

WORKING PAPER NO. 7
NUCLEAR FREE NEW ZEALAND:
1984 - NEW ZEALAND BECOMES
NUCLEAR FREE

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ABSTRACT

This is the first in a planned series of working papers dealing with aspects of New Zealand's nuclear free policy and legislation. They are intended to cover the introduction of the policy in 1984 and the legislation in 1987, and related developments in New Zealand following each of these events.

This working paper has two goals. First, it is argued that New Zealand did not become truly nuclear free, free of nuclear weapons, until 1984 when Labour put its nuclear policy into effect. Claims frequently repeated during the 1970s and early 1980s that a former Prime Minister, Keith Holyoake, had made New Zealand nuclear free in 1957 are disputed, as are claims that New Zealand banned visits by nuclear armed and powered vessels during periods prior to 1984. The record of the National and Labour Parties on nuclear matters while in government in the 1970s and 1980s are examined to substantiate these conclusions.

Second, events subsequent to the election in 1984 that finally saw the nuclear policy implemented for the first time when the USS Buchanan was refused permission to visit are followed using new material relating to this incident released late in 1996 under the Official Information Act. These reveal a detailed plan for this and at least one subsequent visit, prepared by officials from the three ANZUS government working in concert. While their long term intent is not definite from the documents, it is argued that this was very possibly to implement New Zealand's nuclear policy in such a way as to allow a gradual return to as near a pre-election pattern of warship visits as possible. A set of these documents is included.

The paper concludes with an extensive chronology of events relating to the nuclear policy from the 1984 election to the the tenth anniversary of the signing into law of the legislation on 8 June 1997, and a table comparing a number of factors related to the nuclear issue as they were in 1984/5 and as they are now, 1995/7.

BIOGRAPHICAL NOTE

The author, now retired from the University of Auckland, has an extensive record of research in nuclear physics. Since 1986 he has been engaged in research related to nuclear policies and strategies. He was a founder member of Scientists Against Nuclear Arms (NZ) in 1983, and has been the Director of the Centre for Peace Studies since it was established late in 1988 in the University. He holds the degrees of Doctor of Philosophy (1957) and Doctor of Science (1981).

ACKNOWLEDGEMENTS

The author is greatly indebted to Wellington based peace researcher and activist Nicky Hager for his advice and input, particularly in relation to chapter two of this paper. With his proximity to Parliament and politicians, and to government departments, he has developed an unusual level of contact with many of the personalities of importance in this study. Thoughtful comment, and careful editing by John Gribben is also gratefully acknowledged. The author is indebted to Jane and Dick Keller for their continued support and hospitality during visits to Wellington to examine documents at the Ministry of Foreign Affairs and Trade. This work was supported financially by grants from the University of Auckland and the Centre for Peace Studies.

CONTENTS

Acronyms/Abbreviations	vi
INTRODUCTION	1
References	4
CHAPTER ONE THE FIRST NUCLEAR FREE POLICY	
1.1 Introduction	6
1.2 Nuclear Weapons	7
1.3 A South Pacific Nuclear Free Zone	12
1.4 The Nuclear Powered Warship 'Ban'	15
1.5 The 1984 Policy	19
References	20
CHAPTER TWO THE SHIP VISIT FORMULA - DDG14, USS BUCHANAN	
2.1 Introduction	21
2.2 A Very Curious Situation	23
2.3 The American Position	27
2.4 The Buchanan Papers - Planning for the Buchanan Visit	29
2.5 The Buchanan - Nuclear Armed or Not	33
2.6 The Visit is Off - Why?	39
2.7 The Aftermath	42
References	43
CONCLUSION	44
References	46
CHRONOLOGY OF SIGNIFICANT EVENTS	47
TABLE OF COMPARISONS - 1984/5 and 1995/7	58
APPENDIX ONE The Buchanan Papers	61
APPENDIX TWO Prime Minister's Visit to New York, notes from a meeting with United States Secretary of State, George Shultz, Monday 29 September 1984	122
APPENDIX THREE 13 December 1984 telegram for Heads of Post/Mission from M Norrish, Secretary of Foreign Affairs	132
APPENDIX FOUR 31 August 1984 memorandum from M Norrish to the Minister of Foreign Affairs, David Lange, and a related press release	140

ACRONYMS - ABBREVIATIONS

ANZUS	Treaty between Australia, New Zealand, and the United States
CINCPAC	Commander in Chief Pacific Forces (US)
CTBT	Comprehensive Test Ban Treaty
EIB	External Intelligence Bureau
FPDA	Five Power Defence Arrangements
HMNZS	Her Majesty's New Zealand Ship
MAF	Ministry of Agriculture and Fisheries
MMP	Mixed Member Proportional representation
NCND	The policy of neither confirming nor denying the presence or absence of nuclear weapons on vessels, aircraft, or at any location.
N P V	Nuclear powered vessel
N P W	Nuclear powered warship
NZPD	New Zealand Parliamentary Debates
RNZAF	Royal New Zealand Air Force
SPNFZ	South Pacific Nuclear Free Zone
S S B N	Ballistic missile submarine
U N G A	United Nations General Assembly
WHA	World Health Assembly

INTRODUCTION

A snap election called on 14 July 1984 by the then Prime Minister, Robert Muldoon, resulted in defeat for his National Government and the election for the first time since 1975 of a Labour Government, led by David Lange. The election was itself triggered in part by major differences between the parties, and between members of Muldoon's own Government, over nuclear issues, and saw the country with a new government committed to a strong anti-nuclear policy. It is now over twelve years since this policy was put into effect as government policy, and in June 1997, ten years since the policy was embodied in law as the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act on 8 June 1987, a very important occasion in New Zealand's anti-nuclear history. This is an appropriate juncture at which to review the successes and failures of New Zealand's anti-nuclear policy.

The intention of this study is to examine the nature of this policy, its embodiment in law as the Act, and its operation since 1984. New Zealand still remains unique as the only country to impose an anti-nuclear policy by legislation, but this does not mean that there are not questions that need to be asked about the hopes and intentions of those who formulated the policy, and its resulting nature. It is clear for example that the formula arrived at in the policy of New Zealand approving or refusing visits by vessels capable of carrying nuclear weapons was bound to fail, in that neither the United States nor Britain would have continued visits in the mid-1980s while maintaining their policies of neither confirming nor denying the presence of nuclear weapons on a given vessel. For Labour to have hoped otherwise appears very naive. The Americans and British would not accept New Zealand labelling some of their warships as free of nuclear weapons by allowing them to visit, and their representatives said as much. Yet recently released material relating to the so-called Buchanan incident, the proposed visit to New Zealand by the United States destroyer USS Buchanan early in 1985, suggests that there was hope among government officials, and possibly some Labour Members of Parliament, that visits could have continued. We examine the basis for this hope later in this paper. Labour's frequently repeated claim that New Zealand could stay in ANZUS in a purely conventional role was equally surprising since the United States clearly saw ANZUS as part of its global nuclear deterrence structure, and wanted unfettered movement of its nuclear armed warships. Labour was, of course, concerned at the time to maintain the support of an electorate then strongly wanting continued ANZUS membership, as many opinion polls showed.

The findings from this study are being presented as a series of working papers, commencing in 1997 to mark this important tenth anniversary year. They carry the common title, Nuclear Free New Zealand. When complete, this series will provide material supporting the above claims, and material relating to other aspects of the history, nature and operation of New Zealand's anti-nuclear policy.

The most frequently discussed aspects of this quite broad policy are its bans on nuclear weapons in New Zealand and its territorial waters including nuclear weapons on visiting ships in New Zealand's internal waters, and on visits by nuclear powered vessels. See for example the book by Stuart McMillan, Neither Confirm Nor Deny The nuclear ships dispute between New Zealand and the United States ⁽²⁾. The policy is much broader than this as will be discussed. The history of the development of this policy, and the background to the 1984 election, have been presented and discussed comprehensively by other authors ⁽¹⁻⁷⁾. The 1984 election period is reviewed briefly below where material is also presented establishing that it was only after this election that New Zealand became nuclear free.

Labour was re-elected in August 1987, the policy having become law in June that year as the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act, referred to as the Act below. The period leading up to the enactment of the legislation will be

considered in some detail, as will the effectiveness of the policy as shown by developments since 1984.

In what follows, the term 'policy' refers strictly to the policy as enunciated in the 1987 legislation, but it is also used somewhat loosely to refer to the original 1984 policy which contained the essentials of the detailed final policy enacted into law in 1987. The development of this final operative form of the policy will be examined in the second working paper in the series.

An eminently readable account of these and subsequent events is presented by David Lange in his book Nuclear Free - The New Zealand Way ⁽³⁾. Lange was both Prime Minister and Minister of Foreign Affairs for much of the critical period following the 1984 election, and was, consequently, deeply involved with the intimate details of key events in a way that few others, if any, were. His book is clearly particularly important for this study and is referred to in a number of contexts. Further, being replete with examples of the subtle nuances and barbed wit for which he is well known it is a source that is a pleasure to consult. It does of course present his accounts of, and interpretations of, events, and Lange acknowledges this.

New Zealand has now survived for more than a decade with this policy, despite dire predictions from some of its opponents. The 1984 policy and the 1987 Act both resulted in changes in political and security relations with New Zealand's major allies, the United Kingdom and the United States, and to a lesser extent with Australia. Some traditional links with the United Kingdom, particularly regular visits by the Royal Navy, were severed. Port calls by the US Pacific Fleet ceased, and military and political contacts were restricted, culminating in August 1986 in the United States formally suspending its security commitment to New Zealand under the ANZUS Treaty between Australia, New Zealand and the United States. The legality of this action will be considered.

The reasons for these strong reactions are examined and a new analysis of them will be presented which differs markedly from conventional analyses. The nature of the ANZUS alliance, conventional or nuclear, has been a pivotal factor in the anti-nuclear debate in New Zealand. Material will be presented which is considered to show beyond doubt that ANZUS is a nuclear alliance, seen by the United States as an integral part of its global nuclear deterrence strategy. New Zealand's anti-nuclear stance strained relations with Australia in some quarters, and still does. Further, it is clear from material recently released by the Ministry of Foreign Affairs and Trade under the Official Information Act that both National and Labour governments throughout the 1960s, 1970s and 1980s had access to material establishing ANZUS as a nuclear alliance. Claims by National to the contrary in attacks on the anti-nuclear policy were specious, and claims by Labour that New Zealand could stay in the alliance in a purely conventional role are seen as either naive, or at least very questionable. Both are seen as being designed to win electoral support.

Many comments were heard in the mid-1980s concerning the costs to New Zealand of the nuclear free policy, particularly in the defence and security areas. A further working paper will examine these claims, and the impacts of the policy in these areas, but in the context of the mid to late 1990s, the present context. The conclusion drawn is that past claims concerning the costs of the policy were considerably exaggerated, and that this question of costs of the policy to New Zealand needs extensive re-evaluation.

During this period since 1984 there have been a considerable number of developments that have an important bearing on New Zealand's anti-nuclear position. Support for the Act within major political parties has greatly increased, particularly with National changing its position to support for the legislation prior to the 1990 election. The second working paper, tracing the path from policy to legislation, will also present some new thoughts on possible motivations for the switch by National in 1990 apart from their desire to win some of the anti-nuclear vote. The National Government elected in 1990

nevertheless commissioned a further review of the safety of nuclear powered vessels published in December 1992, but by 1995 was calling for the threat or use of nuclear weapons to be declared illegal and supporting a request for an opinion on this question from the International Court of Justice, the World Court Project. New Zealand post-1984, the people and the politicians, will be the subject of a later working paper.

United States forces in the Pacific have been declared free of nuclear weapons apart from the eight ballistic missile submarines in the Pacific Fleet, and these do not normally make foreign port calls, although some of the nuclear weapons removed could be redeployed in a crisis. The Royal Navy made its first visit since 1984 in June 1995, and also in 1995 the Prime Minister invited the United States Navy to visit with conventionally powered ships. The United States invited a Royal New Zealand Navy ship to visit Hawaii in August 1995 to participate in naval celebrations of the fiftieth anniversary on 1 September of the end of the war in the Pacific.

The non-proliferation treaty has been extended, and a comprehensive nuclear test ban treaty is in place. But developments in the nuclear policies of the nuclear powers are a source of new concerns.

The United States has carried out a major review of its policy towards New Zealand, and announced in February 1994 the resumption of senior-level contacts between United States and New Zealand officials for discussions on political, strategic and broad security matters ⁽⁸⁾. Since 1994 several high ranking United States officials have visited New Zealand. The New Zealand Prime Minister was invited to the White House in March 1995 and met President Clinton and top United States Government personnel, the first such visit for eleven years. New Zealand has established a new electoral system, Mixed Member Proportional Representation, or MMP, that could well see a wider diversity of opinion, on security matters and foreign affairs for example, represented in our government.

By contrast, some factors related to our policy have not changed. Opposition to nuclear weapons and nuclear power remains strong. The leading role played by New Zealanders in the World Court Project to have the International Court of Justice consider the question, 'Would the threat or use of nuclear weapons in any circumstance be permitted under International Law?' is one manifestation of this. Another is strong opposition to nuclear testing and support for the comprehensive test ban treaty. This despite a significant diminution in the strength and activity of peace groups in recent years. Public support since 1984 for the policy, the legislation, and New Zealand's anti-nuclear stand generally will also be examined in the series.

United States Government opposition to our anti-nuclear legislation has also not changed, at least officially. On 20 April 1995 the United States Ambassador to New Zealand, Josiah Beeman, said he did not foresee any change in (US) policy as long as the legislation remained ⁽⁹⁾. Strove Talbott, US Deputy Secretary of State, while in Wellington early in 1995 was reported as indicating that even if New Zealand were prepared to accept United States nuclear propelled vessels, Washington would continue the military stand-off. He said the Act 'would have to be revised or repealed' to resolve matters ⁽¹⁰⁾. Even more recently in March 1997, responding to a suggestion by the Minister of Defence, Paul East, that American and New Zealand forces might begin joint exercises again within one or two years, the Defense and Naval Attache at the United States Embassy, Captain R E Houser US Navy, stated that the nuclear powered ship ban still represented a barrier to the resumption of these contacts (New Zealand Herald, 15 March 1997, p. A19). In correspondence he also said that 'The impediment to a restoration of the ANZUS alliance remains New Zealand's anti-nuclear legislation'. Referring to the nuclear powered vessel ban he said, 'This position impedes New Zealand's ability to uphold its responsibilities as an ANZUS treaty partner' (private communication 30 April 1997). The Americans still see ANZUS as extant it seems, with a place for New Zealand should it wish to return.

The policy of neither confirming nor denying the absence or presence of nuclear weapons on ship, aircraft, or at any location, the 'neither confirm nor deny' policy, referred to as NCND below, remains. This policy is often said to be challenged by Clause 9 of the Act covering visits by possibly nuclear armed vessels, thereby rendering the Act unacceptable to the United States and the United Kingdom. The United States version of this policy has been modified following the removal of tactical nuclear weapons and now reads, 'It is general United States policy not to deploy nuclear weapons aboard surface ships, attack submarines, and naval aircraft. However, we do not discuss the presence or absence of nuclear weapons aboard specific ships, submarines or aircraft.'⁽¹⁾

The logic of this in the face of statements by Ambassador Beeman, and affirmed elsewhere, that we can be assured that 'U.S. troops, aircraft, surface vessels, and attack submarines deployed in this region are not nuclear armed'⁽²⁾, is hard to understand. There have been hints that the NCND policy may be reviewed. A proposal relating to the policy that would remove this contradiction will be presented. At present it still represents an important difficulty in United States' considerations of the Act, a difficulty the United Kingdom appears to have overcome with the Royal Navy visit in June 1995. Material is also presented showing that the NCND policy has been used to transport nuclear weapons covertly into the ports of countries that in principle ban the entry of these weapons, including New Zealand, and the implications of this are discussed.

Major differences remain between the United States and some political parties in New Zealand concerning the nature and extent of future of US-NZ military relations, and between the New Zealand parties themselves. Concerns continue over some facilities in New Zealand considered by the peace movement to be associated with the United States military. New Zealand's involvement with nuclear weapons through ANZUS has been quite extensive. When considering any future security relationship with the United States or Britain, their nuclear power status must be kept clearly in mind now that New Zealand is an established nuclear free nation.

The intention is that all these developments and factors will be considered and examined in this planned working paper series.

Copies of a number of documents released recently by the Ministry of Foreign Affairs and Trade and not yet in the public domain are included to reinforce some claims and for the interest of readers who are left, to some extent, to assess them for themselves. Most of these are marked 'Secret', 'Confidential', or 'For New Zealand Eyes Only'. Some have been censored to a certain extent, and other documents were withheld, even now.

This working paper, 1984 - New Zealand Becomes Nuclear Free, is the first in the series. It includes an extensive chronology listing events since 1984 seen as important in relation to New Zealand's anti-nuclear stance, together with a table comparing some important factors as they were in 1984/5 and as they are now, in the period 1995/7.

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CHAPTER ONE

THE FIRST NUCLEAR FREE POLICY

1.1 Introduction

The period leading up to and including the 1984 election was an intriguing period in the long path followed by New Zealand to becoming truly nuclear free, which it did only when Labour's anti-nuclear policy was put into effect following the 1984 election and nuclear weapons were banned from New Zealand. The policy is considered in detail in the working papers in this series. Before doing this, the change the policy represented is examined in this working paper.

The National Party has on many occasions claimed that it was a former National Party leader, Keith Holyoake, who first made New Zealand nuclear free, meaning here free of nuclear weapons. He had, they stressed, stated in 1957 that New Zealand would not be a storage base for nuclear weapons, and again in 1963 made the commitment that New Zealand would not acquire, use, or store nuclear weapons. This claim was repeated during the 1984 election campaign and after (see the Hon. D Thomson, Minister of Defence, New Zealand Parliamentary Debates (NZPD) vol.456 1984, pp.257-8, Hon. J McLay, NZPD vol.460 1984-5, p.2897). The debates during the passage of the nuclear free legislation, examined in the next working paper, again saw this and related claims by National parliamentarians.

The 4 September 1957 statement by Deputy Prime Minister Holyoake (he became Prime Minister on 20 September 1957) was made after discussions relating to SEATO with the United Kingdom Defence Minister Duncan Sandys. What Holyoake is reported as saying was that New Zealand's own defence planning did not contemplate the acquisition of nuclear weapons nor would she become a storage base for them under her other defence arrangements ⁽¹⁾. It was made in a climate of growing concern in New Zealand over nuclear weapons testing, which Holyoake had said his Government would continue to support (see NZPD for this period), and, according to Clements in Back From the Brink p.40 (ref.1 introduction), following suggestions during Sandys' August 1957 visit that the British Government would make nuclear weapons available for the defence of the SEATO area including Australia and New Zealand, implying that New Zealand might have to store nuclear weapons. This could have resulted in New Zealand becoming a target in a nuclear war, publicly an unpopular situation.

However National's opposition to nuclear weapons was not widespread even in those times. Clements reports p.41 that in 1957 National continued to support Western nuclear deterrence policies; that soon after winning the 1960 election National voted against a United Nations resolution to ban nuclear weapons against an overwhelming majority of other nations, p.45; and opposed nuclear weapons free zones around 1963, p.53. Further, a committee set up by the National Government in 1962 to consider a number of petitions opposing nuclear weapons and their testing was unwilling

to bring down a blanket resolution which might cause people to think that under all kinds of conditions and under any circumstances which might occur New Zealand was not to acquire nuclear weapons, accept aid from them, or allow bases for them in our land even though the White Paper of 1961 stated quite definitely that that was not our intention.

See NZPD vol. 331 1962, p.1870, and also eg. NZPD vol.339 1964, pp.1242-1254.

Vessels mainly from the United States capable of carrying nuclear weapons, nuclear capable vessels, visited New Zealand ports regularly throughout the 1960s, 70s and up to April 1984 despite the supposed Holyoake commitment. This is discussed later in the series. During this period of around twenty-five years, 1960-1984, a National government was in power for all but the three years 1972-75 when Labour was in power. An analysis of the movements of some of these vessels ⁽²⁾, and direct statements in the case of one visit in 1968 ⁽²⁾, make it clear that nuclear weapons entered New Zealand ports on numerous occasions under this so-called nuclear free policy which, during the 1984 campaign, Labour Member of Parliament (MP) Helen Clark described as a 'cruel hoax' for this reason.

Regardless of these facts, both National and Labour parties and governments have claimed for many years to support a nuclear free New Zealand, nuclear disarmament and the concept of a South Pacific nuclear free zone. Why is it then that the 1984 Labour policy is seen as making New Zealand nuclear free for the first time? The positions of the two parties during the 1960-1984 period will not be examined in detail. This has been done by other writers, particularly Clements, (ref.1 of the introduction). The intention here is to examine and rebut claims by National parliamentarians that are considered unsustainable.

1.2 Nuclear Weapons

The situation regarding nuclear capable vessels is clear. In 1970, after much cajoling by the United States, the National Government introduced a system of annual blanket clearances for visits by all US Navy vessels that were not nuclear powered, with no questions asked about their armaments, nuclear or otherwise. The NCND policy was operating then, so no answer about nuclear weapons would have been forthcoming in any case. The United States Embassy in Wellington would send a request late each year to the New Zealand Government and a relatively standard approval for visits during the following year would be issued with a proviso regarding nuclear powered vessels. This continued right up to late 1983, including Labour's 1972-75 term, with a blanket clearance being issued for 1984, and a significantly differently worded clearance for 1985 recognising the new ship visit policies introduced by Labour. Unlike the earlier annual clearances this 1985 document, shown here, was seen by the New Zealand Government to require clearance to be sought for each individual visit. It does, nevertheless, express the Labour Government's support for continued US Navy visits and for ANZUS.

