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Question of the Falkland Islands (Malvinas)**Letter dated 10 June 2023 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General**

Upon instructions from my Government, I have the honour to transmit herewith the official press release of the Ministry of Foreign Affairs, International Trade and Worship of the Argentine Republic on the occasion of the Day of Affirmation of the Rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the Surrounding Maritime Areas, which is commemorated every 10 June.

I would be grateful if the present letter and its annex could be circulated as a document of the General Assembly under agenda item 40, concerning the question of the Malvinas Islands.

(Signed) María del Carmen **Squeff**
Ambassador
Permanent Representative



Annex to the letter dated 10 June 2023 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

“10 June: Day of Affirmation of Argentina’s Rights Over the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime and insular areas

On 10 June 2023, the Government and the People of the Argentine Republic commemorate the 194th anniversary of the creation, by the Government of the Province of Buenos Aires, of the Political and Military Commandancy for the Malvinas Islands and the islands adjacent to Cape Horn.

From the beginning of its independence process in 1810, Argentina – having inherited the Spanish territories in the South Atlantic – continuously exercised its rights over the southern archipelagos located there. Spanish jurisdiction over the islands had been continuously exercised by 32 successive governors residing in the islands and reporting to Buenos Aires from 1767 until 1811, when Spain withdrew its garrison (leaving signs of possession) in the context of the Independence War in the Río de la Plata.

The first governments of the United Provinces took several administrative steps in which they regarded the Malvinas Islands as an integral part of their territory. On 6 November 1820, Argentine Navy Colonel David Jewett took possession of the Malvinas Islands on behalf of the United Provinces of the Río de la Plata and raised the Argentine flag for the first time there. The Argentine Government also enacted legislation and established legal and administrative structures to consolidate the full exercise of its sovereignty, including the promotion of trade activities and the establishment of settlements.

A milestone in the consolidation of the exercise of Argentina’s sovereignty over the South Atlantic Islands was the promulgation of a Decree signed on 10 June 1829 by the then Governor of the Province of Buenos Aires, Martín Rodríguez. Such Decree provided that “the Malvinas Islands and the Islands adjacent to Cape Horn in the Atlantic Ocean shall be governed by a Political and Military Commander to be appointed immediately by the Government of the Republic.” The person appointed was Luis Vernet, who settled in the islands and publicly exercised his authority and jurisdiction.

However, on 3 January 1833, such effective exercise of sovereignty was interrupted by an act of force carried out by the United Kingdom, which illegally occupied the islands and expelled the legitimate Argentine authorities and settlers. This usurpation disrupted the territorial integrity of Argentina, a situation to which no Argentine Government has ever consented in over 190 years of history.

Since then, there has been a sovereignty dispute between the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland, as recognized by the United Nations General Assembly through Resolution [2065 \(XX\)](#), adopted in 1965.

In compliance with this Resolution, starting in 1966 and for 16 years, both countries conducted negotiations in order to find a solution to the sovereignty dispute. However, despite Argentina’s countless invitations and the United Nations exhortations, the United Kingdom has systematically refused to resume sovereignty negotiations. The United Kingdom makes the resumption of negotiations conditional upon the consent of the islanders, thereby disregarding the Resolution adopted by the

General Assembly. Through its successive pronouncements, and those of the Special Committee on Decolonization, the UN General Assembly has confirmed that, even though the Malvinas Islands are a colonized territory, its inhabitants are not subject to colonial subjugation, domination or exploitation and, thus, the right to self-determination is not applicable to them. On the contrary, the composition of the population of the Islands is the result of the colonization initiated in 1833 by the United Kingdom, which after occupying the territory by force and expelling the Argentine authorities, implemented measures to favour the settlement of British subjects with the purpose of preserving the “British character” of the population of the islands and hindering the settlement of Argentine nationals coming from the mainland.

Argentina notes with concern that, even today, discretionary restrictive immigration policies are being applied. Said policies limit the possibility of establishing residence, acquiring land, finding employment or engaging in commercial or professional activities in the Malvinas Islands, particularly for Argentine nationals coming from the mainland.

