

ARGENTINA (ISLAS MALVINAS)

ARTICLE 5 DEADLINE: 1 JANUARY 2020
(NOT ON TRACK TO MEET DEADLINE)

RECOMMENDATION FOR ACTION

- Argentina should renew an earlier offer it made to the United Kingdom (UK) to support demining of the Malvinas/Falkland Islands.

CONTAMINATION

Argentina reports that it is mine-affected by virtue of its claim to sovereignty over the Malvinas/Falkland Islands.¹ 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.”² It reiterated this declaration at the Sixteenth Meeting of States Parties and the June 2018 APMBC Intersessional Meetings.³ The islands were mined, mostly by Argentinian forces, during its armed conflict with the UK in 1982. Argentina has reported that no other territory under its jurisdiction or control is mine-affected.⁴

PROGRAMME MANAGEMENT

Argentina has a Humanitarian Demining Office under the Office of the Joint Chiefs of Staff of the Armed Forces and a Humanitarian Demining Training Centre (Centro de Entrenamiento de Desminado Humanitario).

LAND RELEASE

Argentina has argued 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 UK. It did, however, make an offer more than a decade ago to support demining of the islands. In December 2017, Argentina reiterated its claim of sovereignty over the islands and declared that if the UK entered into negotiations over sovereignty an agreement on demining could be reached between the two states.⁵

ARTICLE 5 COMPLIANCE

Under Article 5 of the APMBC, and in accordance with the 10-year extension granted in 2009 by the Second Review Conference, 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 January 2020.

At the Second Review Conference Argentina said it was unable to meet its Article 5 obligations because it did not have access to the Malvinas due to the “illegal occupation” by the UK. Argentina said for this reason it had no other choice than to request an extension to its clearance deadline.⁶

In March 2018, the United Kingdom formally submitted a request to extend its Article 5 deadline by an additional five years until 1 March 2024. This deadline is to complete the demining of the Malvinas/Falkland Islands.⁷ In light of this, Argentina will also need to submit an extension request in 2019, before the expiry of its Article 5 deadline.

1 Article 7 Report, Form A, 8 April 2010.

2 Article 7 Report, Form A, 31 August 2000.

3 Statements of Argentina, APMBC 16th Meeting of States Parties, Vienna, 20 December 2017; and Committee on Article 5 Implementation, Geneva, 7 June 2018.

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

5 Ibid.

6 Statement of Argentina, Second APMBC Review Conference, Cartagena, 30 November 2009.

7 United Kingdom, Article 5 deadline Extension Request, 29 March 2018.