The blanket approval documents for 1975, issued by the Labour Government, and for 1984, issued by the National Government, are reproduced below. David Lange and Stuart McMillan in their books do refer to this blanket approval procedure, but its operation does not appear to be well known. No evidence has been seen in files numbered 59/5/2, 59/8/2, and 59/206/20 relating to US Navy vessel visits to New Zealand examined in the Ministry of Foreign Affairs and Trade, and referred to as 'the Ministry files' below, to show that any questions were asked about nuclear weapons on these vessels prior to 1970, although NCND would have blocked any direct answers. The 1968 incident suggests that nuclear weapons did enter New Zealand ports before and after 1970. Further confirmation of the lack of a definite ban on nuclear armed vessels in this period by Labour was given in Parliament in 1984 by the then Minister of Defence, Frank O'Flynn. He was asked by National MP Warren Cooper if the United States was required to confirm or deny the nuclear capability of its visiting warships during Labour's 1972-75 term. O'Flynn replied,

The Government made it quite clear and widely known that it was firmly opposed to the introduction or stationing of nuclear weapons within New Zealand territorial waters, and that it expected its friends and allies to respect its position on that. While it did not ask for, or receive, any assurances that there were no nuclear weapons aboard [US Navy ships visiting New Zealand], it believed the United States respected its wishes.



J. D. L. RICHARDS
Secretary of Foreign Affairs - 13 December 1974.

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and with reference to the Embassy's Note No. 77, dated 4 December 1974, has the honour to grant blanket diplomatic clearance for the year 1975 for all visits of United States Navy ships, other than nuclear powered vessels.

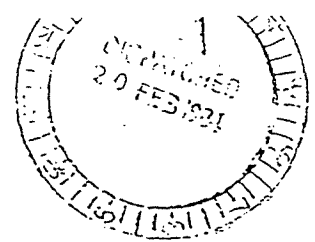
The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Ministry of Foreign Affairs,
WELLINGTON.

13 December 1974.

The Secretary of Defence,
Ministry of Defence,
WELLINGTON.

PM 59/206/20 - for your information.



The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's Note No. 156 of 28 December 1983 in which diplomatic clearance was requested for the year 1984 for all visits of United States Navy ships.

The Ministry wishes to inform the Embassy that blanket diplomatic clearance is given for 1984 for visits of all United States Navy ships with the exception of those which are nuclear powered. While the New Zealand Government is prepared to grant diplomatic clearance for visits by United States Navy nuclear powered ships, individual diplomatic clearances should be sought by the Embassy for such vessels at least one month in advance of proposed visits. The Embassy should continue to provide notification to the Ministry and to the New Zealand Defence authorities as far in advance as possible in respect of visits by conventionally powered vessels.

The Ministry of Foreign Affairs takes this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration. "M. Nomul"

P. R. Watkins
officer diplomat

Ministry of Foreign Affairs,

WELLINGTON.

14 February 1984

cc. The Ambassador, WASHINGTON.

cc. The Secretary of Defence
Attention : A/S Policy

file

Original under US
Craige d'Affaires 20/12

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's Note No. 173 of 12 December 1984 in which diplomatic clearance was requested for the year 1985 for all visits of United States Navy ships.

The Ministry has the honour to inform the Embassy that the New Zealand Government welcomes naval visits from its ANZUS partners. Accordingly the New Zealand Government wishes to ensure access of United States naval ships within the framework of its policies on visiting warships. Diplomatic clearance will be granted for visits in 1985 by those United States Navy conventionally powered warships that the New Zealand Government assesses as not being nuclear armed. Requests for diplomatic clearance should be lodged with the Ministry as far in advance as possible of such visits.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Ministry of Foreign Affairs,

WELLINGTON.

20 December 1984

OFFICIAL INFORMATION ACT
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(NZPD vol. 457 23 August 1984, pp.146-7). This was a Danish type 'trust our allies to honour our policy but no questions asked' nuclear weapons free policy considered in detail in a later working paper, not a ban.

National became the government late in 1975, and stayed in power until 1984. Their position on nuclear weapons entering New Zealand is quite clear from statements made by National spokesmen in this period. A document entitled Some Notes on the Question of Visits to New Zealand Ports by Nuclear-Powered Ships dated 13 February 1976 sets out the newly elected National Government's attitude to such visits and to possible nuclear weapons these ships might carry. Nuclear powered vessel visits are considered separately, but National's position was that it would have been inconsistent with the terms of membership of ANZUS to refuse to allow these United States warships to call at New Zealand ports, and visits commenced again in 1976, the first request coming on 4 March of that year, very soon after the 1975 election.

Referring to nuclear weapons, the document points out that the nuclear powers do not disclose whether or not their warships are carrying nuclear weapons. It then states that,

It is important that we should avoid placing impossible restrictions upon our allies' ability to deploy their forces in this part of the world. As the Prime Minister remarked to the press on 14 January 1976 (and whenever the question was raised at his meetings last year), 'We can't say to the United States, Yes, we expect you to come to our assistance in accordance with ANZUS but we're going to determine the kind of weapons you use and we're going to require you to use World War 1 rifles when you come to help New Zealand'.

Speech notes prepared for National MP J K McLay dated 3 June 1976 include the statement that,

There are, however, no reservations in the policy on which the Government was elected about whether New Zealand would shun a partner that had nuclear weapons, nor any reservation to the effect that New Zealand's acceptance of its obligations under ANZUS was conditional on dictating the type of weapons the United States would employ to safeguard the mutual interests of the ANZUS partners.

National was clearly not concerned in 1976 by the possibility of nuclear weapons entering New Zealand, and this position continued through their term of government to 1984.

A further illustration of the position of the National Government under its leader Robert Muldoon is given in another document dated 28 June 1976 and headed Visits by Nuclear Powered Warships: 10 Questions Answered, the answers being provided by Muldoon. One answer, referring to nuclear powered warships, includes the statement that,

The warships which will visit New Zealand ports may well carry nuclear weapons of the tactical or short range variety but so do conventionally powered warships. They do not carry long-range ballistic missiles. Such missiles are carried only by large strategically armed submarines which will not come to New Zealand.

Similar remarks got him into trouble with the Americans about this time. They were concerned in case he was saying that no American submarines would be allowed to visit, a confusion he hastily corrected.

His answers to the ten questions continued with the answer,

We are opposed to the use of nuclear weapons and of course we fervently hope that they never will be used. But it could well be that the best insurance against their being used, ironically perhaps, is their being carried by some of the vessels that visit us. What I am saying is that nuclear weapons in the hands of our allies act as a deterrent against the use of such weapons by a potential enemy. If we insisted that our allies did not carry nuclear weapons in their visiting ships we would be inviting them to disarm unilaterally and in so doing throw away the deterrent. Putting it another way, it could be that the best way to keep New Zealand free of the annihilating effects of nuclear war is to facilitate the defence of New Zealand in cooperation with our allies.

An even clearer statement by Muldoon was given in a press interview the next day. He was asked if the government would now set up a committee to develop a safety code for nuclear weapons like that for nuclear propulsion. He answered that,

There is no reason to suppose the carriage of nuclear weapons by visiting warships, be they nuclear propelled or powered by conventional means, will occasion any risk to life, property or the environment. Until such weapons are 'armed' they cannot explode. They are not 'armed' until they are needed for an attack upon an enemy. In other words, in the 'unarmed' condition in which they will be carried by vessels visiting New Zealand ports they present no hazard, and therefore no code of practice to govern the handling of such weapons is necessary.

Even so, mid-1976 also saw strong interest being expressed by the New Zealand Government in a guarantee the United States had given Canada of compensation for loss or damage resulting from an accident involving nuclear weapons. A Christchurch reporter, Warren Page, had picked this up and reported it in the Christchurch Star on 31 July. The Minister of Foreign Affairs at the time, Brian Talboys, wrote to the American Ambassador in Wellington, Armistead I Seldon Jr., on 10 August requesting that New Zealand be given the same guarantee. A copy of his letter is included. This guarantee was received on 13 August in the form of a hitherto never published Aide Memoire, reproduced here, which was declassified in 1996 for this and some related work. Australia received a similar guarantee the following month, except for provisions in a State of Forces Agreement between the two countries.

No evidence has been seen of New Zealand seeking or receiving any equivalent guarantee from Britain, or of any other country having any guarantee from them concerning nuclear weapons accidents. However, very few nuclear capable Royal Navy vessels visited New Zealand from 1955. Of the four visitors known to be capable of carrying nuclear weapons, three were ships used to transport the weapons, and only the aircraft carrier *Invincible* that visited in 1983 was capable of deploying them. Royal Navy visits are considered elsewhere in the series.

Other documents from late 1976 and into 1977 refer to nuclear weapons possibly coming to New Zealand being 'in an unarmed state and subject to extensive safety precautions' and that the need to allow nuclear armed vessels into New Zealand ports 'can, we think, be justified by recourse to our obligations under ANZUS: We cannot expect to be protected by the United States nuclear "umbrella" without allowing its temporary deployment in New Zealand', this latter from notes on a 17 November 1976 ANZUS Seminar also included here. This document contains a number of interesting statements and is worth close scrutiny. It confirms the strong desire of the United States to have nuclear powered warship visits resume, and the importance they placed on this in relation to ANZUS. It displays the Americans own interpretation of Labour's unwillingness to agree to this quickly after their 1974 liability guarantee (discussed below) was received as implying that 'our foreign policy intentions and our reliability as a close ally were being questioned.' As the Ministry files show, while agreeing to resume nuclear powered warship visits, the National Government continued to question this reliability in its

10 August 1976

My dear Ambassador,

It has come to my attention, as a result of articles in the New Zealand press, that, at the invitation of the Canadian Government, the "Statement of the United States Government on the Operation of United States Nuclear Powered Warships in Foreign Ports" has been amended, in the case of Canada, so as to cover incidents involving nuclear warheads carried by visiting United States warships, whether nuclear-powered or not.

The New Zealand Government is aware that it is the policy of the United States Government neither to confirm nor to deny the presence or absence of nuclear weapons on any of its warships. It is also understood that any nuclear weapons that might be carried on a visiting ship would be in an unarmed state.

The New Zealand Government would, nevertheless, be grateful to receive from the United States Government an assurance that it would accept liability for any damage or loss caused by an accident involving any nuclear weapon that might be carried on a United States naval vessel visiting New Zealand.

If the United States Government is able to give such an assurance, I appreciate that the New Zealand Government should not make the fact public except in the most general terms. I would be happy to agree with you on the exact terms which should be used in this respect.

Yours sincerely,

B. E. TALBOYS

His Excellency
Mr Armistead I. Selden, Jr.,
Ambassador of the United States
of America,
WELLINGTON.

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AIDE MEMOIRE

On August 10, 1976, the Government of New Zealand requested from the United States Government an assurance regarding liability in the event of a claim for damage or loss caused by an accident involving a nuclear weapon that might be carried on a United States naval vessel visiting New Zealand. In response to that request, the United States Government is prepared to state the following:

The United States Government certifies that all safety precautions and procedures followed in connection with the operation in United States ports of United States warships carrying nuclear weapons will be strictly observed in visits of such ships to New Zealand ports. The appropriate New Zealand authorities will be notified immediately in the event of an accident related to any nuclear weapons which might be carried aboard such ships. Claims arising out of a nuclear weapon accident or incident involving a visiting United States warship will be dealt with through diplomatic channels in accordance with customary procedures for the settlement of international claims under generally accepted principles of law and equity.

DEPARTMENT OF STATE
151/PC/EDM/200
3/11/76
10.
EXEMPTIONS

RELEASE
 EXCISE
 DENY
 DELETE Non-Responsive Info
FOIA Exemptions

DECLASSIFY
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RELEASED UNDER THE OFFICIAL INFORMATION ACT

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Extract from Washington's memorandum 50/8/2
of 17 November 1976 on "ANZUS SEMINAR"

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5. On the purely strategic/military side, ANZUS, because of its informal organisation designed to provide a relatively low level forum for operational discussion and exercise planning in peace time does not give unrestricted access to world wide American forward planning. For any nation to expect this is unrealistic. New Zealand's membership of ANZUS is, however, not overlooked in the Pentagon and at United States Service Commands. Both Australia and New Zealand do get preferential but not publicised treatment in the provision of information, doctrine, training assistance and equipment provision. The military advantages likely to be gained from membership in any future threat situation are obvious and cannot be costed.

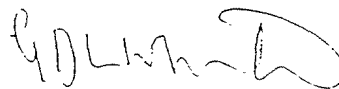
On the minus side, historians with the benefit of hindsight will record that ANZUS got us into the Vietnam war, which New Zealand would have preferred to dodge. But once the Australians decided to participate (at United States urging) New Zealand could not avoid following suit for fear of being labelled disloyal and of no consequence in the ANZUS alliance. This was a more cogent factor at the time the New Zealand decision was taken than any implied commitment under SEATO or any direct request conveyed from Saigon.

6. Visits by nuclear war ships. In the ANZUS context visits to New Zealand by United States nuclear powered ships are of value in both the political and defence fields. The position of the previous New Zealand Government on such visits had become, if not untenable, at least a major irritant in and a deleterious influence on the whole ANZUS relationship. At high levels in the Administration, notably in the Pentagon, our foreign policy intentions and our reliability as a close ally were being questioned.

Now that New Zealand Government policy has changed and a couple of visits have taken place, future policy should be designed to move towards a situation where visits by nuclear powered ships become treated as normal and not particularly newsworthy. Such visits (by ships from whatever Navy) should be depicted and explained as decisions made freely and deliberately by the New Zealand Government. It should not be necessary to identify the visits strictly with ANZUS (though commentators are free to do so if they like and the Americans are free to interpret them that way). The normal situation should be a mix of some American nuclear powered ships, some American conventionally powered ships, and some nuclear powered ships from other countries (eg the United Kingdom) which could be either naval or commercial ships. Preferably the visits should not be too frequent. The recent two visits in quick succession had the disadvantage of stirring up anti-nuclear feeling in New Zealand and identifying it in some quarters with anti-US feeling.

7. From this vantage point it seems a great pity that the issue of such visits by nuclear powered ships has become entangled in such a confused way with the nuclear energy issue. Dr Levine talks about "the surrender of a valued principle - the nation's sequestration from nuclear energy", as if it involves both. Some people in New Zealand, including well educated ones like Levine who might be expected to have the mental discipline to perceive the difference, obviously think that it does. Given this situation more public education in New Zealand is urgently needed. Some media representatives might also benefit from comprehensive briefing on this aspect.

8. So far as the general public in New Zealand is concerned, the issues surrounding visiting nuclear powered vessels have now obviously taken on an aura of confusion. The desirability of permitting presumably nuclear armed vessels into New Zealand ports can legitimately be raised as a consequence of New Zealand's advocacy in the past of a WFZ, and of our continued support for moves to limit the global spread of nuclear weapons. The need to allow vessels armed in this way into our ports can, we think, be justified by recourse to our obligations under ANZUS: We cannot expect to be protected by the United States nuclear "umbrella" without allowing its temporary deployment in New Zealand. This is the Treaty aspect of the visits. The question of visits by nuclear powered vessels is in one way related to the broader nuclear energy issue in that the matter of what type of propulsion unit a particular vessel is fitted with depends on similar criteria to those used in determining the advantages of one land based power plant over another. But these considerations are irrelevant either to ANZUS or to the nuclear weapons issue. The sole consideration in determining whether such vessels should be permitted into New Zealand ports should be their safety. It is important then that the two issues - that of arms and that of energy - be clearly distinguished in the mind of the general public. If this is not done effectively, there would appear to be a real danger of the strong emotions aroused by the nuclear energy debate spilling over into the realm of NZ/US relations, leading to anti-US feelings within New Zealand, and putting strains on ANZUS. Such a development is in neither country's interest.


Ambassador.

attempts, particularly during 1976, to clarify exactly the limits of the 1974 liability guarantee, attempts that yielded very little.

The discussion that follows in paragraph 6 of how future policy for nuclear powered ship visits should be directed is also very interesting in its expression of a desire to have these visits become more accepted as 'normal and not particularly newsworthy.' This did not eventuate. Paragraph 8 dealing with nuclear armed ship visits has already been referred to, but the final comments are of interest in relation to the long running debate in New Zealand over nuclear power, which still continues.

New Zealand's ANZUS obligations were regularly cited as justification for US Navy visits, reference generally being made to obligations to contribute to collective defence under Article 2 of the Treaty. In June 1980, for example, Talboys in a criticism of a statement by the then Leader of the Labour Party, Bill Rowling, that ANZUS does not require the acceptance of visits by aircraft or warships of the alliance members said that Article 2 states that partners by means of continuous and effective self-help and mutual aid will maintain and develop their individual' and collective capacity to resist attack. This, Talboys said,

commits New Zealand to help Australia and the United States to maintain their defence capabilities, and in the case of the United States, nuclear powered ships play a key role in the total defence effort in the Pacific. It is wholly unrealistic, in the [National] Government's view, to suggest that it is consistent with our ANZUS obligations to refuse to let American ships visit our ports. There is nothing 'mutual' about that. It would make ANZUS a one way street.

This position was restated at the 1980 South Pacific Forum meeting at which the ANZUS Treaty was described as the 'cornerstone of our [New Zealand's] security, and of the security of the South Pacific as a whole. Successive New Zealand governments have recognised this'. Article 2 of the Treaty was cited and the exchange of goodwill visits by naval vessels of the ANZUS partners and participation in joint naval exercises described as,

an important element of the defence cooperation which gives substance to the ANZUS Alliance, and provides a reaffirmation of our willingness to meet our commitments under Article 2 of the Treaty. It is after all in New Zealand's interest that the United States should continue to deploy its forces throughout the South Pacific, and it is therefore important that no needless restriction be placed on movements and calls by United States naval vessels.

Addressing the question of visits by possibly nuclear armed American warships, and referring to the American NCND policy, it was stated that while the New Zealand government 'may in principle prefer that vessels carrying such weapons did not visit our ports, even though the weapons remain "unarmed" and therefore for all practical purposes harmless, from a practical point of view the New Zealand Government has acquiesced on the American policy [NCND] outlined above.'

Worse, for a party claiming at the time to be the originators of nuclear free New Zealand, National Defence Minister, David Thomson, indicated in 1983 that whether or not nuclear weapons did enter New Zealand ports was not considered important by comparison with New Zealand playing its part in ANZUS (Questions for Oral Answer No.13, NZPD vol. 450 3 May 1983, p.681). Other National Party MPs endorsed this position. For example, a 22 June 1983 telegram concerning the 1983 ANZUS Council meeting says the question of nuclear ship visits dominated the meeting and reports Warren Cooper, then Minister of Foreign Affairs, saying the availability of port access in Australia and New Zealand was a critical factor in efforts of the United States to maintain strategic deterrence and to carry out its responsibilities under ANZUS. Strategic deterrence is generally understood to mean conventional plus nuclear deterrence. This statement supports the

contentions that nuclear weapons entered New Zealand ports before 1984, and that ANZUS is a nuclear alliance, part of the global American nuclear deterrence framework.

Again, a note from the Prime Minister's Department dated 13 October 1983 referring to the expected visit in November of the American nuclear powered submarine Phoenix says, ... 'it is almost certainly equipped with anti-submarine missiles, some of which probably have nuclear warheads in them. In short it will not be a target for a nuclear strike; but it will have a place in the overall nuclear equation'. This same argument continued to 1984 and was at the heart of the ensuing ANZUS breakdown because of the nuclear carrying capabilities of much of the US Pacific Fleet. This argument relating to Article 2 echoes statements made regularly in annual ANZUS Council meeting communiques in the early 1980s. These are examined in the next working paper. See also the claims by National MPs during the passage of the legislation in that working paper. These and other statements by National MPs support the claim that their commitment to Holyoake's pledges were devoid of real intent.

Some concern was being expressed by government officials by early 1984, however, over the imminent deployment of Tomahawk cruise missiles with nuclear warheads on vessels likely to visit New Zealand. National had argued for some time that US Navy visits by possibly nuclear armed vessels did not pose a threat to New Zealand by making it a potential nuclear target because the nuclear weapons carried on the visiting vessels would only be short range tactical weapons. These did not pose a threat to any hostile power while in New Zealand because of their limited range and the location of New Zealand.

By contrast, Tomahawk cruise missiles, which entered the US Navy in June 1984, with their range of around 1500 miles raised a new problem. While not long range strategic missiles, they are sub-strategic and cannot be classified as tactical nuclear weapons. This concern is shown in a range of documents from the 1982-84 period. The problem did not arise for New Zealand, it was overtaken by the July 1984 election and the introduction of Labour's anti-nuclear policy.

It should be clear from this material that National governments from 1976 to 1984 accepted that nuclear weapons did enter New Zealand ports at times on visiting American warships, and did not oppose this. The Holyoake nuclear free commitment became a statement of empty policy, never enforced by National when these nuclear weapons were stored in New Zealand ports on visiting US Navy warships. It was equivalent to the Japanese three non-nuclear principles which also reject storage, and to a Danish type no nuclear weapons policy. Both these were ineffective and not enforced, certainly in relation to the activities of the US Navy and the British Navy⁽²⁾. Holyoake's declarations became political expediency; much like the 1990 switch by National to support Labour's anti-nuclear legislation, although another possible reason for National being willing to make this switch early in 1990 will be considered in the next working paper. It must be said, however; that Muldoon in a press interview on 22 March 1982, seen in the Ministry files, did claim that top levels of government were never told confidentially if a visiting vessel was nuclear armed.

National may well have supported nuclear disarmament in principle, but did little that was really effective to manifest this in a nuclear free New Zealand until after winning the 1990 election in which they adopted Labour's nuclear free legislation, undoubtedly in part to ensure political support, but also it would seem from subsequent events with some genuine change of heart. National maintained the nuclear free legislation in 1993 when it was re-elected, and showed increased support in the United Nations for disarmament resolutions compared with its pre-1984 performance⁽³⁾. Further, in 1995 the National Government of the time came out very clearly against the threat or use of nuclear weapons in statements to the International Court of Justice in relation to the World Court Project. This poses a problem for National which still appears to want to continue to participate in ANZUS (private communication from the Minister of Foreign Affairs 17 June 1996).