Consequently, the right to self-determination is not applicable to the Malvinas Question. Rather, in line with the principle established in paragraph 6 of resolution [1514 \(XV\)](#), in this case the territorial integrity of Argentina, disrupted by the British act of force of 1833 which was never consented to by the Argentine Government, must be respected.

The international community has, for its part, reiterated the need for bilateral negotiations to be resumed as soon as possible, as stated in 10 resolutions of the UN General Assembly and over 40 resolutions of the UN Special Committee on Decolonization, in addition to several declarations issued at regional and multilateral forums, such as the Organization of American States, the Group of 77 and China, the Southern Common Market (MERCOSUR), the Ibero-American Summits, the Community of Latin American and Caribbean States (CELAC), the Zone of Peace and Cooperation of the South Atlantic (ZPCAS), the Central American Integration System (SICA), the Mercosur Parliament (PARLASUR), the Central American Parliament (PARLACEN), the Africa-South America Summit (ASA) and the Summit of South American-Arab Countries (ASPA).

The refusal to comply with the obligation to resume sovereignty negotiations has been aggravated by the United Kingdom’s continuous unilateral actions, including the exploration and exploitation of both renewable and non-renewable natural resources, which Argentina has constantly condemned.

In addition, the United Kingdom maintains an unjustified and disproportionate military presence in the Islands and regularly conducts military manoeuvres and exercises against which Argentina has emphatically protested and which constitute wilful disregard for the calls made in the various resolutions adopted by the United Nations and other international organizations.

As part of British militarization in the South Atlantic, the United Kingdom has recently introduced third-party security forces into the islands, against which Argentina has emphatically protested since this constitutes wilful disregard for the calls made in the various resolutions adopted by the United Nations and other international organizations. British military presence, in particular, also contravenes Resolution [41/11](#) of the General Assembly (Zone of Peace and Cooperation of the South Atlantic), which, among other provisions, calls upon States of all other regions, particularly militarily significant States, to scrupulously respect the region of the South Atlantic as a zone of peace and cooperation, especially through the reduction and eventual elimination of their military presence there.

All of these acts are contrary to Resolution 31/49 of the United Nations General Assembly and have prompted expressions of concern and condemnation by the international community. Recovering effective exercise of our sovereignty over the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime and insular areas, in accordance with international law and respecting the way of life of the islanders, is a permanent and unrenounceable goal of the Argentine people, as established in the First Temporary Provision of the Argentine Constitution.

All Argentine democratic governments have continuously rejected the use of force and showed their willingness to engage in bilateral negotiations in order to find a peaceful solution to the dispute, in accordance with UNGA resolutions and international law. Pursuant to this mandate, the Argentine Republic once again calls upon the United Kingdom to resume negotiations on the Question of the Malvinas Islands under Resolution 2065 (XX), Resolution 37/9 and other relevant resolutions of the General Assembly.

In order to comply with these resolutions, earlier this year, in March, Foreign Minister Santiago Cafiero submitted to his British counterpart, Secretary of State for Foreign, Commonwealth and Development Affairs James Cleverly, a proposal for the resumption of sovereignty negotiations over the Malvinas Question and extended an invitation to a meeting for the two countries to agree on an agenda of negotiations at the United Nations headquarters. However, the United Kingdom continues to refuse.

Argentina's proposal refers to the need to establish a new bilateral agenda on the South Atlantic and provides for the adoption of a formal negotiation procedure that is transparent, based on good faith and periodic, so as to address issues of common interest, including the resumption of sovereignty negotiations, connectivity between the islands and the Argentine mainland, practical measures aimed at securing the interests and way of life of islanders, conservation of natural resources and demilitarization of the disputed areas. In addition, the proposal conveys Argentina's willingness to continue with humanitarian tasks for the identification of former soldiers, within the framework of the obligations arising from International Humanitarian Law and with a view to providing answers and solace to families.

The Argentine Republic once again reaffirms its sovereignty over the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas, which are an integral part of its national territory, as well as its unwavering willingness to resume sovereignty negotiations with the United Kingdom as soon as possible in order to find a definitive solution to this colonial situation.

Buenos Aires, 10 June 2023"
