



General Assembly

Distr.: General
27 February 2020

Original: English

Seventy-fourth session

Agenda item 43

Question of the Falkland Islands (Malvinas)

**Letter dated 20 February 2020 from the Permanent
Representative of the United Kingdom of Great Britain and
Northern Ireland to the United Nations addressed to the
Secretary-General**

In accordance with instructions received from the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honour to refer to the letter dated 3 January 2020 from the Permanent Representative of Argentina to the United Nations addressed to you. I should be grateful if you would circulate the present letter and its annex as a document of the General Assembly, under agenda item 43.

(Signed) Karen **Pierce**



Annex to the letter dated 20 February 2020 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

The United Kingdom is clear about both the historical and legal position on the sovereignty of the Falkland Islands. No civilian population was expelled from the Falkland Islands on 3 January 1833. An Argentine military garrison had been sent to the Falkland Islands three months earlier in an attempt to impose Argentine sovereignty over British sovereign territory. The United Kingdom immediately protested and later expelled the Argentine military garrison on 3 January 1833. The civilian population, who had previously sought and received British permission to reside on the Islands, were encouraged to remain. The majority voluntarily chose to do so. In 1833, the territorial borders of the Republic of Argentina did not include the geographical southern half of its present form, nor any territory in the Falkland Islands, Antarctica, or South Georgia and the South Sandwich Islands. The land that now forms the Argentine province of Tierra del Fuego, of which the Republic of Argentina purportedly claims the Falkland Islands forms a part, did not itself form part of the Republic of Argentina until approximately half a century after 1833, by which time the current Falkland Islands people had lived and raised two generations on the Islands. British sovereignty over the Falkland Islands dates back to 1765, some years before the Republic of Argentina even existed.

The United Kingdom's relationship with the Falkland Islands, and all of its overseas territories, is a modern one based on partnership, shared values and the right of the people of each territory to determine their own future. The United Kingdom Government attaches great importance to the principle and the right of self-determination as set out in Article 1.2 of the Charter of the United Nations and article 1 of the International Covenant on Civil and Political Rights, respectively.

As such, the United Kingdom remains committed to defending the rights of the people of the Falkland Islands to determine their own political, social and economic future. This includes unequivocal support for the right of the Falkland Islanders to develop their natural resources for their own economic benefit. Hydrocarbon exploration in the Falkland Islands is a legitimate commercial venture regulated by the legislation of the Falkland Islands Government, in strict accordance with the United Nations Convention on the Law of the Sea. Argentine domestic law does not apply to the Falkland Islands. The politically motivated decision by a previous Argentine Government to target the assets of, and to criminalize the activities of individuals working for, international companies involved in Falklands hydrocarbons is a wholly unacceptable attempt to exercise extraterritorial jurisdiction, and has no legal justification whatsoever. Furthermore, it has dangerous implications for global business and the principles of free trade.

The Republic of Argentina regularly refers to regional statements of diplomatic support for sovereignty negotiations, including United Nations resolutions. However, none of these modify or dilute the obligation on States to respect the legally binding principle of self-determination. This means there can be no dialogue on sovereignty unless the Falkland Islanders so wish. The 2013 referendum – in which 99.8 per cent of those who voted wanted to maintain their current status as a territory of the United Kingdom – sent a clear message that the people of the Islands do not want dialogue on sovereignty.

Additionally, the Government of Argentina regularly refers to the military presence in the Falkland Islands. The United Kingdom's forces in the South Atlantic are entirely defensive, and are at the appropriate level to ensure the defence of the

Falkland Islands against any potential threat. In fact, the United Kingdom's military presence has significantly reduced over time. The United Kingdom continues to keep its force levels under review.

The United Kingdom and the Falkland Islands Government remain willing to discuss areas of mutual interest in the South Atlantic, with the precondition that representatives of the Falkland Islands Government must participate in any discussion of issues that affect the Falkland Islands people directly.