But as Simon Upton, National MP and Minister in 1997 remarked in 1987, (see the passage of the Bill debates second reading), for an anti-nuclear government to be in an alliance with a country that possesses nuclear weapons taints the alliance, and if government members are sincere in their anti-nuclear stance they should be considering withdrawal from that alliance. This was directed at Labour in 1987, but applies equally to National now.

Labour under Rowling in the late 1970s developed an interesting proposal to review ANZUS. This was that for ANZUS to be fully effective it should be broadened to include social and economic problems in the area. Rowling invoked the preamble to the Treaty which states that the parties desire to strengthen the fabric of peace in the area, and to coordinate their efforts for collective defence and the preservation of peace and security pending the development of a more comprehensive system of regional security in the Pacific area. He was in effect saying the time had come to develop a more comprehensive security system including factors other than just the purely military aspects of ANZUS. His proposal appeared again for the 1984 election. Labour for the 1996 election pledged to work for a comprehensive security regime in the South Pacific, including a broad range of non-military factors, military alliances such as ANZUS being recognised as 'no longer an appropriate basis for meeting our region's post-Cold War needs'. The proposal to review ANZUS never eventuated. By the early 1980s Labour was stating clearly that in government it would ban nuclear armed and powered vessels, although the question of banning nuclear powered vessels was more contentious, and was argued against for some time by Lange particularly. The 1984 election platform promised to ban both classes of vessels.

Labour was not necessarily alone in promoting these sorts of views, however. Muldoon is quoted as saying in May 1982 that 'The aim of the alliance is spelled out quite simply: it is to strengthen the fabric of peace in the Pacific area. That is no small task. It is not one that can be carried out by military activity alone.' quoted in 'The Economic Dimensions of ANZUS', by A Kirk and K Clarke, in Beyond ANZUS, Benton Ross Publishers, 1985, p.120. But no evidence has been seen of National attempting to promote developments of the sort proposed by Rowling.

1.3 A South Pacific Nuclear Free Zone

Claim and counter claim concerning this zone and the origins of the proposal for such zone have also appeared for many years. While it is to digress from the main thrust of the present discussion, it is worth examining some material from the 1976 to 1984 period to establish the actual situation clearly since claims about this zone proposal figured strongly in the passage of the Bill debates, 1986-87, and were heard again in 1996 in relation to a proposal for a Southern Hemisphere Nuclear Free Zone.

The early history of this proposal has been covered by Clements. At the governmental level, Norman Kirk had become interested in the idea of a South Pacific Nuclear Free Zone (SPNFZ) as early as 1963. The 1972-75 Labour Government under his leadership until his death, and then under Rowling, advanced the proposal for a SPNFZ to the stage of getting the support of the 1975 South Pacific Forum meeting for the concept. Subsequently with Fiji, UN General Assembly endorsement was gained for the concept, see New Zealand Foreign Affairs Review vol. 25 No.9, pp.55-57, September 1975. The SPNFZ Treaty was not signed until 6 August 1985, so what happened during the ten years from 1975?

Very soon after taking office the 1975 National Government was condemning the Labour SPNFZ proposal as unrealistic. Muldoon in a speech to the Dominion Council Meeting of the Returned Services Association on 14 June 1976 described Labour's proposal as a 'woolly-minded scheme', and said that as far as this proposal was concerned the broader (Labour) concept was totally unrealistic unless it had the agreement of the nuclear powers

themselves that they would observe it. That, of course, would not be forthcoming, he said. He continued,

The South Pacific Forum of the heads of government of South Pacific States at Rotorua this year unanimously adopted a definition of the nuclear-free South Pacific towards which we would work (in the words of the United Nations resolution) as being in no way a restraint upon existing alliances and in no way interfering with the right of vessels to passage on the high seas.

The full text of his speech is given in New Zealand Foreign Affairs Review vol. 26 No.4, pp.49-54, April-June 1976. He and other National speakers claimed that Labour wanted a zone that banned nuclear armed vessels from the high seas.

Keith Holyoake, then Acting Minister of Foreign Affairs, stated this in a document circulated to all Government members dated 30 March 1976 for example. He said that Labour's proposal was never defined with any precision, but that their statements suggested that even if not possible early on, they would want ultimately to have a zone embracing the high seas, and the National Government's view was that any proposal for such a zone would be 'simply impracticable'. It would be impossible to police he said, and the nuclear powers would not accept restrictions on the high seas. The United States saw New Zealand's support for a SPNFZ as having 'unwelcome implications for its freedom of movement and hence its capacity to discharge its ANZUS obligations'. The Government, Holyoake concluded, 'saw no point, therefore in attempting to pursue such a proposal'.

However Rowling in a speech at the Rutherford High School on 3 October 1975 presented a quite different picture, see New Zealand Foreign Affairs Review vol. 25 No.10, pp.3-14, October 1975. He stated, p.13, when discussing the freedom of the high seas that it was not the intention of New Zealand to restrict this freedom. It was recognised that 'to attempt to impose such a restriction on unwilling third parties is, in our view, neither proper nor realistic.' He continued to say that a separate but related instrument would be needed to cover the situation in which no nuclear weapons would be stationed anywhere in the area and, referring to the nuclear weapon states, would come into effect 'only when it had been ratified by those states'. He had stated earlier p. 11 that the proposed zone 'should not disturb necessary security arrangements'. These statements are not consistent with the claims made by Muldoon and others in his Government.

National had reached a conclusive position on the zone proposal by the time of the South Pacific Forum meeting in 1980. This was spelt out in an annex to a set of notes for the meeting presented in summary here. It says that New Zealand subscribes to the most recent zone concept, which remains that adopted at the Forum 1976 Rotorua meeting, and supports the principle of nuclear weapon free zones. It also accepts the criteria for the creation of such zones agreed in 1979 by a group of experts commissioned by the United Nations General Assembly. These are that the initiative should come from the countries in the region; the zone proposal should have the support of all regional members; it should not seek to disturb existing security relationships within the zone; it should have the support of the nuclear weapon states; the zone's denuclearised status should be verifiable; in defining the territory of the zone members must respect international law; and the specific provisions of the zone are to be left for member states to negotiate.

The annex continues, 'These criteria cannot yet be met in the South Pacific region' and cites verification problems. It states,

Moreover, the New Zealand Government, relying as it does for its security largely upon the ANZUS Alliance, believes that a nuclear-weapon free zone for the South Pacific which purported to include high seas, would at present be incompatible with our Alliance commitments and with freedom of passage over the high seas.

It concludes, 'Given the practical difficulties, there are no New Zealand plans to take an initiative in creating a zone.' This seems quite clear. National was not supporting a SPNFZ in 1980, or earlier, from these documents, although their objections were stated somewhat differently at different times.

However, in 1983 Doug Kidd, MP for Marlborough at the time, proposed his own SPNFZ which asked the nuclear powers not to launch nuclear weapons from or into the zone, not to base any nuclear armed vessels or aircraft or bring nuclear weapons into the territorial waters or ports of any nation in the zone capable of reaching beyond the boundaries of the zone, and undertake to a host state that any nuclear weapons on visiting ships or aircraft were disarmed while in their territorial waters or ports, all to be embodied in a nine point treaty between the South Pacific powers and the five nuclear powers (see The Evening Post 4 August 1983). He is also reported in the 3 August Dominion as saying membership of ANZUS was not dependent on nuclear warship visits, but his position clearly changed after Labour's 1984 election victory as we will see in a subsequent working paper.

Interestingly the zone agreed to in 1985 did not place restrictions on the high seas, on existing security arrangements, or on the freedom of individual states in the zone to accept or reject nuclear armed or powered vessels. This was foreshadowed in a July 1983 statement by Lange that transit of any such zone by nuclear armed and nuclear powered vessels may have to be accepted, transit rights through international waters must be recognised. A zone allowing this was not ideal he said, but was a major first step. He referred to Australia taking the initiative on the form of the SPNFZ treaty with 'strong New Zealand support' in a press interview of 5 October 1984. Nor did the western nuclear powers sign the protocols to the Treaty until 1996. It met all the requirements National wanted, and was in force for over ten years without the support of these nuclear powers. A critical assessment of the SPNFZ is given in the book of that title, The South Pacific Nuclear Free Zone Treaty: A Critical Assessment, by M Hamel-Green⁴ who sees Labour's role in detelniining the final form of the zone as weak in comparison with New Zealand's domestic anti-nuclear stance, and as supporting Australian proposals. He sees the final form of the Treaty as reflecting Australian efforts to pre-empt more comprehensive zone arrangements and to secure ANZUS nuclear interests while directing regional anti-nuclear sentiment against French nuclear testing. Hamel-Green p.73 cites New Zealand political scientist Ramesh Thakur as describing the Muldoon Government's efforts on a SPNFZ from 1976 to 1984 as 'more like an alibi than a proposal for actual implementation.' This sums up the conclusion that it is considered must be reached from the material presented here and available elsewhere. National claims to be the originators of the SPNFZ must be dismissed as unsustainable.

The history of the 1984 election period is presented in detail in referenees 1, 2, 3 and 5 given in the introduction. Briefly, the election was called in part as a result of a potential threat to the Muldoon Government from a rebel government MP, Marilyn Waring. The Government had a working majority of only one in the 92 seat Parliament, and Ms Waring, amongst other actions that distanced her from her government colleagues, said that she would not support the Government on several matters including defence and nuclear ship visits, that is visits by nuclear capable or nuclear powered vessels. She had already voted against her Government in June 1984 to support an Opposition nuclear free New Zealand bill that included a ban on such visits which was narrowly lost (see NZPD vol.456 1984, pp.255-273, 317-8).

Prime Minister Muldoon argued that in these circumstances, where the actions of one rebel member of his Government could result in defeat for the government on a matter relating to New Zealand's security and ANZUS, an election should be held forthwith rather than at the normal time late in 1984. His own arrogance undoubtedly played a significant part in his reaching this decision, which appalled many of his parliamentary colleagues. ANZUS was then seen by National as the cornerstone of New Zealand's

foreign and security policies. This is still the case for some National MPs, but the strength of support for ANZUS within National is dropping. The election was held on 14 July 1984 and resulted in an absolute majority for the victorious Labour Government.

The question of banning nuclear armed or powered ship visits and the impact this might have on ANZUS and relations with allied nuclear powers was central to this election. One aspect of the election and accounts of events preceding it does need clarification and emphasis. There are suggestions in some of the references cited above that the 1972-5 Labour Government banned visit by nuclear powered or armed vessels. This is implied, for example in the statement by Clements in his book p.85 that the National Government elected in 1975 would 'restore nuclear powered and possibly nuclear-armed ship visits', and in Landais-Stamp and Rogers, (ref.5 introduction, p.15) 'the [1972-75] Labour Government also banned nuclear powered warships from New Zealand's ports. By 1975 the ban was under considerable strain...'. At least one senior Labour politician claimed publicly in 1987 that 'Labour, in office from 1972 to 1975 made it clear that nuclear-armed and powered vessels were not welcome in New Zealand', and again, 'When Labour was in government from 1972 to 1975, we had a ban on nuclear-armed warships', when discussing the history of the continuing Labour anti-nuclear policy. These statements are all incorrect. The absence of a ban on nuclear armed warships before 1984 has been dealt with.

1.4 The Nuclear Powered Warship 'Ban'

The apparent ban on nuclear powered vessels (NPV or NPW) arose late in the 1960s during the term of the pre-1972 National Government in response to growing concerns over the safety of the reactors in these vessels, and the lack of guarantees by their home countries of responsibility for the safety of the vessels and the consequences of any accidents involving them. In 1968 the New Zealand Atomic Energy Committee established a Nuclear Shipping Sub-Committee to prepare a New Zealand Code for Nuclear Powered Merchant Shipping. A draft New Zealand code was drawn up based on a draft code prepared by the International Atomic Energy Agency, and was approved by the Atomic Energy Committee in May 1971. The Sub-Committee was also asked by the then Secretary of Defence (Navy) to complete a report based on a draft prepared by the New Zealand Navy of Safety Orders for the Visit of a Nuclear Powered Naval Vessel to the Port of Auckland, which it did in July 1971. Auckland was then considered the most suitable port for these visits. The Safety Orders were approved and became known as AUCKNUSAFE. They were classified RESTRICTED.

Matters came to a head with the US Navy early in 1972 following a request for a visit by a nuclear powered submarine USS Scamp. The Americans were not willing to comply with some of the requirements of AUCKNUSAFE which demanded technical information that they would not release concerning the reactors in the submarine. They were also not willing to accept absolute liability for the consequences of any nuclear accident, but requested permission to visit on the basis of a Standard Statement covering the operation of nuclear powered warships in foreign ports. This was not accepted by the New Zealand Government, and the visit did not go ahead.

The United States, the main country involved, passed appropriate legislation in 1974, and as a consequence there was considerable discussion in the Labour Government concerning future policy for such visits. That there was no actual ban is stated explicitly in, for example the letter of 9 July 1974 from the then Prime Minister, Norman Kirk, to another Labour MP Mike Moore reproduced below. Moore had been asked by one of his constituents about the existence of this ban. The cessation of nuclear powered vessel visits represented a halt to these visits until certain conditions were met, not an actual ban. Aspects of this episode have been examined in detail by Michael Pugh in a 1988 paper⁽⁵⁾. A liability assurance was also obtained in 1976 from the British, but no nuclear powered British vessel visited New Zealand from 1958 to 1984.

PM 59/5/2

9 July 1974

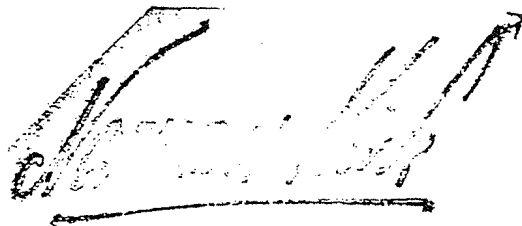
Dear Mr Moore,

Mr Faulkner has passed to me your letter of 2 July about nuclear powered vessels.

#

As you will know, nuclear powered vessels have visited New Zealand in the past, but not for nearly ten years. In the meantime there has been a fuller realisation of the possible dangers associated with this form of propulsion and of the need to settle questions of safety procedures and other matters including liability to the satisfaction of the New Zealand authorities. The Government has not imposed a ban as such - it has simply not had to make a decision. If a request for a visit by a nuclear powered vessel were received, the Government would wish to undertake thorough studies and consultations before coming to a decision.

Yours sincerely,



Mr M.K. Moore, M.P.,
Parliament House,
WELLINGTON.

Mr Richards

Subsequently the Safety Orders were reviewed in recognition of the change in the 1975 National Government's position to accept nuclear powered warship visits. Moves to initiate this review had already begun in January 1976, and resulted in a new code known as AEC 500 later that year which considered other ports and accommodated visits without the release of sensitive technical information. Visits by American nuclear powered warships commenced again in 1976, Muldoon announcing in January the willingness of his new government to allow these visits. The resumption of these visits was announced formally by Muldoon on 28 June that year. They continued at varying intervals until 1984.

One other aspect on US Navy visits to New Zealand deserves comment at this stage. Claims of pressure from the United States on New Zealand to reverse 1984 its anti-nuclear policy appear later in this study. But pressures of various sorts in relation to US Navy visits had been experienced for over two decades by succeeding New Zealand governments.

Following the 1974 guarantee of absolute liability from the United States for the consequences of any accident involving the reactors in their nuclear powered warships, embodied in a Congressional Resolution, there was pressure for the New Zealand government to allow visits by these vessels to recommence and, as noted, this happened in 1976 under National. However, the preceding Labour Government was pressed to accept the visits, and by late 1975 was prevaricating about future visits, see Clement's book pp.84-85. An undated file document seen in the Ministry of Foreign Affairs files but prepared late in 1982 gives a potted history of visits by nuclear powered warships in the 1960-1976 period. Against 1975 it says, 'Government re-examining its policy. Heavy diplomatic pressure from the Americans "do you want to be in ANZUS or not?" Also pressure from MOD [Ministry of Defence] and service chiefs.' It also says for 1974 that exactly what the 1974 resolution (the absolute liability guarantee) would mean was 'not sufficiently clear'. The Muldoon Government was very concerned in the 1976 period to try and clarify exactly what guarantees this resolution gave New Zealand, but met a wall of resistance in trying to get any special extension of the resolution or clarification of its exact interpretation, and in trying to obtain any technical details of US Navy nuclear powered vessels that would allow a better assessment of their safety to be made. This situation never changed, as Ministry documents show.

The Americans also pressed regularly to have visits by these vessels treated exactly as visits by their conventionally powered warships were treated. These latter continued visiting through the 1970 to 1975 period, and as has been noted blanket clearances for these visits were issued annually early each year by the New Zealand Government following a request late the preceding year from the US Embassy. A Ministry document dated 21 November 1980 states that in 1977 the Americans asked that nuclear powered vessels be included in the blanket clearances, and that from late 1977 on these Embassy requests were for a blanket clearance for all US Navy visits in the coming year, with no differentiation of nuclear powered vessels. This pressure continued, but was resisted by the Muldoon governments because of concerns over the political sensitivity of the visits, and from 1979 on because of assurances given by Muldoon that these visits would be treated separately, reflecting growing public protest and concern. A 1982 discussion of the annual blanket clearance requests received by the Ministry of Foreign Affairs from the US Embassy is included showing the arguments put forward by the Ministry for maintaining this separation of nuclear powered vessels. Under National, the blanket clearances did, however, include an assurance that clearance for nuclear powered warship visits would be given on a case by case basis, see the 1984 clearance document included in this chapter.

This pressure also took another form. Individual clearance requests for each proposed NPW visit were received by the Ministry of Foreign Affairs from the American Embassy in Wellington. These always omitted the conditions routinely demanded by the Ministry that the visit be in accordance with the 1974 United States liability guarantee and New

19 November 1982

✓ Ms Pearce
 ✓ Mr McDowell
 ✓ Mr Templeton
 ✓ Mr Norrish

US REQUESTS FOR BLANKET DIPLOMATIC CLEARANCES

... 1. The US Embassy has sent us three Notes (attached) seeking blanket diplomatic clearances for calendar year 1983 as under:

- (i) diplomatic clearance for regular flights by US military non-combat aircraft and contract commercial aircraft entering NZ in support of US installations established under Memoranda of Understandings relating to the Agreement on Operations in the Antarctic, as amended, and to the Baker-Nunn space vehicle tracking station Agreement;
- (ii) diplomatic clearance for US military non-combat aircraft visiting NZ with high priority cargo in support of US installations (i.e. in practical terms, the US Embassy) or with dignitaries visiting NZ with the prior knowledge of the NZ Government. (The Embassy undertakes to give notification of actual flights as far in advance as practicable.);
- (iii) diplomatic clearance for "all visits of US Navy ships. (The Embassy undertakes to provide notification of actual visits as far in advance as possible.)

2. As to (i) above, diplomatic clearances have been requested and granted on an annual basis since 1970. As to (ii) above, from 1970 to 1979 clearances were granted on a quarterly basis. In 1979, at the request of the Americans, the Minister of Foreign Affairs agreed that such flights should be given diplomatic clearance on an annual basis - thus reducing the administrative workload involved in processing quarterly requests whilst providing a uniform procedure for all routine non-combat US military aircraft (including contracted aircraft) landing in NZ. It also put routine American transport flights on much the same footing in respect of advance clearances as is the case for RNZAF transport flights to and through the US. The Americans were informed however, that they were expected to provide notification of the likely pattern of flights in respect of (i) above, and advance notification of actual flights in respect of both (i) and (ii). (Formal diplomatic clearances for all non-routine transport flights falling outside the scope of (i) and (ii) above and for flights into NZ by combat aircraft are still sought by the Americans on an ad hoc basis.) The Minister also agreed that in accordance with past practice the Secretary of Foreign Affairs should

/continue

file

continue to approve these two annual clearances in the exercise of delegated authority. In short both these American requests for blanket clearance for 1983 would appear to be unexceptionable. The Ministry of Defence has no objections to both clearances being renewed for 1983. I attach for your approval therefore a ... Note in reply to the two American Notes.

3. As to paragraph (iii) above - clearance for visits by all naval vessels: for some years the Americans had sought and been granted annual clearances for USN conventionally-powered ships to visit NZ by the Secretary of Foreign Affairs (who has delegated authority from Ministers in this regard). In December 1977 the Americans asked us to consider revising our current practice with a view to the inclusion of their nuclear-powered vessels in the annual blanket clearance for USN vessels. It was decided by the Prime Minister and our Minister that a one month's notice requirement for USN nuclear-powered vessel visits should be retained, the Americans to be assured that clearances would be given. In practical terms Ministers' wishes were expressed by asking the Americans to seek individual diplomatic clearances for their nuclear-powered warships, the requests to be submitted at least one month in advance (thereby allowing the Government to set in train the safety procedures in the NZ Code for Nuclear Powered Shipping). At the same time and in accordance with Ministers' wishes the Americans were assured that clearances would be given when requested.

5. Since then the Americans have asked us, on an annual basis, for blanket clearance for all visits to NZ by USN ships; and we have replied in more or less standard terms, viz. that the NZ Government grants blanket diplomatic clearance for the year in question for visits of USN conventionally powered vessels but that individual diplomatic clearances should be sought by the Embassy for visits by ^{nuclear-powered} vessels at least one month in advance of proposed visits.

