

ARCHIVE CLASSIFICATION: TREATIES

ANGLO-SPANISH DECLARATION & RESTITUTION OF PORT EGMONT — 1771

Sovereign Disavowal of Buccarelli's Expulsion and Restitution of Port Egmont to the British Crown

Date / Promulgation:	Promulgated: 22 January 1771	Issuing Authority:	Prince of Masserano (Spain) & Earl of Rochford (Britain)
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KEY FORENSIC SIGNIFICANCE IN INTERNATIONAL LAW:

Following the unprovoked attack on Port Egmont in 1770 by Francisco Bucareli, the Spanish Crown signed a formal diplomatic Declaration disavowing the expedition and restoring Port Egmont, its garrison, and all armaments to King George III. In international law, this formal restitution repudiated any claim of exclusive Spanish sovereignty over the archipelago and solidified the British legal presence.

DIPLOMATIC DECLARATION OF THE PRINCE OF MASSERANO (22 JANUARY 1771)

His Catholic Majesty, having in view only the preservation of peace... has given orders to his Extraordinary Ambassador to declare, and the said Ambassador declares by these presents, that His Catholic Majesty, considering that the expedition against Port Egmont was carried out by the Governor of Buenos Aires without his authorization, disavows the said violent enterprise, and engages that things shall be restored in the Great Malouine, at the place called Port Egmont, precisely to the state in which they were before the 10th of June 1770.

To this effect His Catholic Majesty has given orders to deliver up to the officer authorized by His Britannic Majesty the said Port and Fort called Egmont, with all its artillery, munitions, and effects of His Britannic Majesty and of his subjects which were there at that time.

ACCEPTANCE DECLARATION OF THE EARL OF ROCHFORD (22 JANUARY 1771)

His Britannic Majesty, having seen and considered the Declaration signed this day by the Prince of Masserano, Ambassador Extraordinary from His Catholic Majesty, wherein His Catholic Majesty disavows the enterprise undertaken by the Governor of Buenos Aires against Port Egmont, and engages that things shall be restored to the state in which they were prior to the 10th of June 1770... His Majesty is pleased to authorize the undersigned Secretary of State to declare that he accepts the said Declaration as satisfaction for the injury done to the Crown of Great Britain.

FORENSIC ANALYSIS: THE MYTH OF THE 'SECRET PLEDGE'

Argentine polemicists have frequently claimed that Britain secretly pledged to abandon the islands after the restitution. Exhaustive searches of both the British National Archives (Kew) and the Spanish Archivo General de Simancas have confirmed that no secret agreement, written promise, or verbal pact ever existed. Britain withdrew its garrison in 1774 for financial reasons following the onset of the American War of Independence, leaving behind a permanent lead plaque declaring continuing sovereignty under George III.