

## **18<sup>TH</sup> MEETING OF THE STATES PARTIES TO THE OTTAWA CONVENTION**

### **ITEM 9.B)**

#### **REPLY OF THE ARGENTINE DELEGATION TO THE UNITED KINGDOM ANNOUNCEMENT**

#### **MALVINAS ISLANDS**

(ENGLISH VERSION)

The Argentine Republic wishes to refer to the announcement made by the United Kingdom regarding the alleged fulfillment of its supposed obligations under Article 5 of this Convention with respect to the Malvinas Islands, an Argentine territory that the United Kingdom unlawfully considers to be under its jurisdiction or control.

The Argentine Republic reiterates the particular situation of the Malvinas Islands, as described in the Declaration that the Argentine Republic communicated when it ratified the Convention on 14 September 1999.

As that part of Argentine territory continues to be under illegal occupation by the United Kingdom of Great Britain and Northern Ireland, the Argentine Republic is effectively prevented from accessing the antipersonnel mines placed in the Malvinas Islands in order to comply with the commitments assumed in this Convention. Therefore, the Argentine Republic rejects the unilateral British demining activities in the area subject to the sovereignty dispute, the result of which, furthermore, it is unable to verify.

Moreover, the Argentina Republic regrets that the United Kingdom has persisted in carrying out unilateral demining activities, which contrasts with a history of bilateral technical cooperation in the matter that had yielded promising results. In fact, the Argentine Republic and the United Kingdom had agreed through an Exchange of Notes under the sovereignty formula, on 11 October 2001 and 3 August 2006, to conduct a feasibility study on the removal of antipersonnel mines (including the unexploded ordnance from mined areas) in the Malvinas Islands. The Final Report was approved by both Governments and presented separately to the Eighth Meeting of the States Parties in November 2007. However, after the presentation of the aforementioned report, in 2009 the United Kingdom began demining tasks unilaterally and without Argentine participation.

Despite this situation, the Argentine Republic maintained its commitment to conclude the demining of the Malvinas Islands bilaterally, in view of the initiative's humanitarian value and the commitments assumed within the framework of this Convention. Thus, last year Argentina formally proposed to the United Kingdom a new provisional understanding, under the sovereignty formula, which would allow the remaining demining tasks to be jointly carried out ahead of the Convention's deadlines. However, the United Kingdom maintained its unilateral approach and again rejected the Argentine Republic's offer of bilateral technical cooperation, despite having expressly stated in its response note of 20 May 2019 that "The United Kingdom hopes we can continue with the cooperation framed in the Convention".

Notwithstanding the United Kingdom's aforementioned refusal to jointly advance the demining of the Malvinas Islands, the Argentine Republic again proposed to the United Kingdom, last October, a strictly technical and humanitarian bilateral agreement, under the sovereignty formula, that allows both countries to definitively conclude the demining process.

In this last proposal, the Argentine Republic, as expressed in its 4 November 2020 note to the Foreign, Commonwealth & Development Office of the United Kingdom, states that our country is open to defining a modality that is convenient for both parties to help advance this issue. In this regard, we hope that the United Kingdom will positively consider the proposal and resume its willingness to cooperate, as demonstrated in 2001 and 2006, and as expressed in its 2019 note.

Finally, it should be recalled that the United Nations General Assembly has recognized the existence of a sovereignty dispute between the Argentine Republic and the United Kingdom, and has urged both governments to resume negotiations in order to find, as soon as possible, a peaceful and final settlement of the dispute. In the same sense, the Special Committee on Decolonization, which annually adopts a Resolution on the issue - the last one on 5 August 2020-, has stated that the way to end the dispute is through negotiations between the two Parties.

The Argentine Republic reaffirms its sovereign rights over the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas that are an integral part of its national territory.