6. In my view our response this year should be along similar lines. I recognise that there is a viewpoint that the more routinely visits by such vessels are treated, the more likely is the public to accept them. This viewpoint should be qualified, in my view, by certain considerations, viz:

- (i) the manner in which a visit by a NPW is treated within our Government system has little bearing on whether or not diplomatic clearance should continue to be sought by the Americans for each NPW visit;
- (ii) in the course of a parliamentary exchange in 1979 the Prime Minister stated that "visits are considered when requested by the United States. That policy will continue, and I have no thought they will be refused. The Government believes that the visits will strengthen the defence links between New Zealand and the United States, and the United States Government thinks exactly the same. We will continue to satisfy ourselves that appropriate safeguards and safety standards are being enforced"
"I repeat that every one of the nuclear-powered

/vessels that

vessels that has come here has come in response to a request from the United States Embassy on behalf of the United States" "On every occasion there has been a formal request by the United States Government through the United States Embassy". On 13 April this year the Prime Minister stated in an official press statement announcing the USS Truxton's visit: "We have therefore had no hesitation in agreeing to the American request for another visit by the USS Truxton. I am sure it will also be welcomed by the great majority of New Zealanders." (Some confusion was later introduced in May, by the American Embassy stating that the Truxton was visiting at the invitation of the Government; Minister Cooper sought to explain the seeming inconsistency by saying *inter alia* "I think it's a bit like a friend saying to another friend 'come round and see us sometime', and then the friend comes round and you say 'look, I didn't specifically invite you' and that's not the business we're in"). It is worth noting that the US Embassy formally sought diplomatic clearance for the Truxton's visit, in accordance with the standard procedure, in advance of the Prime Minister's statement.

(iii) Under AEC 500 (as amended in 1981), the New Zealand Code for Nuclear Powered Shipping, the entry of a nuclear-powered vessel into a New Zealand port must be authorised by the Minister of Transport pursuant to certain conditions. (In the case of a USN NPW, by direction of the Government following compliance with certain stipulations.) Certain procedures then come into operation to ensure that safety requirements are met.

6. I am of the view that the diplomatic request procedure followed hitherto in respect of visits by USN NPWs is probably the most satisfactory way to accommodate considerations (ii) and (iii) above (despite the element of confusion introduced by the US Embassy's statement in May). The bilateral relationship with the USA has survived this procedure in past years; and the procedure is not inconsistent with the remarks of Minister Thomson who is reported by the 'Dominion' to have said at a press conference during US Secretary of Defence Weinberger's visit on 8 November, that the Government had renewed its assurance that all US ships would be welcome under a National Government. I imagine that the US Embassy's Defence Attache's office expects much the same response as hitherto. The Ministry of Defence has no difficulty with this. Given the considerations outlined in the preceding paragraphs, I have prepared a Note in reply to the Americans for your approval. It is in similar terms to the Note sent in previous years.


(M.F. Watkins)

Defence Liaison Officer

Zealand's safety code, AEC 500, for such visits. The Americans must have known that they would be required to meet these conditions before clearance would be granted, but it took a request from the Ministry in each case before the Embassy gave the required assurances. This is illustrated in the case of the visit by the USS Texas in August 1983 in the Embassy notes 69 and 77 reproduced below.

US Navy pressure produced results in most instances. In 1977, the Americans expressed concern and dissatisfaction with radiation monitoring done by New Zealand teams around their nuclear powered warships that had visited in 1976 because teams had come within 50 metres of the vessels. The US Embassy said that close monitoring could reveal information about the vessel's internal operations. They requested that no monitoring be done closer than -50 metres during future visits. After some resistance, the Muldoon Government yielded, and agreed to this restriction. A note dated 27 October 1977 from the Secretary of Foreign Affairs, Frank Corner, to the Acting Minister of Foreign Affairs includes the statement by Muldoon to American Ambassador Shelden, that 'You can say with confidence that it will not be done except in an emergency, while at the same time we are able to say publicly that there are no restrictions on our monitoring'.

The US Navy was also very reluctant to have non-navy personnel wandering around their ships, a common attitude in most navies. It was carried to an extreme early in 1976 by the US Navy soon after the resumption of their nuclear powered ship visits when Ministry of Agriculture (MAF) staff were refused access to the meat lockers on some visiting conventionally powered ships. The MAF staff made inspections of all visiting vessels to ensure that any lockers containing meat from countries suspected of supplying meat contaminated with foot and mouth or similar diseases were sealed by MAF while the vessels was in New Zealand ports. Again after some initial resistance to the US Navy's action, and its demands that MAF staff not come on board to inspect and seal meat lockers, the Muldoon Government yielded, and agreed to this in an exchange of Aide Memoires over the period November 1976 to June 1977. Copies of these are available. The MAF officials merely boarded a US Navy vessel and accepted an assurance from the captain that the meat was not contaminated. This sensitivity by the US Navy presumably applied particularly to their nuclear powered warships since it was only manifested after the resumption of visits by these vessels. It reached the extreme at one stage in 1976 of the US Navy even considering cancelling a port call because of the inspection problem.

Pressure of many sorts from the United States to accept their terms and requirements in relation to the movements of their warships were experienced over many years by New Zealand governments, and continued through the post-1984 period. These examples from the Muldoon era are merely some illustrative examples of the varied forms these pressures took, then and later. This era is not the subject of this study, however, and a full discussion of events related to the visits of US Navy vessels including nuclear powered warships will be the subject of another study.

It is worth noting at this point that the Ministry files seen in 1996 covering US Navy warship visits during the Muldoon years show no evidence to support claims that Muldoon invited specific nuclear powered warships to visit, and his government ministers regularly denied this. From these files, the visits appear to have always been initiated by the Americans with diplomatic clearance requests from the US Embassy in Wellington. A note from the Secretary of Foreign Affairs to his Minister dated 26 September 1980 included here supports this. This is not to say that no invitation was ever issued, informally perhaps in discussion, but that no such evidence has been seen except for a comment in a telegram relating to correspondence early in 1979 between US Navy Captain D Pringle and a New Zealand resident concerning NPW visits. In this Captain Pringle refers to the Secretary of the Navy's commitment to the New Zealand Prime Muldoon's request for a nuclear powered warship visit to New Zealand early in 1979. The nuclear powered submarine Haddo visited Auckland in January 1979.

No. 69

(C) The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of New Zealand and has the honor to request diplomatic clearance for the USS Texas (CGN-39), a United States Navy nuclear powered cruiser, to visit Auckland, New Zealand during the period August 2 to August 8, 1983 and Wellington, New Zealand during the period August 10 to August 15, 1983, for routine operational visits.

(U) The Commanding Officer of the USS Texas is Captain W. D. Andress, United States Navy. Crew complement consists of 34 officers and 485 enlisted men. Maximum daily liberty party will be 350. The length of the USS Texas is 585 feet, draft is 29.5 feet.

(U) In connection with the visits the Embassy requests authorization for the USS Texas to transmit on the following frequencies while in New Zealand Territorial Waters:

<u>RADAR FREQUENCIES</u>	<u>EMISSION</u>	<u>POWER</u>
5450-5845	Pulse	190
895-940	Pulse	240
9345-9405	Pulse	10

RADIO FREQUENCIES

4160.5, 6242.5, 8294, 8314, 12433.5, 12473.5, 16582, 16594, 16630, 22114, 22134, 22150

~~CONFIDENTIAL~~

(U) The Embassy requests that any public announcement of this visit be withheld until a mutually agreed time.

(U) The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Affairs the assurances of its highest consideration

Embassy of the United States of America

Wellington, June 21, 1983



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OFFICIAL INFORMATION ACT

~~CONFIDENTIAL~~

✓ 59/200/20

No. 77

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of New Zealand and has the honor to acknowledge receipt of an oral request from the Ministry regarding the proposed visit of the USS Texas (CGN-39) to Auckland, 2-8 August 1983 and to Wellington 10-15 August 1983.

The visits of the USS Texas will be conducted in accordance with the conditions contained in the "Statement by the United States Government on the Operations of United States Nuclear Powered Warships in Foreign Ports"; Public Law 93-513, 93rd Congress, S.J. Res. 248, December 6, 1974, relating to compensation for damages caused by nuclear incidents involving the nuclear reactor of a United States Warship; and the provisions of the New Zealand Code for Nuclear Powered Shipping (AEC 500).

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry the assurances of its highest consideration.

Embassy of the United States of America

Wellington, July 5, 1983





→ 59/5/2
✓ cc 87/29/1

MINISTRY OF FOREIGN AFFAIRS
WELLINGTON

26 September 1980

The Minister of Foreign Affairs

EXERCISE LONGEX 81 : PARTICIPATION
OF AMERICAN NUCLEAR SUBMARINE

You have asked for our comments on the attached submission from the Chief of Defence Staff as the Minister of Defence seeking authority to issue an invitation for an American nuclear-powered attack submarine to take part with Australian and New Zealand units in an exercise to be held in the New Zealand area in March/April next year. The Chief of Defence Staff points out that it is normal for overseas vessels taking part in such exercises to make port visits in the host country for purposes of debriefing and recreation.

2. Our understanding is that the Government's policy is to welcome visits by American naval vessels, whether or not they are nuclear-powered, as a visible demonstration of our support for ANZUS. When the Prime Minister was in Hawaii earlier this week he told CINCPAC that "he would like to see visits to New Zealand by USN vessels such as "Truxtun" continue but on a more regular basis so that they did not appear to be 'special events' in the eyes of the public".

3. As far as we are aware, however, the Government's policy has not hitherto extended to inviting American nuclear warships to New Zealand. It is a question for the judgment of Ministers whether or not this would be seen publicly as a new development, and if so whether it could be justified in terms of our obligations under the ANZUS Treaty.

OFFICIAL INFORMATION ACT

see North
see [unclear]

Secdef + CDJ understand the
significance of the [unclear] [unclear]

Minister saw &
passed copy with comments
to Minister of Defence.
PAB: Yiu

[Signature]
for Secretary of Foreign Affairs

Encl.



Certainly the suggestion in Clements' book p.86 (ref.1 introduction) that Muldoon issued such an invitation in March 1976 during the visit of Admiral Noel Gaylor, Commander-in-Chief of US Pacific Forces does not appear to hold up, because the US Embassy had already requested diplomatic clearance on 4 March that year for the visit by the nuclear powered Truxtun later in 1976, and Naylor did not visit until late in March. It is interesting to note that the 1982 undated potted history of NPW visits referred to earlier says for 1975-6, US pressuring us with Truxtun visit.

Muldoon was, nevertheless, determined to have these visits, and at times appears to have pushed the procedural limits in arranging visits. A 17 June 1983 Ministry document, a note from a senior Foreign Affairs official to others in the Ministry states that the writer was, 'informed today by Navy that PM has "given the nod" to proposed visits by [USS] Texas. Now need to wait for the diplomatic clearance request from the US Embassy.' Here Muldoon is in effect authorising a nuclear powered warship visit without the standard formal procedures for such visits having been completed, and requiring the assurances from the Embassy as discussed above for this very visit by the Texas. Further, final permission for NPW visits had to be given by the Chairman of a special committee set up to consider NPW visit requests, as specified in AEC 500. This request was received on 21 June 1983, and the clearance granted on 26 July over a month after Muldoon gave "the nod" for the visit.

This episode has interesting implications. It suggests that informal discussions took place concerning proposed NPW visits, probably at a level above that of officials in the Ministry, that resulted in a tacit understanding concerning the acceptance by the New Zealand government of a visit, and that these preceded the formal clearance procedure. This despite the repeated claim by Muldoon that an impending visit was always heralded by a request from the American Embassy for clearance, see the 19 November 1982 blanket clearance document included here, p.2 para 6(ii), for example. Muldoon may have not directly invited the Americans to send nuclear powered warships here, but he undoubtedly did everything he could to encourage these visits.

As indicated in the introduction, the 1990 National Government commissioned a review of the safety of nuclear powered vessels. The report from a committee of three scientists which declared nuclear powered warships 'safe', was quite extensively criticised by the public and by specialists in the field in New Zealand, although it won favourable comment from official sources within the country and overseas. The report recommended a number of changes to the safety code AEC 500, which had been revised several times since it was first developed, This regular revision of this safety code was the responsibility of a subcommittee of the New Zealand Atomic Energy Committee, the NZAEC.

The Ministry files show that the NZAEC was disbanded in April 1986, and this would seem to imply that its subcommittees would have also ceased to function at that time. A request in April 1997 to the Minister of Defence for confirmation of this was answered by Dr. D McGregor, Chief Scientist in the Ministry of Research, Science and Technology. He stated that the subcommittee of the NZAEC involved did not meet after the last nuclear powered ship visit in 1984, but continued to function until 1993 when it was formally disbanded. 'There is no body which is currently responsible for reviewing AEC 500, but the requirement for a review committee would be re-considered should the need arise.' (private communication, 28 April, 25 June 1997)

To conclude this brief discussion, and in the light of later events, it is worth noting that soon after the loss of the 1975 election Labour clarified and hardened its opposition to visits by nuclear powered or armed vessels. Initially this may have been prompted to some extent by goading by National over Labour's equivocal position in 1975 on US Navy nuclear powered warship visits, see Clements pp.84-85, for example. But as time passed this became a clear stand by Labour into the 1980s. The only departure was by Lange when he became Leader of the New Zealand Labour Party in 1983 and expressed

uncertainty concerning banning nuclear powered vessels as well as nuclear armed vessels. The Party soon changed his mind, see his book pp.31-34.

1.5 The 1984 Policy

The reason for presenting this material is to establish unequivocally that the bans on visits by nuclear armed or powered vessels and nuclear armed aircraft introduced in July 1984 by the Labour Government were the first real and effective bans in New Zealand's history. The nuclear powered vessel ban was introduced despite the 1974 United States legislation relating to safety and accidents. The ban on nuclear capable vessels and aircraft applied to vessels and aircraft known to be, or judged to be, nuclear armed as will be discussed.

The difference between the pre- and post-July 1984 ship visit policies reflects the wide differences seen in the bases for, and traditions in, foreign policy between Labour and National. David McCraw, staff member in the Department of Political Science and Public Policy at the University of Waikato has examined these differences in 1996 and 1997 papers⁶ ~ ~ concerned with the National Party and Labour Party respectively. The core of Labour's tradition in foreign policy, he states, is idealism, while National's tradition is based firmly on national interests, the core national interests of trade and security, a pragmatic policy. This he sees reflected in National's conservatism and its strong desire for good relations with New Zealand's allies, to protect her core interests. By contrast he claims, Labour has been willing to adopt a more independent stance, to be more internationalist and active on the world scene.

There have, nevertheless, been considerable differences between the positions of the New Zealand Labour Party and the Labour parliamentary caucus. The party had long supported withdrawal from ANZUS, and at its 1983 annual conference only reluctantly accepted the Rowling compromise already discussed calling for a review of ANZUS. This was seen as an attempt to reconcile the party's desire for a strong non-nuclear policy with continued membership of an acceptable form of ANZUS that reflected a more independent foreign policy. This in turn reflected the reality that while there was growing community support for the non-nuclear policy, that support was not as strong on the question of withdrawal from ANZUS. However, at the 1985 annual conference, the party voted to withdraw from the alliance. This is seen by commentators as showing that they accepted the compromise in 1983 for political and not principled reasons. Meanwhile, the Labour caucus in the 1984 government supported continued membership of the alliance. Readers are referred to Lange's book for comments on the influence of the party, and to chapter two for his account of this compromise policy. As stated, no compromise form of ANZUS was ever accepted by the United States.

The policy was first put to the test in February 1985 following a request from the United States for a visit by the USS Buchanan, DDG14, a Charles F Adams class guided missile destroyer capable at the time of carrying anti-submarine rockets (ASROC) which could be equipped with a one kiloton W44 nuclear warhead or a conventional warhead ~ ~>. This request was refused. Details of events surrounding the request and its refusal appear somewhat unclear, and differ in different accounts. However, new material relating to this incident, obtained late in 1996 from the Ministry of Foreign Affairs and Trade under the Official Information Act, throw new light on these events. This forms the subject matter of the next chapter.

The anti-nuclear policy introduced by Labour in 1984 covered more than just the question of these ship visits. This is examined in the next working paper dealing with the legislation that followed and that is now the empowering document. The United States and the United Kingdom were both strongly critical of the policy and its impact on existing security arrangements, in particular on ANZUS in the case of the United States. The United States finally suspended its security commitments to New Zealand under ANZUS in August 1986.

The anti-nuclear policy became law in June 1987, and Labour won the next election in August that year. National at the time was claiming that if returned to power it would return New Zealand to ANZUS but the country would at the same time remain nuclear free. How this would be achieved was not made clear except by vague references to trusting the United States and the United Kingdom to respect the nuclear-free policy. The weakness of this type of approach has been analysed extensively ⁽²⁾ and is examined in a subsequent working paper.

Throughout the period from the 1970s on, actions by peace groups, documents prepared by them, and names of peace activists, figure again and again in the Ministry files seen. In some instances these documents were used by the Ministry as input to assessments of important developments, the deployment of cruise missiles by the US Navy in the mid 1980s and the assessment of the nuclear weapons capabilities of warships and aircraft in a November 1984 report IR 101/84 by the External Intelligence Bureau, for example.

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CHAPTER TWO

THE SHIP VISIT FORMULA - DDG 14, USS BUCHANAN

2.1 Introduction

July 1984 saw the Labour Party coming to the election with a platform that included the following commitments:

1. To pursue an independent foreign policy
2. To prohibit visits by nuclear armed and/or powered vessels or aircraft
3. To actively seek the establishment of a South Pacific Nuclear Weapons-Free Zone, and the prohibition of dumping of nuclear wastes and testing of nuclear weapons in the Pacific
4. To legislate to make New Zealand and its territorial waters nuclear free
5. To promote the development of adequate verification procedures for the 1972 Biological Weapons Convention, the strengthening of the Geneva Protocol to ban any use of chemical weapons, and a treaty banning the development or use of all weapons in outer space
6. To re-negotiate the terms of ANZUS for the purpose of ensuring the economic, social and political stability of the South East Asian and Pacific regions. The basic requirements of an updated agreement will be New Zealand's unconditional anti-nuclear stance, the active promotion of a Nuclear Weapons-Free South Pacific, the acceptance of absolutely equal partnership in the alliance, and an absolute guarantee of the complete integrity of New Zealand's sovereignty.

As indicated in chapter one, the proposal to re-negotiate ANZUS was aimed at getting around the problem of the conflict between Labour's nuclear free policy and membership of ANZUS. Lange discusses this compromise proposal in his book pp.31-6, and says,

The proposal seemed essentially reasonable. It foresaw an association between New Zealand and the United States which did not depend for its existence on the visits of nuclear ships, and it gave the alliance partners the opportunity to decide how they might best jointly promote their common interests.

The President of the New Zealand Labour Party at that time was Margaret Wilson, now Professor Wilson of the School of Law, University of Waikato. In her book, *Labour in Government 1984-1987*⁽¹⁾, chapter four, she also discusses the conflict between ANZUS and the nuclear free policy; saying p.60 that 'It seemed impossible to have both a non-nuclear policy and continued membership of ANZUS, but at that time it appeared that that was what the New Zealand public wanted.' She then discusses the 1984 election platform saying it 'reflected the perception that it was impossible to reconcile the two policies [ANZUS and the nuclear free policy] under the existing terms of the ANZUS Treaty.' This chapter provides an interesting insight into this whole period from the viewpoint of the Labour Party. The United States did not accept the compromise proposal, as has been stated.

The election platform was quite broad, and contained most of the elements found in the subsequent 1987 legislation as we will see in the second working paper in this series. Nevertheless, the key element that has always attracted by far the most attention, and that led to the breakdown of ANZUS, was the commitment to prohibit visits by nuclear armed or powered vessels or aircraft.

Labour was elected with David Lange as Prime Minister. Government officials in defence and foreign affairs then faced the problem that a formula would have to be devised that might allow some possibility of reconciling Labour's determination to ban these visits with its desire for New Zealand to remain in ANZUS. This was not straightforward. Labour's promise required either a complete ban on all vessels and aircraft considered to be capable of carrying nuclear weapons, nuclear capable vessels or aircraft, or the provision of some means of classifying certain visits as acceptable to New Zealand meaning that no nuclear weapons would enter New Zealand. The former provision would have banned most of the combat vessels in the US Pacific Fleet.

Both possibilities conflicted strongly with the repeated declaration at meetings of the ANZUS Council that access to the ports and airfields of the ANZUS allies for the vessels and aircraft of the alliance partners was a vital aspect of the alliance. The idea of declaring some visits as acceptable also challenged the NCND policy in that declaring a certain vessel or aircraft as able to visit New Zealand said publicly that New Zealand considered the vessel or aircraft to be free of nuclear weapons at the time of the visit. Under the NCND policy, no such statement was ever made by the United States or the British. Labour claimed that there was no conflict with NCND in this type of formula, but the Americans and British rejected this subsequently.

Regardless of these apparently insurmountable problems, efforts continued through the rest of 1984 to find a procedure that accommodated both New Zealand's new nuclear armed ship and aircraft visit ban and NCND, and also recognised Labour's commitment to keeping New Zealand in ANZUS, acknowledging the strong support in the electorate at the time for ANZUS. In the latter half of 1984 and early 1985 it was the nuclear armament ban that was the stumbling block being discussed for the most part. Nuclear powered vessels were effectively included in this ban since almost all vessels of this type were at the time assumed to carry nuclear weapons. The procedure finally devised is referred to as 'the ship visit formula', visits by nuclear capable aircraft posing a lesser but not negligible problem.

Here we examine how events unfolded through 1984, culminating in a request by the United States for a visit in 1985 by the guided missile destroyer, DDG 14 USS Buchanan, and the final refusal of that request. The presentation will be based very largely on material obtained late in 1996 under the Official Information Act, at the conclusion of a very long project begun in 1987 examining Ministry of Foreign Affairs and Trade files. This does not mean that other material is considered unimportant, but the Buchanan incident has been discussed extensively by other authors; see for example refs. 1-3 of the introduction. The documents discussed here are considered to throw new light on this very interesting period, and to raise important questions about the position of the Labour Government and its officials in 1984 and 1985, some answers to which will be suggested.

