



# NUCLEAR FREE NATION

MOTU KARIHI KAU

**Classroom Activities** *Teachers' Resource*

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#### Introduction

On 8 June 1987 the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act became law. The Act was the result of widespread efforts by hundreds of peace groups over several decades to generate public and political support for a ban on nuclear weapons and nuclear-powered ship visits. This reversed New Zealand's previous position, which for the majority of the period 1945-72, and again from 1976-84, was a policy of unquestioning support for nuclear weapons.

During the 1950s many citizen groups educated the public about nuclear weapons and the effects of nuclear testing in the Pacific. In 1963, the New Zealand Campaign for Nuclear Disarmament collected 80,238 signatures for a "No Bombs South of the Line" petition calling for a Southern Hemisphere Nuclear Free Zone. Prime Minister Norman Kirk sent a frigate to Mururoa (near Tahiti, French Polynesia) in 1973 to protest against French nuclear testing. Under Kirk, New Zealand also took France to the World Court, challenging the legality of its tests. In 1974, during the Court proceedings, France announced that it would stop atmospheric (above-ground) tests - but instead switched to testing underground.

In the early 1980s politicians and members of the Labour and Social Credit Parties passed 'nuclear free' resolutions at party conferences and drafted parliamentary bills. By 1984, 61% of the population lived in 86 locally-declared nuclear free zones (the result of a campaign headed by Larry Ross and the New Zealand Nuclear Free Zone Committee, based in Christchurch). With so much public support, by the 1984 general election four out of the five major political parties had responded by adopting nuclear free policies.

David Lange's Labour government, elected in July 1984, immediately banned all nuclear weapons from New Zealand and prepared nuclear free legislation. As a result, the Australia, New Zealand and US (ANZUS) military alliance was suspended. In 1986 the South Pacific was declared a nuclear free zone under the Treaty of Rarotonga. By 1987, when the legislation was passed, 72% of New Zealanders lived in local nuclear free zones. In 1990 the National Party also adopted a nuclear free policy. However, in 1992 National unsuccessfully challenged the clause in the legislation banning nuclear propulsion in an attempt to reactivate ANZUS. In November 2006 it affirmed that the legislation would stay intact.

### **What does the New Zealand Nuclear Free Zone Act do?**

- New Zealand's land, airspace and 12-mile territorial waters are declared a nuclear free zone
- It is an offence to manufacture, acquire, possess or control nuclear weapons within this zone
- No New Zealander or permanent resident who works for the government, including the military, may possess or control nuclear weapons, or assist anyone else to do so, anywhere in the world
- Nuclear weapons cannot be stationed or deployed in New Zealand, nor tested in the zone
- No military vessel or aircraft may enter New Zealand unless the Prime Minister is satisfied that it is not carrying nuclear weapons
- Nuclear powered ships are banned from the zone
- A Public Advisory Committee on Disarmament and Arms Control and a Peace and Disarmament Education Trust were established
- A Disarmament Minister was appointed and a Disarmament Division created within the Foreign Ministry.

### **1984 - New Zealand Rejects Nuclear Deterrence**

Nuclear deterrence was the doctrine that governed international security during the Cold War (early-1950s to early-1990s). This relied on the belief that if a nation had nuclear weapons, other nations would be discouraged ('deterred') from attacking it, due to the threat of unacceptably devastating consequences if a nuclear attack was launched in retaliation. Thus, nuclear weapons were said to create a security 'umbrella'. Prior to 1984, New Zealand sheltered under the 'nuclear umbrella' of its major ally, the United States.

When New Zealand adopted a nuclear free policy in 1984, it was the first Western-allied country to challenge nuclear deterrence doctrine. As a result, the US applied enormous pressure on New Zealand to drop the policy. Nevertheless, the government stood strong and three years later cemented the policy in legislation.

### **Prime Minister David Lange declared in 1985:**

*"We are actually told that New Zealanders cannot decide for themselves how to defend New Zealand, but are obliged to adopt the methods which others use to defend themselves... to compel an ally to accept nuclear weapons against the wishes of that ally is to take the moral position of totalitarianism, which allows for no self-determination, and which is exactly the evil that we are supposed to be fighting against."*

*David Lange (1985), Oxford Union Debate speech: "Nuclear Weapons Are Morally Indefensible". Full text &*

audio available from [www.publicaddress.net/default,1578.sm#post](http://www.publicaddress.net/default,1578.sm#post)

## **New Zealand Nuclear Free Zone *Disarmament and Arms Control Act 1987***

### **a) What are the two main things the Nuclear Free Zone Act prohibits in New Zealand?**

Nuclear weapons and nuclear-powered ships.

