

ANTI-PERSONNEL MINE BAN CONVENTION ARTICLE 5 DEADLINE: 1 JANUARY 2020
THREE-YEAR EXTENSION REQUESTED TO 1 MARCH 2023

RECOMMENDATIONS FOR ACTION

- Argentina should work with the United Kingdom to reach an agreement on the joint clearance of the Malvinas/Falkland Islands.

UNDERSTANDING OF 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 most recently at the Seventeenth Meeting of States Parties and the May 2019 APMBC Intersessional Meetings.³

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.⁴

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).⁵

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.⁶

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. In March 2019, Argentina formally submitted a request to extend its Article 5 deadline until 1 March 2023. In the request, Argentina has indicated its predisposition to elaborate a new provisional agreement on the basis of a form of joint sovereignty that would permit the clearance of anti-personnel mines with the United Kingdom.⁷

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.⁸

1 Article 7 Report (for 2009), Form A.

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

3 Statement of Argentina, 17th Meeting of States Parties, Geneva, 27 November 2018; and Committee on Article 5 Implementation, Geneva, 22 May 2019.

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

5 Article 7 Report (for 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.

8 United Kingdom 2018 Article 5 deadline Extension Request.