A set of these documents, referred to as the 'Buchanan papers'; is included separately in this working paper as Appendix 1, and the documents are referred to by date in the text. This is done to avoid extensive interruption of the text by the introduction of a considerable number of documents through the text. Further, it allows readers more easily to draw their own conclusion concerning the documents, and what they tell us. Some of the documents are quite heavily censored. Some documents were withheld under the Official Information Act. An appeal to the Ombudsman was made for the release of all material withheld, but with little success. Where useful material was released, this is included in the text with reference to the document to which it relates. Material is also drawn on from other documents seen in Ministry files.

The ship visit problem became essentially an ANZUS problem involving New Zealand and the United States, with Australia also playing an important role. The British, although less involved supported the American position as events unfolded.

2.2 A Very Curious Situation

The situation in the latter months of 1984 was very strange and curious. The National Government elected in 1975 had once more accepted visits by nuclear powered warships ;from the US Navy but was, nevertheless, very sensitive to public opinion concerning these visits. A considerable number of documents in the Ministry files show that as a result, government officials had spent a considerable amount of time from the mid-1970s and into the early 1980s investigating the policies of countries like the Scandinavian countries Denmark and Norway, Japan, and others regarding visits by nuclear powered or armed vessels, through New Zealand embassy contacts and by seeking information from other governments. By 1984 they were very familiar with the various types of ship visit formulae in use by these countries, supposedly to keep nuclear weapons out of their ports and to deal with concerns about nuclear powered vessels where these arose.

They must also have been aware that existing formulae were widely regarded as ineffective where nuclear weapons were concerned. This applied, for example, to the Danish policy of trusting Denmark's allies to honour its policy of no nuclear weapons in Danish ports in peacetime, and to similar policies. It also applied to Japan's three nonnuclear principles banning the introduction of nuclear weapons, but then relying on a requirement that the United States consult Japan before making any major change in the types of weapons deployed in Japan to say that since no such consultation had taken place, nuclear weapons did not enter Japanese ports. In these and other countries with nuclear weapons free port policies it was generally accepted that the Americans and British brought nuclear weapons into the ports of these countries covertly under cover of the NCND policy even in the case of military allies like Japan, and Denmark a member of NATO. An extensive analysis of these policies and the operation of the NCND policy is given in ref.2 of the previous chapter. It is difficult to understand how in these circumstances the officials hoped to find an acceptable formula for New Zealand.

As time went by, Lange himself had apparently changed his position on what might be acceptable to New Zealanders. The Dominion of 26 March 1983 reported him as saying that a Labour government would be prepared to trust the United States to honour a New Zealand policy banning nuclear weapons on visiting warships and Labour was committed to retaining ANZUS. Yet by July that year he had released a statement saying that as Prime Minister he would demand an assurance that visiting warships or aircraft were carrying no nuclear weapons before entry was allowed. The former position would have been unacceptable to many New Zealanders and to a vigilant peace movement. The latter called for assurances that neither the United States nor the British would give under NCND, assurances no other country had received.

George Shultz, American Secretary of State, had already indicated in a media conference on 17 July following the 1984 ANZUS Council meeting that he was looking for an Australian type compromise from New Zealand, accepting nuclear powered warships as safe, and accepting visits of a short duration by vessels possibly carrying nuclear weapons. This Council meeting came very soon after the July election and ironically it was outgoing National Government representatives who attended, not members of the new Labour Government. Shultz said that patience was called for, 'and we'll try to work our way through these problems'. He then reviewed what had happened in Australia. In this conference he also rejected any review of ANZUS of the sort Labour proposed, but confirmed there would be no trade sanctions imposed against New Zealand because of its nuclear policy. United States Admiral Crowe who was also present confirmed that no nuclear powered ship visits were planned for the next six months.

The documents seen all agree that it was an American decision not to send nuclear powered vessels for about six months from July 1984. They contradict claims by some

previous writers, Clements for example in his book p. 130, that Lange asked the Americans to give him this period to work through the implications of the nuclear policy for future United States-New Zealand relations or, as Clements says the American Ambassador later claimed, to convince the Labour Party of the need for ANZUS and ship visits. Lange vigorously denied these assertions. This decision by the Americans is seen as part of the strategy they were developing with other officials from the ANZUS governments for a pattern of ship visits starting with the Buchanan.

However, in a letter also dated 17 July 1984 from Commodore N M Walker of the New Zealand Navy to the Secretary of Defence, Walker reports discussions with the American Naval Attache, at the American Embassy presumably. The Naval Attache stated that financial restrictions alone would mean that even if there had been no change of government, New Zealand would be seeing fewer American ships in the immediate future, and this could result in a breathing space apparently being granted by the United States without them actually having to change anything.

The letter continues.

He then went on to state (and at this time the impression gained was that he was producing the "party line"), that the one solution he could not see working was some bilateral agreement by which the U.S. would only send conventionally powered ships to New Zealand. The reason he gave for this was that if such an agreement was reached, the United States would come under considerable pressure from other countries (Japan and Spain were named as examples) for similar agreements, and of course would still not get around the nuclear armed problem.

The Attache also felt fairly certain that for the financial reasons given, nothing would be put to the test for at least four to six months, referring it would seem to nuclear powered vessels. So the basis for the temporary halt in requests for nuclear powered vessel visits is not completely clear.

On July 18 Shultz had reiterated that ANZUS was no alliance if nuclear armed or powered vessels could not come to New Zealand, while on 31 July Lange had in a TV interview stated that Labour's policy was not negotiable and the United States was concerned that other countries might follow New Zealand.

In another interview with a reporter from the Japanese newspaper Asahi Shimbun, Lange said New Zealand would be considering different ways to implement the nuclear policy. He said that it should be possible to 'trust one's allies, and I would certainly not want to be heard saying I distrust the US ... I do expect if the policy is worked through, for it to be honoured.' He also said New Zealand could look at Norway and Japan and other models; but each situation was specific and New Zealand was trying to create a special understanding about New Zealand.

Yet in notes from a meeting between Lange, Shultz, and officials from both governments on 29 September 1984 in New York, a different picture emerges. Shultz in the discussion emphasised the safety record of US Navy nuclear powered vessels, and stressed that nuclear weapons were an essential part of deterrence, that NCND was a world wide policy and the United States

would have to stick to that policy. ... What was done with one ally would be transmitted elsewhere. There had to be a consistent policy.

The United States wanted to hold ANZUS together and appreciated that Lange also wanted this, Shultz commented. He said no nuclear ship visits to New Zealand were scheduled for some time. 'That had been deliberate policy'. (A 31 August 1984

document cited below indicates that here by 'nuclear' he meant both nuclear armed and powered vessels, or was taken to mean this by New Zealand officials).

He also asked Lange what his intentions as Prime Minister were and how he would formulate a plan (concerning warship visits).

At some stage, if a policy was going to be changed, it was necessary to get up and advocate it. Change could not be brought about privately.

the notes report him as saying. He is clearly here looking for change to the New Zealand ship ban policy to acknowledge NCND and allow warship visits more or less as before the election, probably referring to an Australian style compromise.

Lange stated his belief that

a solution would not unfold unless there was a chance of a credible assurance to the vociferous [in New Zealand] that the United States had a different policy concerning nuclear weapons. He understood the "neither confirm nor deny" policy. He had to say - indeed it would be quite dishonest to give any other impression - that an Australian style compromise did not seem to offer a way out. ... Accordingly there had to be a prospect of some change in the [American] policy concerning nuclear weapons. He could imagine the American response - delivered not in anger but in sorrow - might be that it was "Curtains for ANZUS". In that event it would be necessary to ask what lay ahead for the United States/New Zealand relationship.

Here Lange is standing firm on New Zealand's policy but no longer calling for assurances regarding visiting warships being free of nuclear weapons. Instead he is seeking a softening of the NCND policy. This did not happen.

An American official cited the Norwegian position of no nuclear weapons on Norwegian territory in peacetime, of a recognition of the role of deterrence and that consequently nuclear weapons might or might not be on ships in transit, and of not considering weapons in transit to be on Norwegian territory. 'The United States could live with that policy', he said. Lange responded that this was akin to the Australian position.

A copy of these revealing notes^o is included as Appendix 2. They cover a range of important topics, and provide a fascinating glimpse of the frankness and informality that existed between Shultz and Lange at the meeting. We see Lange distancing himself from the Labour Party on some aspects of the ship visit issues. We see his desire to ensure that there was no threat of economic sanctions because of the nuclear policy, and see him assuring the Americans over the South Pacific Nuclear Free Zone initiative. The notes warrant careful study. They already contain a threat of retaliatory steps the Americans would take if ANZUS was threatened, steps they later did take. The notes, and many other documents, also affirm Labour's strong desire at the time to keep New Zealand in ANZUS somehow. Out of interest, the speech referred to on page 2 was given by then Minister of Defence Frank O'Flynn and contained a reference to blowing up bridges if necessary to defend New Zealanders in an attack.

While these notes seem quite authentic, some doubt is cast on their accuracy by statements in Lange's book Nuclear Free - The New Zealand Way (ref. 3 introduction). On p.78 referring to this meeting he says,

No more than Shultz had asked me to water down our nuclear-free policy had I asked Shultz to make an exception to his government's persistent refusal to confirm or deny the presence of nuclear weapons on American vessels.

The notes tell a different story. It can be argued that from the notes, Lange may not have said directly that NCND must change, and Shultz may not have asked directly for New Zealand's policy to be changed. But if the notes are accurate, both changes clearly were discussed. Nicky Hager, well known peace researcher who was deeply involved in nuclear issues from the mid-1970s, and particularly in the Buchanan episode, considers that Lange was probably being diplomatic in retrospect in his book. Lange also states on p.78 that he never got any information from American officials about the armament of the Buchanan. 'As far as I was concerned, American adherence to the policy of "neither confirm nor deny" was absolute.'

Regardless, these statements by Shultz and Lange make it clear that Lange must have known by late September 1984 that the Americans would not shift on NCND, that an acceptable New Zealand formula was going to be very difficult if not impossible to find, and that the ship visit question was going to be vital for the survival of ANZUS. Nevertheless, we see on page 5 of the notes Shultz and Lange agreeing that the Americans should make their normal December request for blanket clearance for all visits by United States warships. A copy of the response by the Ministry of Foreign Affairs dated 20 December 1984 to the resulting request was included in chapter one. This response again expressed the desire of the Labour Government to be seen as wanting to keep New Zealand in ANZUS, and 'to ensure access of United States naval ships within the framework of its policies on visiting warships'. This was in fact one of the first documents to present the ship visit formula finally decided on, but was not a public document.

That the Labour Government did indeed want US Navy visits to continue is shown in a long telegram marked confidential and dated 13 December 1984 from Mervyn Norrish, Secretary of Foreign Affairs, to Heads of New Zealand Posts/Missions concerning ANZUS and Ship Visits. Norrish is informing overseas posts of developments since the July election, and says that endeavouring to resolve the ANZUS/ship visits issue 'has been a preoccupation since the election'. For very good reasons, he says, the whole subject has been played 'close to the Prime Minister's chest'. Section 5 of this telegram refers to the above December blanket clearance request and continues,

It is felt [by the Ministry or certainly by Norrish] to be important that before too long New Zealand host a visit by a US Navy combatant to demonstrate that the ship ban is not totally exclusive and that we wish to maintain an active partnership in ANZUS which includes some US Navy port calls.

We will return to this telegram a copy of which is included as Appendix 3.

A 9 October telegram from Wellington to Washington reported an interview with Lange in which he also stated that he expected ANZUS to continue. He said renegotiating ANZUS really only applied to incorporating the nuclear policy, and the policy is 'not to have a nuclear umbrella and not to have New Zealand as part of a pre-emptive nuclear strike capacity'. This is interesting in relation to arguments as to whether or not ANZUS is a nuclear alliance, to be presented in a later working paper.

Lange was by this time also saying no assurance concerning the absence of nuclear weapons would be sought, and was reported in the Evening Post for 17 December 1984 saying New Zealand will exercise with its ANZUS partners if it is consistent with the nuclear policy. This extension of the policy to cover joint exercises is considered in subsequent working papers.

In addition to the difficult task of trying to reconcile two essentially irreconcilable policies by some sort of compromise, Lange's Government was operating under the watchful eyes of a very active peace movement concerned to see that the nuclear policy was honoured in full. Leading activists were worried by the possibility of just such a move to a compromise position by the Government. They were watching for any

indication of this, and were prepared to act to try and prevent any such move. They also were well informed on the ship visit policies of other countries and their weaknesses. Lange was undoubtedly referring to them among the 'vociferous' in his 29 September meeting with Shultz.

An interesting exchange that took place in the Norwegian Parliament in February 1985 concerning the New Zealand policy and Norway's position on nuclear armed ship visits is presented by Stuart McMillan in his book Neither Confirm Nor Deny chapter 8, (ref. 2 of the introduction). When challenged to follow New Zealand's example and strengthen their policy, the Norwegian Government refused. He also gives an account of some of the various ship visit formulae used by other countries and, as here, concludes that none would be acceptable to New Zealand.

This then was the very curious situation that prevailed following the July election. While knowing the task to be fundamentally impossible, New Zealand officials were making great efforts to find a way around the ship visit problem in the hope of preserving ANZUS. What gave them hope that the impossible might occur? The answer taken here as coming from the Buchanan papers and other Ministry documents is that these New Zealand officials were working closely with their American counterparts to resolve the issue, and considered that they had found at least an interim solution that would allow time for a more enduring position to be formulated. Australian Government officials were also collaborating. Evidence for these claims is seen in the position adopted by the Americans following the 1984 election.

2.3 The American Position

Two major military exercises involving Australian, New Zealand and United States forces had been in preparation for some time prior to the 1984 election. These were TRIAD 84; an ANZUS exercise involving ground and air forces planned for October 1984, and Sea Eagle 85, a maritime ANZUS exercise to be held in March 1985 which would normally have been followed by a visit to New Zealand by one or more of the US Pacific Fleet participants. Had the Americans really wanted to show their immediate disapproval of New Zealand's new anti-nuclear position they could have cancelled these exercises in July 1984. This did not happen. Planning continued, and TRIAD 84 went ahead. Planning also continued for Sea Eagle 85. By contrast, after the Buchanan incident this exercise was cancelled, but not because New Zealand placed any conditions on participating as we will see. This contrast in outcomes suggests that at the time of TRIAD 84 the Americans were confident that New Zealand's policy was not a matter of major concern, and that a solution to the difficulties it raised would emerge that they could accept. This was no longer the situation following the Buchanan incident.

The Americans were in late 1984 treating New Zealand like any other ally with a policy prohibiting nuclear weapons in its ports in principle. They were happy to continue military contacts as long as no real hindrance to their movements of nuclear weapons or challenge to NCND occurred. It was not the existence of New Zealand's policy they objected to, but its application against them, which had not yet happened. Events relating to TRIAD 84 make this clear.

This exercise involved American F-16 aircraft capable of carrying nuclear weapons, but no real challenge to their nuclear armed status during the exercise was made by New Zealand authorities. The reasons for this are spelled out in a memo from Norrish to Lange dated 31 August 1984 and headed, 'Request for Clearance for United States Air Force Aircraft'. A copy is included as Appendix 4. Norrish refers to Shultz having made it clear, on 29 September presumably, that 'the United States is not going to force the issue of visits of nuclear powered or equipped platforms before early 1985' as one reason. It was also argued that aircraft can arm with nuclear weapons from bases in a few hours should they need to and would not have to carry them during a routine

exercise, while this is not the case for ships away from their bases. Norrish proposed that in the light of Shultz' statement a routine clearance would suffice with no specific reference to the nuclear policy. Lange concurred.

The United States nevertheless insisted that NCND applied for TRIAD 84. This was made clear in a statement by Richard W Teare, Deputy Chief of Mission at the US Embassy on 4 October 1984. While confirming that exceptions to NCND had been made for some B-52 operations in Australia, 'These exceptions do not apply to the aircraft in TRIAD' he said. So October 1984 saw 18 American fighter planes, some nuclear capable, in the air over a wide area of New Zealand despite the nuclear policy, to the accompaniment of vigorous protest in some places.

By contrast, some interesting indiscretions relating to NCND and TRIAD 84 were made by New Zealand spokesmen. David Thomson, then Minister of Defence in the National Government, stated in Parliament on 14 June 1984 that the Chief of Defence Staff, Air Marshal Jamieson, had reported that 'There is not and never has been any question of any nuclear powered or armed units taking part'. (NZPD vol.1.456 p.386, 14 June 1984) The new Labour Minister of Defence, Frank O'Flynn, gave the same assurance in a report featured in The Dominion for 8 September, saying some of the American aircraft taking part were no doubt capable of carrying nuclear weapons, 'but none will be so armed'. But from the American point of view NCND applied fully to this exercise, so it presented no challenge to their position and went ahead as planned despite the change of government in New Zealand, which for its part was anxious for the exercise to proceed as a signal that ANZUS was still in good health.

This period saw intensive consultation between officials from the two governments concerning the ship visit problem. The Norrish telegram of 13 December 1984 in section 4 reports a number of high level bilateral meetings between foreign ministers and between officials and defence staff 'of the ANZUS members' providing opportunities to explore possible options and areas of potential accommodation. The next meeting of the ANZUS Council in Canberra probably mid-July 1985 was seen as the deadline for finding a solution. NCND was now accepted as not open to amendment, but the two positions, NCND and New Zealand's firm rejection of nuclear armed or powered vessels, were not seen as totally irreconcilable. But any understanding may well have to incorporate an element of trust, the telegram states in section 6.

The Government will have to be able to say publicly and with absolute credibility that it is reasonable to assume that any particular vessel is not nuclear-armed.

Earlier it says that looking at the possible form of a solution,

the Government recognises that there will almost certainly have to be some measure of self-determination on our part in identifying acceptable visits.

The final ship visit formula was emerging from the consultations being held, which included a visit to Hawaii by Air Marshal Jamieson, then Chief of Defence Staff, to meet the Commander in Chief of the Pacific Fleet for discussions concerning the proposed ship visit, (see Jamieson's 1990 book Friend or Ally New Zealand at odds with its past pp.34-5, ref.4, introduction). Norrish also went to Washington. What the Buchanan papers throw new light on is just how far those consultations went, and the extent of the planning for the renewal of US Navy visits. We turn to these papers next. There are many details in other documents seen in the Ministry files relevant to this discussion, but space precludes their inclusion. The documents will be made available for interested readers.

2.4 The Buchanan Papers - Planning for the Buchanan Visit

The New Zealand ship visit formula, which is quite unique, first appears in the Buchanan papers and other Ministry documents in December 1984. It was reported in essence in The Dominion for 18 December, and stated in brief terms in the 20 December clearance document from the Ministry of Foreign Affairs to the American Embassy, presented earlier but also included in the Buchanan papers. It is spelled out fully in papers dated 21 December 1984 provided by Norrish for Lange including a draft memorandum for Cabinet to come from Lange, but from his book (ref.3 introduction, pp_87-8) it was apparently not presented in this form, events having overtaken the planned scenario. This is an intriguing set of papers.

The formula, as proposed by the Ministry of Foreign Affairs to the Government in the Cabinet memorandum, assumes an acceptance that the United States will make no exception to NCND and that New Zealand likewise has a clear and categorical requirement that nuclear armed ships will not enter New Zealand ports. The memorandum continues,

To reconcile these positions it is plain that the Government must come to its own assessment of the armament of a given vessel for which a port visit is requested. I am confident that we can make such a judgement.

The assessment will be made in consultation with the Defence authorities. Unlike almost any other part of the world, the South Pacific is a region free of great power contention and is unlikely to attract conflict at the nuclear level. We are entitled to bear this in mind. We will of course also take account of such factors as the type of vessel, whether or not it is fitted with nuclear-weapons capable systems; its recent operational history, the purpose of its current voyage and subsequent plans.

I acknowledge that it may not be possible to say with 100% certainty that a vessel carries no nuclear weapons. On the one hand however some categories of vessels plainly fall outside the Government's criteria and would not be granted access eg battleships; large aircraft carriers, or ballistic missile submarines. On the other hand the many smaller vessels which have no strategic roles can be judged according to the above criteria. It is intended that this be done on a case by case basis. British naval visits (and those of other nuclear powers) will give rise to exactly the same issues and will accordingly have to be judged by the same criteria.

Because of its concern over safety standards and procedures, the Government will not receive nuclear powered vessels.

The Government's policy has been formally advised to the United States by diplomatic note on 20 December 1984 responding to their note of 13 December 1984 in which diplomatic clearance was requested for the year 1985 for all visits of United States Navy ships. ... Our response indicates that clearance will have to be sought for each individual ship visit. The first such clearance sought is for a visit in March of a ship taking part in the ANZUS exercise "Sea Eagle".

This is in effect the formula incorporated in the final 1987 legislation except that there it is the Prime Minister only who ultimately decides the acceptability or otherwise of a given vessel. The 21 December papers hint at this in saying 'We have drafted the [Cabinet] paper on the assumption that you will not want Cabinet as a whole to sit in judgement on each individual ship visit. Presumably you will cover this orally'.

It was the formula presented to the American Embassy in the 20 December clearance note, although not in such detail. They were, nevertheless, undoubtedly fully aware of

the detail as shown by lack of any immediate negative reaction to it. They also knew it would be applied initially in particular circumstances designed not to challenge NCND openly, since this had all been planned in advance by representatives of the three ANZUS governments as the papers of 21 December 1984 clearly show. It is worth remembering at this point that by April 1986 both the new American Ambassador, Paul Cleveland, and United Kingdom Minister of State, Foreign and Commonwealth Office, Baroness Young, were condemning this same formula as unacceptable in terms of NCND (see ref.2 chapter 1, p.26).

It is immediately obvious from this draft Cabinet document that Norrish and others in his Ministry knew in late 1984 that the Buchanan visit was planned. Remember these papers are dated 21 December 1984, yet no formal request for a visit by the Buchanan was received by the Ministry until mid-January 1985. This, and much more is revealed in the second paper of this set.