### **b) Why are they prohibited?**

#### **Nuclear Weapons:**

- By rejecting nuclear deterrence for its security, New Zealand asserted its right to decide its own defence policy, rather than having others determine and impose it, as had been the case previously under the Australia-New Zealand-United States (ANZUS) alliance. The nuclear free legislation signalled the emergence of New Zealand as an independent nation implementing new, more peaceful approaches to its security.
- By banning visits from nuclear-armed warships and aircraft, New Zealand was no longer a potential target for a Soviet nuclear attack, which it had been when nuclear warships were visiting its ports.

#### **Nuclear propulsion:**

- Though very unlikely, the potential for disastrous damage and radioactive contamination in the event of a worst-case accident is unacceptable. This makes nuclear-powered ships attractive terrorist targets when in port.
- For this reason, nuclear-powered warships are banned from Sydney and from all UK commercial ports, among others. It is hypocritical to expect New Zealand to host these vessels in port when even countries that operate them do not allow them into some of their own ports.
- In the mid-1980s, the anti-nuclear sentiment of the New Zealand people was greatly reinforced by two events beyond their control. On 10 July 1985, the Greenpeace flagship Rainbow Warrior was sunk by French secret agents in Auckland Harbour. New Zealanders were shocked by its allies' refusal to condemn France for this act of statesponsored terrorism. Then, on 26 April 1986, the Chernobyl (Ukraine, USSR) nuclear power plant exploded. Together, these secured overwhelming public support for the nuclear free legislation.

### **c) How does the Nuclear Free Act relate to who we are as a nation?**

- It has become an important symbol of New Zealand's national identity as an independent, environmentally conscious, peaceful country.
- It also signifies solidarity with Pacific peoples who have suffered from uranium mining, nuclear waste dumping and testing of nuclear weapons in their region and in many cases, in their homelands.

**d) Does the 1987 Nuclear Free Act prohibit nuclear electricity generation?**

No. However, New Zealand's official policy is to oppose nuclear power, as spelt out in government papers to the 2005 Review Conference of the nuclear Non-Proliferation Treaty. There, the Government argued that nuclear power generation is unsustainable, both ecologically, and economically. Such a position draws legitimacy from longstanding public opinion: the largest petition in New Zealand history was one opposing the development of nuclear power. In 1976, the National Government announced a Royal Commission of Enquiry into the potential for nuclear power in New Zealand. The public response was the Campaign Half Million, which collected 333,000 signatures for a petition opposing the move.

**e) What other nuclear free zones are in force in the world?**

NB: The scope and legal status of nuclear free zones differ between each country and region. There is no uniform definition of a nuclear free zone.

**Regional / International Nuclear Weapon Free Zones**

- 1959 Antarctic Treaty
- 1967 Outer Space Treaty
- 1967 Latin American Nuclear Weapon Free Zone (Tlateloco Treaty)
- 1971 Seabed Treaty
- 1985 South Pacific Nuclear Free Zone (Rarotonga Treaty)
- 1995 South East Asian Nuclear Weapon Free Zone (Bangkok Treaty)
- 1996 African Nuclear Weapon Free Zone (Pelindaba Treaty) • 2006 Central Asian Nuclear Weapon Free Zone

**National Nuclear Weapon Free Zones**

- 1981 Belau – constitution \*
- 1982 Vanuatu - policy
- 1983 Solomon Islands - policy
- 1971 Japan – 'non-nuclear principles' adopted by parliament and Foreign Ministry #
- 1984 / 1987 New Zealand - policy & legislation respectively
- 1987 - Philippines - constitution
- 1999 Austria – parliamentary resolution
- 2000 Mongolia – legislation supported by declarations of support from nuclear weapon states. A draft treaty has also been circulated.

*\* Belau's Constitution is contravened by the Compact of Free Association with the US  
# It is suspected that Japan's non-nuclear principles have been violated in the past by the transit of US nuclear weapons.*

# Nuclear Weapons

## a) What is a nuclear weapon? How does it work?

A nuclear weapon is a bomb whose destructive energy comes from the fission or fusion of uranium or plutonium.

## b) What is so significant about the use of nuclear weapons?

- They have the ability to cause enormous and indiscriminate destruction, on a scale far beyond that of any other explosive device.
- Besides the explosive effects, radiation caused by nuclear weapons use (whether in wartime or through testing) causes serious human and environmental harm far outside the area of physical destruction.
- Through the irradiation of soil, water and food crops, this affects not only the natural environment, but also the food production cycle for generations to come.
- Radiation exposure also has inter-generational effects on human health, meaning future generations will suffer negative health consequences of events that occurred before they were born.
- Nuclear war has the potential to destroy all life on Earth by creating a 'nuclear winter' (where the smoke from fires caused by nuclear bombs covers the sun semi-permanently, preventing the growth of plants, and dramatically decreasing the Earth's surface temperature, making it uninhabitable).

