining of the Malvinas/Falkland Islands.<sup>8</sup> By the end of March 2020, only four remaining mined areas remained, totalling an estimated 226,958m<sup>2</sup>, and the United Kingdom planned to completed clearance by the end of 2020.<sup>9</sup>

At the Fourth Review Conference, the United Kingdom responded to Argentina’s Article 5 extension request, stating that there could be no dialogue with Argentina on sovereignty unless requested by the Falkland Islanders and that the 2013 referendum made it clear that the people of the Islands do not want dialogue on sovereignty.<sup>10</sup>

1 Article 7 Report (covering 2018), Form A.

2 Article 7 Report (covering 1999), Form A.

3 Statement of Argentina, Fourth Review Conference, Oslo, 26 November 2019.

4 Statement of Argentina, 16th Meeting of States Parties, Vienna, 20 December 2017.

5 Article 7 Report (covering 2018), Form A.

6 Statement of Argentina, 17th Meeting of States Parties, Geneva, 27 November 2018.

7 Argentina 2019 Article 5 deadline Extension Request, 19 March 2019, at: [bit.ly/2JBbkAM](https://bit.ly/2JBbkAM); Statement of Argentina, Fourth Review Conference, Oslo, 26 November 2019.

8 UK 2018 Article 5 deadline Extension Request.

9 UK Foreign and Commonwealth Office, Falklands Demining Programme Work Plan under Article (5), 30 April 2020, pp. 3–4.

10 Statement of United Kingdom, Right of Reply in response to Argentina’s Article 5 Extension Request, Fourth Review Conference, Oslo, 26 November 2019.