This is described as the 'latest version of a chronology of the steps leading up to the ANZUS Council.', referring to the next Council meeting planned for mid-1985. It warrants detailed examination. The reference to this being the 'latest version' shows that planning for the events listed had been in progress for some time. The first entry simply refers to the US Embassy request for the normal annual blanket ship visit clearance of 13 December cited in the draft Cabinet memorandum, and the second to New Zealand's response. The first really interesting entry is that for the week beginning 14 January 1985 with the United States lodging a request for a visit by a conventionally powered combatant ship (Buchanan) as a follow-on to Exercise Sea Eagle.

Remember again this was dated 21 December 1984. It names the ship as the Buchanan, and sets the date for the clearance request for it. This request came from the American Embassy on 18 January in fact, in the week specified in the chronology showing that the programme had been planned well in advance by New Zealand and American officials. The chronology proposed that Cabinet be presented with the draft memorandum on 28 January and, presumably, be persuaded to accept the planned visit. Then early in February Lange was to announce these plans publicly.

Following Sea Eagle, the visit by the Buchanan was planned for mid-March together with an 'Australian warship of similar characteristics'. This is further evidence of Australian collaboration in this whole episode, suggested by the reference to 'the ANZUS members' cited earlier in the 13 December telegram. Other documents support the contention that Australian officials were at this time also working with their ANZUS partner counterparts to ensure the return of US Navy ships to New Zealand.

That other US Navy ships and not just the Buchanan were expected is shown by the next entry for May/June 1985 which says,

US plan to have a second ship of similar characteristics to the Buchanan in the Australian New Zealand area and currently plan to seek clearance for a visit and impromptu exercise.

So even in December 1984, and by inference earlier than this in previous draft chronologies, Norrish and others including Lange knew that a small programme of US Navy visits to New Zealand was planned up to May/June 1985 leading up to the ANZUS Council meeting, given in this chronology to be held mid-July 1985. This whole programme was prepared more than six months in advance, involving collaboration and possibly collusion between New Zealand, American, and almost certainly Australian officials. It may have been normal for the US Navy to plan this much ahead for the movements of its ships, but the context here was quite unusual, New Zealand having just adopted its nuclear ship visit policy. To plan for a second visit at this sensitive juncture in New Zealand's political history was very significant and does, possibly, suggest collusion to undermine the ship visit policy by accustoming New

Zealanders to visits by 'acceptable' ships in advance of a gradual return to a more normal pattern of visits.

This document makes undeniably evident the extent and range of planning for a return to as near as possible normal ANZUS operations by New Zealand before the 1985 ANZUS Council meeting; without an unacceptable breach of New Zealand's ship visit policy. It confirms long held suspicions that such collaborative planning did take place. What was planned for the ANZUS meeting and beyond, had this US Navy visit programme and the 1985 meeting gone ahead, is not known. Further ship visits, followed by some agreement at the meeting concerning the future of the New Zealand policy that would see ship visits continue, was a possible scenario of the sort that worried anti-nuclear activists in New Zealand. The Buchanan did not visit and the meeting was postponed. New Zealand has not attended ANZUS meetings since 1984.

All this should, perhaps, not be too surprising since Jamieson himself states in his book p.35 that

A New Zealand representative [undoubtedly Jamieson] was sent to take part in the selection of the ship to be nominated [the Buchanan]. He reported back more than two months before the formal application was lodged.

The formal application for clearance for the visit of the Buchanan was lodged on 18 January 1985, so Jamieson is saying that those involved in New Zealand knew what ship it would be before mid-November 1984. However, he makes no mention of planning for the second visit.

At the time, late 1984 early 1985, there were certainly those government officials who were antipathetic to, or even strongly opposed to, the nuclear policy of the new government. One such was in fact Air Marshal Jamieson, now Sir Ewan Jamieson. His position is made clear in his 1990 book. It would have been surprising also if some government officials who had long served in previous National administrations did not retain their loyalties to past policies, and to ties threatened by the actions of the new government. These officials would have been happy to see New Zealand's policy modified along the lines of the Danish or Australian formulae.

What their hopes or intentions for the post-Buchanan era were are not known, and to what extent any plans for a weaker New Zealand stance were shared by members of the Labour Government is also not known. It must be remembered that at this time the new government faced a very difficult economic situation; and its energies were directed extensively towards these problems as well as the general problems associated with being newly in office: Lange and others would have been relying heavily on their officials to guide them on the ship visit question at this crucial time. Indications from some in the Labour Government at that time are that the large majority of its MPs were strongly behind the nuclear policy and its strict enforcement. On the other hand, some officials, it is suspected, wanted to see the nuclear policy overturned and a return to former ANZUS times, seeing this as in the best interests of New Zealand.

Hager does not consider that the Labour Government was trying to be duplicitous over the nuclear policy, but was led by officials to believe that US Navy visits were still possible. He says that the Labour Government was being encouraged by its officials to believe that a solution was possible that did not compromise the nuclear policy, subsequently to realise, faced with a specific ship request and advice from the public and Labour Party in conflict with that from the officials, that the solution offered amounted 'to a sellout of the policy'.

The officials involved hoped, presumably, that the Labour Government would accept less than one hundred percent certainty that visiting warships were free of nuclear weapons; and that once a ship visit pattern was re-established, restrictions on the types

of ships visiting could slowly be relaxed. But as the Buchanan episode showed, in the end New Zealand was satisfied that a visit was allowable only if the ship could be guaranteed with certainty to be free of nuclear weapons. The Buchanan was equipped to carry nuclear weapons, and could not be guaranteed definitely free of them at the time of the proposed visit.

There were ships in the US Pacific Fleet that were not equipped to carry nuclear weapons. An alternative strategy to re-establish visits would have been to send only ships in this group for a period sufficient to calm public concern in New Zealand. However, an analysis of the composition of the US Pacific Fleet in this period from US Navy lists and public sources indicates that, excluding battleships and large aircraft carriers that were seen as not acceptable in the draft Cabinet paper, of the remaining near 90 conventionally powered combat ships only about 20% were not equipped to carry nuclear weapons. Submarines would have been excluded as almost all these were nuclear powered. As we will see, an attempt by Lange to implement this strategy failed.

Such selective behaviour for New Zealand would, in any case, have been difficult for the United States as other non-nuclear allies were watching very closely to see how events in New Zealand unfolded. They might also have begun demanding special treatment in relation to ship visits, no nuclear powered vessels or major combatants for example, had New Zealand received prolonged selective attention. This would have been a problem for the US Navy in the case of countries of high strategic importance like Japan and the Scandinavian countries. New Zealand was not seen as having similar strategic importance. We have already seen an indication that New Zealand could not have expected too long a period without a request for a nuclear powered vessel visit for the same reason, other allies wanting the same treatment.

We now move to 21 January 1985 in the Buchanan papers, with Lange in the Tokelaus on an official visit. The Ministry gave an assurance that no documents from the intervening period from 21 December 1984 had been withheld, and attributed the lack of material for this interval of about a month to it covering the Christmas period. Events were developing rapidly following a leaked report that the United States Embassy had lodged a request with the Ministry of Foreign Affairs for a visit by a specific ship. This was reported in the Sydney Morning Herald, on 21 January according to Landais-Stamp and Rogers p.74 (ref.5, introduction), who also cite a related article on 22 January in The Dominion.

Lange in his book pp.85-6 attributes this leak to 'unnamed official sources in Washington', and treats the Sydney Morning Herald article as a very serious blow to the planning by the officials for the visit. He says that according to the article, the visit was designed to put New Zealand and its policy on the spot, because a question mark hung over the as yet unnamed ship's armament - nuclear or not. The visit was a move intended to put immediate pressure on the New Zealand Government the Herald reported according to Lange. He says this macho stance by the American State Department 'sank the Buchanan'. The officials' plans were now valueless, Lange states, 'destroyed by the brutal assertion that the Buchanan's visit would be a triumph of American nuclear policy'.

Whether this was all so evident at the time is not obvious, but moves on the one side to have the visit proceed continued, while in other quarters moves to stop it developed rapidly. Geoffrey Palmer, Acting Prime Minister during Lange's absence in the Tokelaus, issued press statements on 21 and 22 January in response to the leak. The first confirmed the request for a US Navy ship visit to follow the Sea Eagle exercise, stating that 'I would expect it to be several weeks before a decision is made and conveyed to the United States Government'. This agrees with the 21 December 1984 chronology which has Lange announcing the visit early in February 1985.

The 22 January press release was more detailed and spelt out how the Government would assess the acceptability of the ship named by the United States in terms of New Zealand's ban on nuclear armed ships. In particular, Palmer said, the assessment would rely on 'the expertise of our own military and intelligence advisers'. As we will see, this press release and similar indications by Palmer that the Buchanan could not be guaranteed with complete certainty to be free of nuclear weapons while in New Zealand waters, but was only judged to be so by the Government's advisers, was crucial in what followed. The texts of both press releases can be found in the Buchanan papers.

2.5 The Buchanan - Nuclear Armed or Not

The next two documents in the Buchanan papers were prepared by Air Marshal Jamieson, as Chief of Defence Staff, for the Minister of Defence, the first arguing that he considered that the Buchanan would be free of nuclear weapons for its visit, and the second presenting a strategy to reduce the public impact of the visit. They are both dated 24 January, after the Buchanan visit leak and Palmer's press releases. This is considered to be significant.

The first document is a surprisingly weak analysis of the likelihood that the Buchanan might be carrying nuclear weapons at the time of the proposed visit to New Zealand. The Buchanan was equipped to carry ASROC anti-submarine weapons which could have nuclear or conventional warheads. Jamieson argued that only a small proportion of ASROC warheads were nuclear, something over 4%, so it was likely that the majority of ASROC systems were fitted with conventional warheads. He does not consider that it was equally possible that ASROC equipped warships on extended cruises might carry a small number of nuclear warheads for use in a crisis. We will discuss the Buchanan's movements soon.

Jamieson argued that the Buchanan being old and not scheduled for major modernisation, it was in his judgement a second-rank ship, unlikely 'to be held at a high state of readiness for commitment to a situation of such critical importance that the possible employment of nuclear weapons might be contemplated'.

He then presents two surprising arguments, the first concerning the problems of storage of nuclear weapons saying that it would be reasonable to expect these to be avoided if possible; and the second that of crew members in port possibly revealing the nuclear armed status of their ship making it desirable not to carry these weapons, 'unless nuclear weapons were essential to the current operational role and status of a particular ship. I do not consider that true of the Buchanan'.

These are very weak arguments. The problem of nuclear weapons carriage was common to most US Navy vessels at that time, but could not be avoided by leaving the weapons at the homeports of the ships or at storage bases because of the difficulty of loading the weapons in a crisis. Refer again to ref.2, chapter 1 for a discussion of this point. As for crew gossip, it has to be conceded that NCND was a strikingly successful policy in all respects, with very few incidents of this sort known in all the years and over all the vessels the policy covered.

This was in essence the basis for Jamieson's conclusions. He stated that,

Like almost all other anti-submarine warships in the USN the USS Buchanan is fitted with ASROC, which is its only weapon system capable of being nuclear armed. I can give no absolute guarantee that the ship does not carry any nuclear warheads for that purpose but after careful consideration of the facts and arguments outlined in paras 6-10 [in the document] I believe it is most unlikely. I therefore offer for your consideration my assessment that it is most unlikely that the USS Buchanan at the time of its proposed visit to New Zealand would carry any nuclear weapons.

Jamieson then supplied details of the Buchanan taken from public sources, including rather amusingly a peace organisation publication, the Nuclear Weapons Data Book vol. 1, by Thomas B Cochran.

He may well have been correct, and the Buchanan might have been expected to be free of nuclear weapons as the Americans were at the time cooperating with New Zealand to secure a ship visit. The visit by the Buchanan had been long and well planned after all, as we have seen. Nevertheless, Jamieson's case as presented was weak, and based only on suppositions, unless officials in the New Zealand Government, including Jamieson, had inside information about the situation. But even if they did, they would not have been able to say so publicly, and such information could not have been cited to justify allowing the visit. We will return to this point also.

The Ombudsman states that paragraph 5 in this document which was withheld, contains information about weapons systems employed by the British, Australian and United States navies as well as the New Zealand Navy. It was withheld on the advice of the Chief of Defence Force.

Jamieson in his arguments does not refer to the movements of the Buchanan prior to its planned participation in exercise Sea Eagle, although from his visit to Hawaii he must have been aware of them. The ships movements are relevant to the discussion of its nuclear armed status since warships on extended cruises away from nuclear weapons storage bases were much more likely to carry their nuclear weapons for emergency use than if they were operating close to a replenishment point.

Global port call lists for all US Navy vessels for 1984 and 1985 obtained from the US Navy under the Freedom of Information Act detail the movements of the Buchanan. The port calls the ship made were as follows:

<u>Date</u>	<u>Port</u>	<u>Country</u>
15-20 June 1984	Pearl Harbour	Hawaii, USA
2-5 November	Pearl Harbour	Hawaii
8-15 December	Hong Kong	Hong Kong
18-31 December	Subic Bay	Philippines
1-12 January 1985	Subic Bay	Philippines
19-21 January	Phayatta	Thailand
26-26 January	Sattahip	Thailand
1-14 February	Subic Bay	Philippines
22-25 February	Rabaul	Papua New Guinea
4-7 March	Sydney	Australia
14-17 March	Brisbane	Australia
(23-27 March	Wellington	New Zealand - planned)
22-22 March	Rabaul	Papua New Guinea
29-31 March	Cebu	Philippines
1-12 April	Subic Bay	Philippines
27-28 April	Manila	Philippines
30 April-5 May	Subic Bay	Philippines
17 May	Pearl Harbour	Hawaii

The gap in this record between June and November 1984, and the lack of any record of port calls after May 1985, suggest that in this 1984 period and after the visit to Pearl Harbour on 17 May, the Buchanan returned to a mainland United States port or ports since these ports are not included in the lists supplied. This schedule of port calls, at least up to the proposed visit to Wellington, must have been planned before the Buchanan left Pearl Harbour on 5 November 1984, and would have been familiar to Jamieson.

Pearl Harbour is the only port listed at which nuclear weapons were stored by the US Navy. If the Buchanan was free of nuclear weapons for the time when it was scheduled to visit New Zealand, it must have off-loaded any such weapons it was carrying in Hawaii during the 2-5 November 1984 port call, and not reloaded them again until it returned to Hawaii on 17 May 1985, some six and a half months later. It was only in Pearl Harbour for one day however in May, not long to reload nuclear weapons that require careful handling. The alternative of off-loading at sea for its visit to Wellington has been considered in general in ref.2 of chapter one. It is described by the US Navy as one of the most hazardous of all shipboard operations, not undertaken except for very special reasons.

What this evidence suggests is that the Buchanan would quite conceivably have been carrying its nuclear weapons for the six and a half months it was on its cruise in late 1984 and the first half of 1985, and when it was due to visit New Zealand. This was still in the cold war era, and there is no good reason to assume that a nuclear capable US Navy ship would undertake a cruise of this duration away from nuclear weapons storage bases without its own supply of nuclear weapons. The fact that its call at Pearl Harbour in May 1985 was so short reinforces the argument that Buchanan may have had nuclear weapons on board at that time and did not need to reload them.

The conclusion drawn is that it would have been very difficult for the New Zealand officials to say with any certainty that Buchanan would be free of nuclear weapons for its proposed visit to New Zealand, particularly as Jamieson makes no mention of the ship's cruise details except to claim it was based within the US Seventh Fleet operating out of Japan. However, he does say further that he expects the Buchanan to return to Japan

after its deployment to the South Pacific for exercise purposes. It is therefore operating within two regions in which the presence of nuclear weapons is an exceptionally sensitive matter.

He is presumably referring to Japan with its non-nuclear principles, and sensitivities in the South Pacific. It is conceivable that, in view of the leak about the visit, Jamieson may have been suggesting that the Buchanan was coming from and returning to supposedly nuclear free Japan rather than, as he knew, Hawaii to support his claim that the ship would not be carrying nuclear weapons. We will return to this point.

Lange in his book p.80 also refers to a ship coming to New Zealand straight from Japanese waters, probably as a result of Jamieson's comments, but this not being a guarantee that it carried no nuclear weapons. It did seem to be known, subsequently that Buchanan sailed from Hawaii and returned there. Anthony Hubbard in an article on the Buchanan incident published in The Dominion Sunday Times for 29 March 1987 states this.

The only real grounds the officials could have had for claiming that iC was very unlikely the Buchanan would be carrying nuclear weapons to New Zealand was information given to them by the Americans. In an interesting statement by Lange reported in The New Zealand Herald for 29 August 1986, Lange hints quite strongly at undertakings given by the Americans to some in New Zealand about the nuclear armed status of the Buchanan for its proposed visit. He is quoted as saying the United States made a genuine attempt to satisfy New Zealand that the USS Buchanan would not have carried nuclear weapons during its proposed visit last year.

I welcomed the prospect. I really did hope that the accommodation we wanted would in fact be possible.

Jamieson in his book p.35 also hints that all possible steps were taken to ensure that the Buchanan visit went ahead. He says,

The application [for clearance for the Buchanan] was made in full agreement between the United States and New Zealand Governments. A New Zealand representative was sent to take part in the selection of the ship nominated.

This arrangement for someone outside the US Navy to have input to the selection of the ship was extremely unusual, and reflected the extent of the desire on the part of the Americans for a successful visit. They might well in this particular situation have been willing to send the Buchanan on its cruise from Hawaii without nuclear weapons, and to have made this known to Jamieson in Hawaii. But we are now in the realm of speculation.

Regardless, Lange in the 29 August 1986 Herald article says that as the time for the visit approached, it became obvious that whatever the United States said in private or in confidence, in public it would be silent and would require the Government to be silent.

The New Zealand Government would not be allowed to assert that the Buchanan was not armed with nuclear weapons. The vessel would remain cloaked in ambiguity.

What he is saying is that, as with Triad 84, for the Americans NCND would not in any way be compromised by the Buchanan visit.

The New Zealand External Intelligence Bureau (EIB) had prepared two reports for use in evaluating the possible nuclear armed status of American warships. These are Nuclear Capabilities of Ships, Submarines, and Aircraft, IR IOIJ84 dated 16 November 1984, and Factors Affecting the Deployment of Nuclear Weapons in the South Pacific, IR 108/84 dated 24 December 1984. They are now public documents. They are both rather weak on analysis. The first report cites only the sources referred to by Jamieson in his assessment of the Buchanan as its primary sources. The second report states that it is not based on any privileged information from the United States but uses only public domain material. They were available to Jamieson for his 24 January analysis.

Both these reports were provided to Ministers to read in the days leading up to the late January 1985 Cabinet meeting that decided on the Buchanan request. The most significant part of the later report was, in Hager's view, the conclusion that,

While it would not be possible to give an absolute assurance that a particular nuclear-capable surface vessel visiting New Zealand was not nuclear armed ... experienced service personnel ... would be able to reach a reasoned judgement on the probability that a particular nuclear-capable surface vessel or group of such vessels was in fact carrying nuclear weapons.

Hager argues that this conclusion was carefully included to pave the way for the Labour Government to accept the judgement of an 'experienced' service person, namely Jamieson, which the officials who wrote the External Intelligence Bureau report already knew was coming. In other words, these reports were also part of a carefully preplanned and crafted strategy.

Another section of the report lends weight to this claim. Discussing the significance of the route taken to and from New Zealand in assessing the likelihood of a vessel carrying nuclear weapons the report states,

There would be clearly less requirement for a ship making a special visit to New Zealand from, say Hawaii, and then returning there, to carry nuclear weapons. In

the past, however, the vessels calling at New Zealand have usually been proceeding to or returning from other theatres.

No reason is given for singling out a 'special visit' from Hawaii in the report. Yet this is more or less what the Buchanan did from 5 November 1984 as it journeyed to New Zealand. It looks again as though the ground was being laid for arguing that the Buchanan's movements prior to its arrival in New Zealand waters were compatible with it being free of nuclear weapons. Remember this was written in December 1984, well before any leak and before Jamieson prepared his assessment of 24 January 1985, but after his return from Hawaii with knowledge of the planned movements of the Buchanan. It is possible that Jamieson would have used this assertion in the report to back his assessment of the Buchanan's armaments had there been no Sydney Morning Herald article, but switched to the Japan theme as giving a stronger basis for countering the impact of the leak.

Jamieson in his second document dated 24 January sets out strategies for making the Buchanan visit look as much like a normal visit by participants in a joint ANZUS naval exercise as possible. He says,

The manner in which the first ship visit after the declaration of the new Government policy is managed may prove to be as important as the fact that it occurs at all. Inevitably there will be those in New Zealand, America and Australia ready to deride a simple port visit as no more than a token gesture undertaken under pressure. They will also be ready to question the depth of the Government's confidence in its judgement about the probability of nuclear weapons being carried. I believe that a visit/exercise programme of the kind proposed in this memorandum would cut the ground from under many critics and reduce problems in future similar cases.

He proposed that the visit be shaped to make the points that the New Zealand Government recognises the shared benefits of such visits and 'is ready to welcome USN warships which it is confident do not contravene New Zealand's non-nuclear policy', and further that it is committed to ANZUS. His proposals included cooperation by the Australians through having a ship from the Australian Navy, preferably a sister ship to the Buchanan, as well as two New Zealand Navy frigates, accompany the Buchanan into port as this would 'tend to reduce the impact of the latter' and would stress New Zealand's commitment to ANZUS more strongly. The presence of an Australian ship 'would associate Australia with the implementation of our policy.' That Australian cooperation was expected is signalled in the 21 December chronology.