## c) Which countries have nuclear weapons?

Nine countries have nuclear weapons; these are commonly known as 'nuclear weapon states'.

### Five 'official' nuclear weapon states:

China, France, Russia, United Kingdom, United States (defined under the nuclear NonProliferation Treaty (NPT) as having tested nuclear weapons prior to 1 January 1967. These five countries are also the five permanent members of the United Nations Security Council, meaning they have the right to veto any Security Council initiative).

### Four 'unofficial' nuclear weapons states

India, Israel, North Korea and Pakistan (tested nuclear weapons after 1 January 1967).

## d) Which countries have had nuclear weapons and given them up?

South Africa, Belarus, Kazakhstan and Ukraine.

## e) Do any individuals or organisations have nuclear weapons?

No, as far as is currently known. However, several extremist groups have tried to get them.

## f) Where have nuclear weapons been used? Who by?

### Nuclear Weapons Used In Wartime

Hiroshima, 6 August 1945 (by the United States)

Nagasaki, 9 August 1945 (by the United States)

### Nuclear Weapon Testing

In 1956/57, New Zealand naval personnel were sent to 'observe' British nuclear tests in the Australian outback. In 1957/58, the frigates HMNZS Pukaki and Rotoiti visited the Christmas Islands in the Pacific to witness several more series of British tests. New Zealand personnel also observed US tests in Nevada in 1957 and the Marshall Islands in 1958. This policy of sending New Zealand personnel for use as 'human guinea pigs' was the result of the government's policy of support for nuclear weapons until 1972. In total, over 2000 nuclear weapons have been tested since 1946, with over 280 bombs tested in the Pacific region alone. The victims of these Pacific tests are seldom acknowledged, but have suffered devastating health, environmental, social, and economic side effects, related to radiation poisoning, confiscation of land and use as 'human guinea pigs'.

### Nuclear Weapon Test Site

| Test  | Test Conducted by             |
|---|-------------------------------|
| Algeria   | France                        |
| Australia   | United Kingdom                |
| China   | China                         |
| French Polynesia (Fangataufa and Mururoa Atolls)      | France                        |
| India   | India                         |
| Johnston Atoll (a U.S. territory in the Pacific)      | United States                 |
| Kiribati (pronounced 'Ki-ri-bas')                     | United States, United Kingdom |
| Pakistan  | Pakistan                      |
| The Marshall Islands                                  | United States                 |
| United States   | United States, United Kingdom |
| Russia, Ukraine, Kazakhstan, Uzbekistan, Turkmenistan | USSR                          |
| North Korea   | North Korea                   |

**g) What is the (nuclear) Non-Proliferation Treaty (NPT)?**

This is the main treaty governing nuclear weapons internationally. (Nuclear proliferation means the spread of nuclear weapons; non-proliferation refers to stopping their spread). The NPT is based on three agreements that all signatories are committed to:

1. States that have nuclear weapons agree to get rid of them (to disarm)
2. States that don't have nuclear weapons agree not to acquire them
3. All states that sign the Treaty have the 'inalienable' right to develop nuclear technology for peaceful purposes. This means for power generation, medical research and treatment, and scientific research and applications

At present, 188 countries have signed the NPT. Only India, Pakistan and Israel have not. North Korea pulled out of the treaty in 2002.

**h) What is nuclear disarmament?**

Nuclear disarmament is the dismantling (rendering useless) of nuclear weapons – permanently, irreversibly, and verifiably so that it can be checked and confirmed by the international community.

**i) What is New Zealand's policy with regard to nuclear disarmament?**

- New Zealand promotes the total elimination of nuclear weapons, and believes that supporting the implementation of the nuclear Non-Proliferation Treaty (NPT) is the best way to achieve this.
- Aside from the NPT, New Zealand supports the Comprehensive Test Ban Treaty; a proposal for a Southern Hemisphere and Adjacent Areas Nuclear Weapon Free Zone; and another for a Fissile Materials Cut-off Treaty to ban further production of the raw explosive materials for nuclear weapons.
- Currently, the government supports in principle the idea of a 'Nuclear Weapons Convention' – an enforceable global treaty outlawing all aspects of nuclear weapons and providing a programme for their complete elimination.