The Ministry officials were also still proceeding with their plans for the visit. January 25 saw Norrish writing a memorandum to Lange, see the Buchanan papers, and sending him a copy of the US Embassy clearance request for the Buchanan visit together with copies of Jamieson's 24 January documents, Norrish stressing Jamieson's conclusion that the visit would be in conformity with the nuclear policy although Jamieson does not actually say this. Norrish also included a draft press statement for Lange to consider for release after Cabinet had approved the visit. A copy of this draft press release is in the Buchanan papers. This included an explicit acknowledgment of NCND, of New Zealand's continued support for ANZUS and of naval cooperation in the alliance. It claimed that

the Government has made a considered judgement that the USS Buchanan's visit is in conformity with the Government's established policy on visits of military vessels, and that it is to be welcomed.

No ambiguity about the nuclear armed status of the Buchanan is expressed there. Finally, Norrish included copies of the two EIB reports. Lange was to see all this on his return to Wellington on 28 January, the day of the crucial Cabinet meeting.

Also prepared on 25 January was a draft diplomatic clearance for the Buchanan; included in the Buchanan papers. This makes no mention of the ship visit formula at all. Neither this nor the press release was ever used of course, but having been prepared by Norrish and others in Foreign Affairs, they can be taken to embody the position on the nuclear issue of the officials involved. It was certainly a position that would have given the Americans no cause for complaint.

Norrish in this 25 January document urges Lange to announce the decision on the Buchanan immediately after the Cabinet meeting to counter all the media speculation regarding the visit; undoubtedly still expecting acceptance of the visit. He also proposes a public acknowledgment of NCND, and suggests how to get around the lack of 100% certainty that the Buchanan would be free of nuclear weapons by arguing that it is entirely possible to make a reasoned judgement about a specific vessel in the context of its present voyage and visit to New Zealand - recall the section quoted above from the second EIB report. He also suggests possibly releasing the two EIB reports.

Lange also received a report from Palmer describing what Palmer calls 'massive developments' while Lange was away. The report, included in the Buchanan papers, is dated 27 January and here we see the first signs that the carefully prepared plans of the officials are going astray. Palmer reports that Frank O'Flynn, Minister of Defence, has seen the evidence from the officials as to whether or not the Buchanan would carry nuclear weapons. Palmer says it is O'Flynn's view

that the evidence is not sufficient to convince the public that it will not be carrying weapons and therefore we should refuse the request. He says official advice is that we should let it in.

This is in marked contrast to assurances in Palmer's 22 January press release stressing the Government's ability to assess the nuclear armed status of the ship, although Jamieson's assessment was not available then.

Palmer also reports concerns over the visit amongst Labour parliamentarians, and that problems with the Labour Party were brewing, as the 25 January letter in the Buchanan papers from the General Secretary of the Party, John Wybrow, to Palmer shows. Here the Party Executive is urging the Government to enforce the nuclear policy rigidly or get a declaration from United States Government that the visiting vessels are neither nuclear armed or powered. Palmer urges postponing any decision on the visit until after the Labour caucus has met. He states that in his view everything depends on how strong the evidence is as to whether the ship should come in, how strong a case can be developed publicly that the ship will not be carrying nuclear weapons.

To add to the mounting difficulties for the visit advocates, about this time a letter from Australian Prime Minister Bob Hawke to Lange marked 'Top Secret' was leaked to the media. This stated that there would be strains in the relationship between the (ANZUS) treaty partners if New Zealand insisted on special treatment.

We cannot accept as a permanent arrangement that the ANZUS alliance has a different meaning and entails different obligations for different members.

Lange quotes in his book p.83, and on p.86 comments on this leak saying it was commonplace in Australia for sensitive government documents to end up in the newspapers. He says, 'and there soon appeared in the press the letter I had received all bound up with ceiling wax, from Prime Minister Hawke.'

Palmer issued a press release about the leaked letter on 25 January, reaffirming New Zealand's nuclear policy as different from that of Australia, but based in principle and to be 'resolutely maintained'. The problem for the visit planners was that the letter was

seen in New Zealand as an attempt by the Australians to put pressure on New Zealand to modify its nuclear policy. This only strengthened resolve in New Zealand to resist any weakening of the policy.

2.6 The Visit is Off - Why?

In spite of all the careful planning during the latter part of 1984, the Buchanan visit did not proceed. The basic reason was that the New Zealand Government could not, in the end, provide adequate guarantees that the ship would not carry nuclear weapons while in New Zealand. Lange's account of this whole Buchanan episode can be found in his book, particularly in chapter 6, but the two preceding chapters are also directly relevant. There have been several accounts of the failure of negotiations to get the Buchanan into Wellington, and there is no intention of repeating all the details, here. The reader is referred to the books by McMillan, Clements, and Landais-Stamp and Rogers, listed in the references to the introduction, and to The Dominion Sunday Times article of 29 March 1987 by Hubbard, cited earlier. The book by Landais-Stamp and Rogers is also interesting in relation to the discussion so far in that it sets out to provide a study of the pressure the United States exerted on New Zealand from 1984 to 1987 to get New Zealand to change its nuclear policy. These accounts all show some weaknesses resulting in part from lack of access to the documents provided here in the Buchanan papers.

The accounts generally agree that the main factor that resulted in the refusal of the Buchanan was the very strong resistance from the public, and within the Labour Party and amongst Labour Government members, to any sign of a weakening of the ship visit policy. Here we refer to accounts of events leading up to the refusal of the Buchanan from Hager and from Margaret Wilson's book, and to the Buchanan papers. Hager at this time was working closely with some members of the Labour Government on the ship visit issue.

He sees the Buchanan papers as providing a clear picture of the carefully planned strategy of the officials, and of the belief by Lange, Palmer and possibly others, based on what their officials told them, that a way through the ship visit impasse could be found. He thinks Lange and Palmer were prepared to give their officials a chance to find a solution, and that Palmer, on whose shoulders the problem of the Buchanan descended in January 1985, did not connive with officials to circumvent the ship visit policy. But, in his words, once the request for a visit had gone wrong publicly, there was nothing the officials could do to control it.

Hager considers it certain that the Americans had agreed that New Zealand could by inference declare the Buchanan 'clean' while publicly saying New Zealand accepted NCND. He thinks Lange trusted his officials more at this stage than he did later. Reference to Lange's book p, 83 is appropriate here. He talks of officials advising him at the time of having the utmost cooperation from the United States over the Buchanan. However, earlier; pp.65-7, he comments on the continued opposition he encountered to the nuclear policy from his officials but, as suggested previously, says their position reflected their view that this best served the country's interests as they saw them. Later, however, he is more critical saying, p.194, that

Left to themselves, our diplomats would certainly have surrendered the nuclear-free policy. Their perspective was the perspective of the State Department, Whitehall, and every other foreign ministry whose government counted itself part of the Western alliance.

His comments on the relative influence of officials and politicians, pp.193-7, are relevant here, indicating as they do the independence from politicians that officials favoured in their dealings with other governments.

Hager says that he had been fearing for months that the officials would try a nuclear capable but not too likely to be nuclear armed ship as a first step to undermine the policy. Once one ambiguous ship was allowed in, it would have been impossible to stop the next one; and the process would have continued. Conscious of this, the organisation Campaign Against Nuclear Warships, CANWAR, in which he was a major figure, published late in 1984 a list of all US Navy ships that were nuclear capable, warning that if Labour tried to invite any there would be huge protests. The intention was to make it clear there was no grey area for ambiguous ships.

He recalls that the first definite sign he had that there was indeed a plan to accept an ambiguous ship was the press statement made by Palmer on 22 January with its reference to reliance on the expertise of New Zealand's intelligence and defence advisers to assess a specific visit request. From that day he says,

we moved into intense activity mobilising public action. With only two days warning, a very large march organised in Auckland in the week of the decision to reject the Buchanan had as its main slogan, 'If in doubt, keep it out'. About 15,000 people were involved. The public campaign was well focussed on the key issue of certainty that the officials were trying to fudge. Over the last weekend before Lange's return to New Zealand on Monday 28 January from the Tokelaus, and before the critical Cabinet meeting scheduled for the same day; we alerted networks all over the country to the risk of a backdown and urged people to send telegrams to Lange.

Later the peace movement heard that there were several thousand telegrams waiting for Lange on his arrival. Hager recounts that at the Cabinet meeting the Ministers present had to confront the fact that they could not say with certainty that the Buchanan was not nuclear armed. All they had was a judgement of the probability by military staff. We have examined the basis of that judgement already. Given the height of public feeling; and the clear debate in public on this very issue of certainty, the solution offered by the officials, the ship visit formula, did not look good enough he says.

Discussing the position of the Labour Party in this period, Margaret Wilson in her book pp.63-5 comments that there was no contact between party officials and United States officials; so the party was uncertain of the precise nature of the negotiations between the government and the Americans. She says that in her regular meetings with Lange and the caucus she made it clear that the policy was not to be compromised, and that the party was seeking the introduction of the legislation promised in the election manifesto 'as quickly as possible. I would have conveyed the same message to the representatives of the United States if any of them had sought the position of the party at that time.'

She then reports discussing the Buchanan request with Palmer, and establishing that the ship could not be guaranteed free of nuclear weapons. 'Once this was clear, I could see that we had a major problem if the ship visit proceeded.' The party executive met subsequently and produced the resolution already referred to. Wilson also reports that on 24 January 1985 she met with Helen Clark, Fran Wilde and Jim Anderton to discuss what the most appropriate action for the party was. Anderton thought the government would invite the ship regardless of any action by the party, but

the rest of us refused to believe that this would happen and set out to ensure that the policy was maintained. The only action we could take was to let people speak for themselves. So we asked party members to express their feelings to their local MPs, to the government and to the party. This produced thousands of letters and telegrams of support for the policy. Such a response would not have been possible without widespread community support.

Clements in his book p.134 reports that strongly anti-nuclear Labour MPs were mobilising their caucus colleagues 'to take a tough line on the issue', and in note 29,

p.221, says that Helen Clark telephoned him and suggested he 'push the button' to mobilise the anti-nuclear network in Christchurch to send protests to government about the admission of the Buchanan. Palmer referred to Anderton saying he would break with Labour if it did not follow its policy. As stated, the Government was having serious problems within its ranks if loyalty to the plans of the officials was hoped for. The combined actions of Labour MPs, the Labour Party and the peace movement proved decisive in destroying any remaining hope for the Buchanan.

Cabinet finally rejected the visit request, on Lange's recommendation according to his book p.88, to which he added a rider, he says, that if the United States would neither confirm nor deny the presence of nuclear weapons on its vessels, then New Zealand would only invite ships that were, undisputably, free of nuclear weapons. But Lange left the door open for an invitation to the Americans to send an unambiguous ship.

He discussed this with the American Ambassador, Monroe Browne, on January 29 following the Cabinet meeting, but 17 pages of handwritten notes covering the meeting were withheld by the Ministry. The Ombudsman ruled that some indication of the content of these should be released, and the Ministry supplied a one page outline of the discussion. This says that, amongst other things, Lange noted that

- (a) Cabinet had discussed the proposed visit on the preceding day.
- (b) There was considerable reservation on the part of Cabinet.
- (c) The preliminary view was that the matter should be discussed further with Caucus. (d) He needed an assurance that the visit would be one that respected New Zealand's anti-nuclear policy.
- (e) He did have an assessment from the Chief of Defence Staff. It was logical but it did not give him or Cabinet the assurance that New Zealand's anti-nuclear policy was being observed.
- (f) We are not anti-American.
- (g) The temper of the debate in New Zealand is being influenced by an Australian intervention, not an American one.
- (g) The matter might be resolved by a visit by another ship, ie. an FFG7 - a ship that most people in New Zealand were prepared to accept.

The Ambassador noted, amongst other things, that what the United States wanted was a resumption of the way things previously operated in ANZUS. The reader is referred to Lange's book pp.86-91 for his account of events in this period at the end of January and early February.

This proposal for an FFG7 frigate visit almost immediately appeared in the press. Lange claims that he does not know how this leak occurred, and was infuriated by it. But several writers have speculated that journalists, who at this time were scrutinising every word uttered by anyone official with extreme care, had worked out from a comment by Lange that 'there were some vessels which were simply not capable of carrying nuclear weapons and were known as such', see his book p.88, what type of vessel he was referring to and why. The only class of non-nuclear capable combat ships in the US Pacific Fleet was the Oliver Hazard Perry class of guided missile frigates, FFG7 class frigates. Hager comments that we will never know if the Americans would have agreed to send a ship of the type requested by Lange in place of the Buchanan had there been no press reports of the request. He says that he very much doubts it, since this would have amounted to a genuine acceptance of New Zealand's nuclear policy. This is considered to be a correct assessment of the situation.

Monroe Browne met Lange again the next day and rejected the proposal for an FFG7 visit. Lange reports the visit in his book p.89, it was the day of the 15,000 strong march in Auckland. The Labour Caucus met the following day, January 31, and strongly supported the actions taken. But still hoping that there might be a chance for an acceptable visit, and that Monroe Browne might not have the final say, Lange wrote to

him that day proposing the FFG7 visit. A copy of Lange's letter is included in the Buchanan papers.

Several telegrams in the Buchanan papers dated 29 and 30 January report and refer to this leak. On the 31 January we see Washington reporting that New Zealand could expect a response from the United States to the rejection of the Buchanan that would be 'very severe indeed', would probably come from Shultz, and would be made public.

Landais-Stamp and Rogers p.78 report that the United States released the name of the ship involved, the USS Buchanan, on 5 February, and announced that it would not be calling at New Zealand.

2.7 The Aftermath

American reactions to the rejection of the Buchanan's visit have been well documented and will be examined in detail in subsequent working papers, so they are not considered fully here. We look instead at what the Buchanan papers tell us about events subsequent to Lange's 31 January letter to Monroe Browne.

Following the apparent leak of Lange's request that the US Navy send an FFG7 class frigate, the Americans flatly refused to consider this proposal and asked for a final decision on the Buchanan. The Buchanan papers include Lange's letter to Monroe Browne of 4 February giving this final decision, and again rejecting the clearance request for the Buchanan because New Zealand officials could not guarantee it to be free of nuclear weapons. Lange once more emphasises the desire of his Government to work with the United States in ANZUS, and to host US Pacific Fleet visits that complied with New Zealand's policy.

Lange's letter was followed by a flurry of telegrams between the New Zealand Embassy in Washington and Foreign Affairs in Wellington during 4 to 7 February. These contain some interesting statements. The 4 February telegram from Washington to Wellington confirms that American State Department senior officers had been working with New Zealand officials on a solution to the ship visit problem. The Americans clearly emphasised their view of the importance of access for their vessels under ANZUS, to which the New Zealand Ambassador responded that this put too much emphasis on this particular aspect of the alliance relationship. Further, it did not acknowledge the different strategic situations prevailing in the South Pacific and the North Pacific, so that Japanese and New Zealand policies could not be directly compared. The discussions were to proceed.

An urgent telegram to Norrish on 5 February from the Ambassador has, unfortunately, been completely withheld, but would have supplied an assessment from a Washington perspective of the likely consequences of the Buchanan refusal. However, these consequences are outlined in a press release by O'Flynn dated 5 February. He refers to military equipment purchase concessions being withdrawn, and a possible curtailment of joint exercises and of intelligence information. These consequences had been considered previously by his defence advisers he says. So the New Zealand Government was already aware when it rejected the Buchanan of what it might expect. O'Flynn also reported the cancelling of the Sea Eagle exercise. Lange in his book comments that rather amusingly the Americans informed him a few hours later that they were withdrawing from this already cancelled exercise. 'Not for the first time I wondered how they'd get their act together if anything serious ever happened.' he quips, p.90 in his book.

At this stage, some hope still apparently remained that a solution could be found to the situation that had developed, as the 7 February personal telegram from Lange to the New Zealand Ambassador in Washington shows. Lange welcomes any sign from the

American State Department of a desire for continued cooperation, referring to the 5 February telegram from Washington, and urges building on this. He states quite clearly that it was widespread public opposition that forced the Buchanan decision.

We had a movement of opinion here which no government could have stood against. ... So we have a new situation. ... The policy of no nuclear weapons on ships coming into our ports is about as firmly established as any policy can be. There is no alternative but to look ahead from that base.

Lange reiterates the Government's desire to demonstrate its commitments to ANZUS, but says that he hopes the Americans will not react too strongly to the situation and give New Zealand a breathing space in which to 'cool the public clamour' and show that cooperation under ANZUS could still continue.

What would queer the pitch would be such a disproportionate reaction on the U.S. side as to provoke a wave of public reaction here. That might be very difficult to control.

he says. This is just what did happen. Apparently severe penalties imposed on New Zealand by the United States increased public support for the nuclear policy. These penalties are described as 'apparently severe' for reasons that will be made clear in a subsequent working paper.

Lange, considering how best to contribute to ANZUS says,

We are firmly in favour of continued naval cooperation. As you know, we were willing to take part in Sea Eagle irrespective of the power source or the weaponry of the participating ships. This willingness stands.

This extension of the nuclear policy to allow contact with nuclear powered or armed vessels seems to have been decided very early, we have seen one statement of it already from Lange late in October 1984. Lange was still hoping for further US Navy visits despite the Buchanan problem, and was then hoping to discuss the matter at the July ANZUS Council meeting which finally never took place. He expresses strongly New Zealand's continued support for American nuclear weapons reduction strategies; and full cooperation with them in all ways, 'subject only to the nuclear weapons restriction'.

There is now a considerable gap of one month in the Buchanan papers from 7 February to 7 March at what seems like a crucial time. The Ministry gave an assurance that a re-examination of the file in question produced no further documents in this period relating to the Buchanan incident. The rest of the documents supplied relate to a letter, prepared and drafted by the Ministry of Foreign Affairs, from Deputy Prime Minister Palmer to the Deputy Secretary of State, Kenneth Dam, seen as a useful personal relationship for Palmer to have at this time. It was by now accepted that, 'both the American and the Australians have made it abundantly clear that defence cooperation under ANZUS will not continue, at least for the time being'. The 7 March telegram suggests Palmer modify his original letter to allow for this; and other new circumstances. The Ministry draft, and a copy of Palmer's final letter in which he merely adds some personal comments, follow. The letter provides a good summary of the situation as it had developed and as it prevailed by mid-March 1985; when this collection of documents terminates.

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CONCLUSION

Labour's nuclear policy was now firmly in place and, through the Buchanan incident, firmly embedded in history. New Zealand was now effectively excluded from ANZUS, although remaining formally a member of the alliance, as it still is. March 18 1985 saw the first ever meeting of a committee of the US House of Representatives to discuss ANZUS, and the New Zealand issue in particular. We will refer to the record of this meeting in a subsequent working paper.

Was the Buchanan nuclear armed or not? Only the US Navy, and possibly some privileged American and New Zealand officials, know the answer to this question at present. What were the real intentions of these officials in their deliberations on how to overcome the ship visit problem? Were they conscientiously trying to find a solution that honoured both NCND and New Zealand's policy? What was the involvement of the Labour Government?

Answers to these questions are provided by three important conclusions; emphasised and clarified by Hager, that emerge from these newly released documents and the other material cited above. First; there is no evidence, as some have suspected, of Lange and his Government working to undermine the nuclear policy. Indeed the Shultz meeting notes appear to confirm just the opposite. There is nothing to indicate that documents on the Ministry files that might show Lange or the Labour Government in a bad light in this episode have been withheld. It has been stated that Lange and Palmer would have been relying heavily on the advice from their officials concerning the nuclear policy and its implementation after the election because of the heavy demands placed on them by the economic crisis they faced at this time, and they gave the officials a chance to come up with an acceptable solution to the ship visit problem. This is reflected in Palmer's comment in his letter to Dam that the officials were acting with his and Lange's full support, a letter drafted by the officials. The Buchanan papers do, however, show that Lange was trying to maintain the best possible relations with the Americans.

Second, the Buchanan papers and related documents show that there was a carefully planned; coordinated; and timetabled strategy worked out by the Ministry of Foreign Affairs, Defence through Jamieson and undoubtedly others, and the External Intelligence Bureau, with their American and Australian counterparts, to get the Labour Government to follow a ship visit solution that would have undermined the nuclear policy. It seems also that this, very possibly, was their intention.

Third, the public and the Labour Party alerted the Government to the crucial weakness in the officials' plans - it was impossible to guarantee with certainty that the Buchanan would be free of nuclear weapons while visiting New Zealand - and public pressure helped galvanise the Government to reject the visit. The Buchanan rejection was a striking example of the power of public action in politics.

The result was consternation and extreme frustration and anger amongst officials like Jamieson. The Americans shared these reactions at seeing their carefully crafted plans thwarted, and thwarted not by government or official action, but by public action that the New Zealand officials could not control. The consequence was New Zealand's exclusion from ANZUS, and apparently severe restrictions on military contacts with New Zealand. The impact of these restrictions is examined in a subsequent working paper.

Reference to the 29 August 1986 New Zealand Herald article cited earlier reporting comments by Lange on the Buchanan incident is significant here. Lange having discussed the American refusal to send an FFG7 frigate is reported to have said that it was also obvious that the Buchanan was to be the first in a series of ship visits

culminating in calls by ships which were nuclear powered and 'certainly nuclear armed. That was the American price for the visit of the Buchanan.' If correctly reported, Lange's statement is an unambiguous denunciation of the plans of the officials. It accuses them of setting out to restore National's ship visit policy of no questions asked, through cooperation with the Americans and, as we have seen, the Australians.

An extensive and long term study of the attitudes and actions of the US Navy, particularly where NCND is involved, has resulted in a picture of a very intransigent service, unwilling to accept compromise in any respect regarding its nuclear weapons strategies. The contention here is that, whether or not the New Zealand officials involved all recognised it, the ultimate goal of the United States was to see New Zealand's nuclear policy modified to an acceptable form like that of Denmark, Norway or Australia. It is hoped that material in subsequent working papers will provide a convincing basis for this claim. It echoes Lange's comments p.210 in his book that the United States would brook no dissent in the ranks of its allies and that,

New Zealand's duty was to be uncomplainingly swept up in exactly the kind of international totalitarianism we were supposed to be ready to defend ourselves against.