**j) Could nuclear weapons be abolished globally? Have any other weapons been banned globally?**

- Yes, it is possible to abolish nuclear weapons. At present, progress needs to be made on issues of verification (ways of confirming that weapons have been disarmed/destroyed when states promise to do so) and building political will to support the abolition of nuclear weapons. It is not technical skill that is lacking for disarmament, but political will.
- Anti-personnel landmines, lasers, chemical and biological weapons are all examples of weapons that have been banned globally. Also New Zealand is in the forefront of countries pressing for a treaty banning cluster munitions.



# The Campaign for Nuclear Free Legislation in New Zealand

## a) Why are the two factors below significant in how New Zealand became nuclear free?

### US, British and French nuclear tests in the Pacific

- These tests raised New Zealanders' awareness of the effects of the use of nuclear weapons on the people and environment of the region - the Pacific. At one point, New Zealand found strontium-90 (a highly radioactive by-product of nuclear weapons testing) in its human and animal milk.
- All three were foreign powers, who had gained control of the lands where they were testing through colonisation and dispossession of indigenous peoples.
- The tests took place without the permission of the indigenous peoples who were most affected by them. Moreover, they were not removed from the sites, and were treated as nuclear 'guinea pigs'.

### Visits to New Zealand's ports by US and British warships

- Warships, with nuclear weapons and/or nuclear propelled, were the trigger for widespread concern, opposition and protest from 1976.
- The visits had the effect of strengthening the resolve of the anti-nuclear movement, and raised public awareness of the issue.

## b) What methods did anti-nuclear campaigners use to secure the nuclear free legislation?

### Some examples include:

- The Peace Squadrons (protest boats that blockaded visiting nuclear warships)
- Nuclear Weapon Free Zones (including homes, streets, schools, farms, shops, churches, marae, harbours, suburbs, boroughs, towns and cities)
- "Votes for Peace" Campaign
- Lobbying politicians and petitions
- Popular music by artists such as Herbs, Topp Twins and Shona Laing
- Street theatre
- Photographic exhibitions
- Hiroshima and Nagasaki exhibitions in schools
- A Nuclear Free Walk (1987)
- Speaking tours and film evenings
- Public meetings
- Protest marches
- Women's, church and community peace groups
- Nuclear free art and poetry
- Independent films screened on television
- Nuclear free postage stamps (produced by NZ Post, reflecting the support of the government for the nuclear free policy)

# The Rainbow Warrior

**a) What was the Rainbow Warrior?**

This was the flagship vessel of Greenpeace. It was blown up by the French secret service on 10 July 1985 in Auckland Harbour. The ship's photographer, Fernando Periera, died in the attack.

**b) When it was sunk, where was it preparing to go, and why?**

The ship was en route to Mururoa Atoll, near Tahiti in French Polynesia. It was going to lead a flotilla of protest boats campaigning against French nuclear testing at Mururoa.

**c) What is it called when someone uses violence for political purposes?**

Although there is no commonly universally accepted definition of terrorism, one common idea is that terrorists use force to pursue political goals. In this regard, the bombing was a case of state-sponsored terrorism.

**d) What type of reaction / response would you expect from an ally if your country experienced such an attack?**

An ally would be expected to express their condolences, condemn the terrorist act, express diplomatic protest to the perpetrator, and possibly even impose political or economic sanctions.

**e) What was the response of New Zealand's allies to the Rainbow Warrior bombing?**

There was no response - not even Australia or the United Kingdom condemned the terrorist attack. The United States said it was not terrorism as there was no intention to kill.

**f) What effect did the attack have on New Zealanders?**

It greatly increased and hardened anti-nuclear sentiment in the public, even among those who previously had not supported the nuclear free policy.

# The World Court Project

## a) What was the World Court Project, which began in New Zealand in 1987?

The World Court Project was a citizen-led campaign to test the legal status of nuclear weapons. It was begun by retired Christchurch District Court Judge Harold Evans, and promoted internationally by a group of New Zealanders.

After seven years' campaigning the United Nations General Assembly passed a resolution in 1994 asking the world's highest court, the International Court of Justice (known as the 'World Court') for an advisory ruling on the legal status of the use or threat of use of nuclear weapons.

## b) What was the result of the World Court Project?

The World Court ruled that 'a threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law'.

The Court also unanimously advised that "...there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control."

## c) How might the Advisory Opinion of the World Court help to advance New Zealand's goal of abolishing nuclear weapons?

- The Court confirmed the general illegality of not just the use, but also the threat of use, of nuclear weapons. This is important in terms of building the necessary political will to support nuclear disarmament.
- It reinforced the obligation on states to pursue in good faith negotiations for a global treaty that would abolish nuclear weapons.
- The decision recognised the uniquely horrific, indiscriminate and inhumane nature of nuclear weapons.