This attitude does not appear to have changed since 1985 in relation to New Zealand's nuclear policy.

Lange also admitted that ANZUS was truly an alliance based on nuclear weapons, a nuclear alliance. He states this in his book p.180 when discussing a speech he gave during the 1987 election campaign. He writes that the alliance was a vehicle of nuclear strategy. In his speech he stated, that,

The ANZUS relationship between the United States and New Zealand is now inoperative exactly because the nuclear element in the alliance has become predominant.

He concluded, he writes, by saying, p.181, that

ANZUS had been unequivocally revealed in the last three years to be a defence arrangement underpinned by a global strategy of nuclear deterrence.

But this was the case from the very establishment of ANZUS in 1951 as will be argued in a later working paper.

It will also be argued that the seriousness of the ANZUS dispute has been considerably exaggerated, a conclusion supported by Associate Professor Steve Hoadley of the Political Studies Department, University of Auckland. In his 1992 publication, The New Zealand Foreign Affairs Handbook,⁽¹⁾ p.97 he wrote,

The ANZUS dispute was the major controversy of the decade; but not as critical a one as the volume and shrillness of political and press rhetoric suggested.

More recently, in the publication New Zealand Politics in Transition,⁽²⁾ he says p.229 that while the Buchanan decision was significant in New Zealand foreign policy terms,

even that decision did not harm New Zealand's wider relations with the United States. The presentational or symbolic changes outweighed substantial changes, and many accompanying and underlying policies remained unaltered.

These conclusions mirror those to be presented in later working papers.

The nuclear policy survives, now enshrined in the 1987 legislation. In the next working paper we will examine the development of this legislation and its passage into law. The legality of what amounted to the suspension of New Zealand from ANZUS by the United States in 1986, when the Labour Government made clear its determination to proceed with developing the legislation, will also be examined. With both major political parties and most minor parties now supporting the legislation, it appears set to survive until the problem of nuclear weapons is overcome worldwide. The nuclear armed vessel problem has now disappeared with the removal of these weapons from all warships likely to visit New Zealand.

The question of the continued exclusion of nuclear powered vessels will be considered in a subsequent working paper. This is still seen by the United States as preventing a return of its navy to New Zealand, and it is possible to envisage some New Zealand government attempting to repeal this section of the legislation. Those who see the legislation as a major achievement for New Zealand will be watching vigilantly for any such move, and will be prepared to act to prevent this change.

Indeed, at the time of writing there are hints that such a move may be being considered. Paul East, Minister of Defence, once again raised the nuclear propulsion issue in a speech to the New Zealand Special Air Service on 30 May 1997, expressing disappointment at the lack of public debate following the release in December 1992 of the Safety of Nuclear Powered Ships report. He voiced hope that 'the extreme antinuclear swing may be starting to return to the centre', and repeated the claim that 'the present relationship with the United States costs us dearly in terms of maintaining the highest military professional standards'. This claim will be challenged in a later working paper.

It must also be remembered that the legislation is quite broad, and covers other important issues besides nuclear armed or powered ship visits. These other aspects of the legislation will be considered in subsequent working papers.

Entrenching the legislation would provide some protection against changes seen as undesirable by its supporters, as this would require a 75% majority in Parliament to support the proposed change rather than a simple majority. On the other hand, it appears that unilateral action could be taken by the government of the time to ignore the entrenchment and move to repeal the legislation. This needs clarifying.

New Zealand has been truly nuclear free now for almost thirteen years, and by law for ten years. These working papers are a celebration of that achievement.

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2. Miller R. ed. New Zealand Politics in Transition, Oxford University Press, Auckland, 1997

CHRONOLOGY OF SIGNIFICANT EVENTS

(Including material from chronologies published in The New Zealand Foreign Affairs Handbook, by Steve Hoadley, Oxford University Press, 1992; The Evening Post Wellington, 23 November 1994; The New Zealand Herald, 1 February 1995, p.1; and provided by K Dewes, N Hager and K McPherson) The choice of entries is, of course, subjective.

1984

- July Newly elected Labour Government establishes its nuclear policy. Social Credit and New Zealand Parties, also support ship visit bans. US Secretary of State George Shultz assures New Zealand that the US will not use trade pressures to get New Zealand to change the policy. He says that port access is vital to ANZUS but no ship visit requests will be made for six months.
- July-Dec Planning for ANZUS exercises TRIAD 84 in October and Sea Eagle 85 in March 1985 continue despite New Zealand's new nuclear free policy. This includes planning for the first US Navy visit since the nuclear policy was adopted, this visit to follow Sea Eagle 85.
- September Prime Minister David Lange and Shultz meet in New York, and discuss solutions to the ship visit problem. They agree that the US should submit their normal annual request for blanket diplomatic clearance for US Navy visits to New Zealand during 1985.
- October Exercise TRIAD 84 involving ANZUS land and air forces goes ahead and sees American nuclear capable fighter aircraft in the air over New Zealand, but under NCND as far as the Americans are concerned.

1985

- January Six months have passed and NZ receives a request from the US for a visit in March by the destroyer Buchanan.
- Jan/February Buchanan request refused because the New Zealand Government cannot guarantee it will be free of nuclear weapons. Instead Lange seeks a visit by a non-nuclear capable warship but US refuses. US retaliates by cutting defence ties, and cancelling exercise Sea Eagle and other military exercises. Seen by some as the point at which ANZUS really ended - for NZ at least.
- March Australian Prime Minister Hawke says ANZUS is now a treaty in name only. US House of Representatives Subcommittee on Asian and Pacific Affairs of the Committee on Foreign Affairs holds the first ever meeting on ANZUS, with special reference to the New Zealand situation.
- July French agents sink Rainbow Warrior in Auckland Harbour.
- August Eight South Pacific countries including New Zealand sign the South Pacific Nuclear Free Zone Treaty. The United States would not sign, but in 1995 said it is honouring all aspects of the Treaty.
- September France admits guilt in the Rainbow Warrior bombing.
- November Two French agents sentenced to ten years in prison for their part in the Rainbow Warrior bombing.

- December The NZ Nuclear Free Zone, Disarmament, and Arms Control Bill is introduced into Parliament. The US State Department commenting on the introduction of the legislation says that its coming into law will mean a review of US security obligations to NZ with the probable result being a termination of the US alliance with NZ, as the absence of normal port access would make it impossible for the US to carry out its defence commitments to NZ.
- 1986**
- January New American Ambassador, Paul Cleveland, takes up his post. He has a strong role in the American-New Zealand debate during his term.
- A contract worth \$NZ 140 million to upgrade 22 RNZAF Skyhawks signed with US firm Lear Siegler after Congressional vetting and despite the nuclear policy stand-off.
- February French Government imposes sanctions on NZ exports of lamb products in apparent retaliation for NZ imprisoning its two agents.
- April Baroness Young, UK Minister of State, Foreign and Commonwealth Office visits and denounces New Zealand's ship visit policy claiming it nullifies NCND, as does US Ambassador Paul Cleveland, who says it 'could set a precedent that would complicate worldwide port access, anti-nuclear movements elsewhere could seize on New Zealand's example to argue for similar law and practice ...'. Baroness Young reiterates that Britain would not retaliate economically against New Zealand because of the policy. Mr Bolger, Leader of the Opposition, confirms a National government would admit nuclear armed and nuclear powered ships.
- June Intense efforts to find a diplomatic solution to ANZUS stand-off end with Shultz telling Lange 'We part company as friends - but we part company'. Shultz rejects Lange's proposal to keep any refusal of future ship visit requests secret because, he says, the American system 'leaked like a sieve'. He says the government of New Zealand's approach is unacceptable as it would undermine our (US) NCND policy and would weaken global deterrence. Lange declares that ends any talks on ship visits. The British want the clause dealing with the Prime Minister making judgement on the entry of possibly nuclear armed ships changed, or at least want it made clear there has been no 'foreign involvement' in any such judgement. Otherwise it could be inferred that the British Government had compromised its NCND policy.
- The bulk of submissions to a parliamentary select committee considering the Bill urge strengthening Clause 9 dealing with nuclear armed vessel visits.
- New Zealand and France agree to submit their dispute to the UN Secretary General for arbitration.
- July Results of a government organised defence review with public input reported. Show strong support for the anti-nuclear policy, but also for NZ to remain in ANZUS.

1986

July

The US decides to sell cheap wheat to Australia's two biggest markets. This is an irony from NZ's viewpoint, as one of the major arguments the US has used for continued involvement in ANZUS is that such links will help insulate both Australia and NZ against damaging trade decisions.

New Zealand wins an official apology from France and \$NZ13 million compensation, a year after French agents bombed the Rainbow Warrior. Agents Marfat and Prieur are released from NZ prisons and sent to Hao Atoll, a French ruled military island in the South Pacific, for 3 years. NZ gets assurances that France will not impose sanctions against vital exports to Europe.

August US formally suspends its security commitments to NZ under ANZUS. Britain bans all warship visits and joint military exercises in NZ waters.

Shultz says there is no danger of the Antarctic support base in Christchurch being moved to Australia.

Australia emphasises there is no change in its relationship with NZ.

October The US widens its retaliatory action against NZ, causing some delays in NZ's ability to obtain spare parts for its American military equipment. The Ministry of Defence forecasts a loss of standards for the military.

December

The South Pacific Nuclear Free Zone Treaty is ratified when Australia becomes the eighth country to sign the protocols.

Navy Secretary Lehman urges the Reagan Administration to consider economic penalties against NZ. He wants to block imports of NZ beef, lamb, and other agricultural products to discourage other countries from banning port visits by US Navy ships.

1987

February

US decides not to renew military logistics agreement of 1982 which expires in June 1987.

1987 Defence White Paper published. It stresses a South Pacific focus, close cooperation with Australia, and greater self reliance.

March

Christchurch lawyer Harold Evans, with supporting testimony from other international lawyers, initiates the World Court Project to seek a World Court (International Court of Justice) opinion on 'the legality or otherwise of nuclear weaponry' by writing to the Prime Ministers of Australia and New Zealand about the project. Hawke rejects the idea, Lange shows interest.

April

US threatens to remove Antarctic research support base from Christchurch. This did not happen.

June

Nuclear policy becomes law. Shultz says ANZUS framework to remain intact to allow NZ to rejoin when circumstances permit.

August

Labour Government re-elected with an increased majority.

- September US Congress passes law eliminating NZ from list of allies which get preferential military assistance.
- December French agent Alain Marfat flown from Hao Atoll to Paris allegedly for medical treatment. Lange's Government criticised.
- 1988**
- March Jim Bolger, Leader of the National Opposition, meets US Secretary of Defence.
- May The second French agent Dominique Prieur leaves Hao Atoll because she is pregnant, over New Zealand objections.
- June National proposes a Danish type nuclear policy for New Zealand based on accepting that nuclear allies would respect a ban on nuclear armed ships.
- October A poll on building new frigates with Australia shows 29% in favour, 57% against.
- Royal Navy warships exercise with New Zealand warships in the Tasman Sea for the first time since 1985.
- November George Bush elected US President. No change in position on New Zealand.
- 1989**
- February New Zealand and Australian defence ministers reaffirms the need for compatible frigates amid public protest.
- March National says the US is to unilaterally remove short range tactical nuclear weapons from its ships This was not officially announced until September 1991. Bolger says New Zealand would trust the US not to send nuclear weapons here if they say they aren't, and National would return New Zealand to ANZUS.
- April David Lange in a speech at Yale University raises the possibility of New Zealand formally withdrawing from ANZUS, seen widely in NZ as saying ANZUS is a 'dead letter'.
- June Australian Prime Minister Hawke warns that New Zealand would suffer 'adverse economic effects' if it opts out' of the ANZAC frigate project as it is called. A poll shows 78% see Australia as New Zealand's 'natural partner' and 63% believe New Zealand's four existing frigates should be replaced with ships of similar capabilities.
- August David Lange resigns as Prime Minister, in part following disagreement in his government over his proposal for New Zealand to consider formal withdrawal from ANZUS. Deputy Prime Minister Geoffrey Palmer becomes Prime Minister.
- September The Labour Party conference votes to condemn the ANZAC frigate project. Labour's Parliamentary caucus votes to approve the Government's plan to purchase two ANZAC frigates.
- October New American Ambassador Ms Della Newman arrives.

1990

- March National also adopts the nuclear legislation. Strong differences in the National Party over this, particularly from Don McKinnon who openly opposes the nuclear policy. He resigns as National defence spokesman.
- Mike Moore becomes the first NZ Minister to meet a US Secretary of State; James Baker in this case since 1986. Baker recommends resuming top level contacts. Moore says NZ and State Department will co-operate in all areas except defence.
- June US eases trade policy by dropping import tariff obstacles.
- October National wins the election with the existing nuclear legislation, but with a clear desire to find some accommodation with the US so as to restore normal defence relations.
- December New Zealand provides army medical team and two RNZAF Hercules to support the US-led Gulf coalition against Iraq. US and British express appreciation.

1991

- January New Zealand contributes to largely US led Gulf War. US supplies NZ with associated intelligence material.
- February Prime Minister Jim Bolger has 10-minute meeting with President Bush, first top level meeting since 1985.
- April French Prime Minister Rocard visits and apologises for the Rainbow Warrior bombing. He sets up a NZ-France Friendship Fund.
- May Minister of Foreign Affairs Don McKinnon visits the US capital for talks to try to break the continuing political standoff.
- The 1991 Defence Policy Paper establishes a policy of maintaining a 'minimum credible defence force' and a strategy of 'self reliance in partnership'. It says a progressive improvement in our alliance relationships can be looked for, but with the nuclear policy in place, full cooperation with the US in particular must be accepted as unattainable.
- August Visit to NZ by US Assistant Secretary of State Richard Solomon, most senior official to visit since 1985. The two governments remain at odds over the ship visit policy and military cooperation.
- September Mr Bolger gets an informal 120-minute meeting with President Bush.
- US announces that tactical nuclear weapons will be removed from surface ships and attack submarines, but may be redeployed in a crisis. The USSR and UK follow suit very soon after. NCND policy still maintained, certainly by the US and UK.
- October President Gorbachev announces moratorium on nuclear testing by Russia. This was later extended by President Yeltsin to July 1993, and then still further. Still in force.

- October Bolger says it would be churlish for NZ not to respond to US September announcement. Proposes law change to allow nuclear powered warships to visit and announces a committee to be set up to look at the safety issues involved. A public opinion poll shows majority want no change to the anti-nuclear legislation including admission of nuclear powered vessels, but still quite strong support for NZ to be back in ANZUS.
- November Prime Minister Jim Bolger suggests the UK may soon send a conventionally powered warship to New Zealand to visit now the UK also is to remove tactical nuclear weapons from its surface ships, but rules out changes to the anti-nuclear legislation. But no visit until 1995.
- December National appoints a committee of three scientists to review the safety of nuclear powered ships.
- 1992**
- April France announces nuclear test moratorium. Continued to mid-June 1995 when France announces a further series of tests in 1995, before the signing of a comprehensive test ban treaty set down for late 1996.
- July US announces that all tactical nuclear weapons have been removed from naval vessels and aircraft. Mr Bolger invites the US Navy to visit NZ.
- August The US Senate votes overwhelmingly in support of a proposal that the US should seek negotiations for a comprehensive test ban (CTBT), and bans all US nuclear testing after 30 September 1996 unless Russia begins testing.
- October President Bush announces a 9 month US moratorium on nuclear testing. Renewed by President Clinton July 1993 to September 1994, and then further. Still in force.
- December Report on The Safety of Nuclear Powered Ships is published.
- New Zealand wins two-year term on UN Security Council.
- 1993**
- January Bill Clinton sworn in as US President.
- March Foreign Minister Don McKinnon meets Secretary of State Warren Christopher at the State Department.
- April New Assistant Secretary of State for East Asia and Pacific, Winston Lord,-says there can be no resumption of defence ties while the anti-nuclear law remains.
- May Australia denies its officials in Washington were working against any building of defence ties between NZ and the US.
- World Health Assembly passes a resolution asking the World Court, 'In view of the health and environmental effects, would the use of nuclear weapons by a State in a war or other armed conflict be a breach of its obligations under international law including the WHO Constitution?'. New Zealand abstains.

- June Bolger calls on the Clinton Administration to reassess the US attitude to NZ and Charge d'Affaires in Wellington says review is underway.
- July The Safety of Nuclear Powered Ships report is strongly criticised by scientists, doctors and other qualified people at public meetings in Auckland and elsewhere.
- September The World Court issues a statement about the WHA resolution and calls for submissions by Sept 1994. NZ submits a 1 page non-committal submission.
- November Narrowly re-elected Prime Minister Jim Bolger meets President Clinton during the APEC leaders summit in Seattle. The National Government pledges no change to the anti-nuclear legislation. Clinton promises to take a good look at the relationship, Bolger says the military issue should be put to one side.
- New Zealand adopts a new Mixed Member Proportional electoral system.
- 1994**
- February The US announces resumption of high level political, strategic and broad security contacts with New Zealand, but leaves the question of closer defence ties unchanged. Suggestions from National of the possibility of resumption of military exercises with the US.
- April Visit by Admiral Charles Larson, then Commander in Chief US Forces in the Pacific (CINCPAC). No change in US position regarding the legislation, still want it modified or repealed. Warren Christopher says the same to McKinnon in Washington. Bolger says there will be no change in NZ anti-nuclear policy, but NZ playing its full part in UN peacekeeping.
- Helen Clark, Leader of the Opposition, says no military ties with the US for the Labour Party.
- May New American Ambassador Josiah Beeman arrives, filling the post vacant for 16 months.
- June Clinton praises NZ role on UN Security Council, says he hopes the new dialogue will provide the foundation for resuming security ties. But newly appointed US Ambassador Josiah Beeman says full restoration of ally status is not possible unless NZ changes its anti-nuclear law, and the onus for change rests with New Zealand.
- August Visit by Winston Lord, US Assistant Secretary of State for East Asian and Pacific Affairs. He acknowledges no prospect for change in NZ anti-nuclear law.
- November Mr Bolger sees President Clinton again at APEC. Republicans dominate US Senate and Congress elections with possible repercussions for NZ from hostile Republicans.
- December US Ambassador Josiah Beeman states publicly that all US troops, ships, attack submarines and aircraft in our region are not nuclear armed. (Some components may be re-armed with nuclear weapons in a crisis.) US Nuclear Posture Review confirms this.

- December Bolger announces a visit by two Royal Navy conventionally powered ships in June 1995 and assures New Zealand the ships will comply with the Act.
- NZ Chief of Defence Forces Admiral Teagle holds talks with US CINCPAC Admiral Richard Macke in Hawaii and with Joint Chief of Staff Chairman General Shalikashvili in Washington.
- The UN General Assembly passes a resolution urgently calling on the International Court of Justice to give an advisory opinion on the question 'Is the threat or use of nuclear weapons in any circumstances permitted under international law?'- the World Court Project. NZ votes for the resolution, the only Western state to do so besides San Marino.
- 1995**
- January Mr Bolger is invited to the White House to meet President Clinton on 27 March. Visit to New Zealand by Strobe Talbot, US Deputy Secretary of State; the most senior US official to visit in 11 years, who suggests that even if the ban on nuclear powered vessels is lifted the US would continue the military stand-off. Bolger assures NZ there will be no change in the anti-nuclear legislation.
- February The World Court calls for new submissions from UN member countries on the World Court Project. The verdict on both questions; from the UNGA and the WHA, could be delivered during 1996. NZ puts in a substantial and supportive submission. These are confidential at present.
- March Mr Bolger meets President Clinton and senior US Government members and officials in Washington. Mr Bolger invites the US to send a conventionally powered warships to New Zealand for a visit.
- Indefinite extension of the Non Proliferation Treaty is adopted with enhanced review process. New Zealand Government strongly supports this position against the wishes of other major political parties and public groups, since it is seen as yielding to the wishes of the US in particular not to put pressure on the nuclear powers for more rapid nuclear disarmament.
- May British military aircraft exercise within NZ territorial waters with military aircraft from Australia, Canada, and NZ in annual four nation anti-submarine competition.
- June The Royal Navy frigate HMS Monmouth and the Royal Fleet Auxiliary support vessel Brambleleaf visit New Zealand, the first Royal Navy visit since November 1983.
- France announces a further series of nuclear tests at Mururoa between September 1995 and May 1996. In response New Zealand suspends military ties with France.
- August New Zealand allowed to send observers to a large military exercise in Australia including units from the US and other countries. New Zealand was completely excluded from the equivalent exercise in 1992.
- Visit by Admiral R Macke, Commander-in -Chief US Pacific Forces (CINCPAC). He says no change in US position on NZ Act.

1995

- August Poll shows continuing support for the anti-nuclear legislation, but also for some form of military alliance relationship with the US, Australia and the UK, ie. former ANZUS and British links.
- France resumes nuclear testing at Mururoa. Britain announces an end to nuclear testing.
- September New Zealand invited by the US to join naval celebrations on 1 September of the 50th anniversary of the end of the war in the Pacific. HMNZS Waikato allowed to berth in Pearl Harbour, Hawaii's naval base. New Zealand naval visitors since 1984, HMNZS Canterbury in 1988 and the survey ship Monowai later, had been berthed in the merchant harbour of Honolulu.
- October RNZ Navy frigate Wellington joins UN force in the Persian Gulf for three months duty. The Wellington to operate under US Navy command while the US has charge of naval forces there.
- December South East Asian Nuclear Weapons Free Zone Treaty is signed by Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines; Singapore, Thailand and Vietnam. The nuclear weapons states withheld support because the treaty extends the zone to the exclusive economic zone boundary. Foreign Minister Don McKinnon welcomes the new nuclear weapons free zone; and a new African nuclear weapon free zone (to be signed next April).

1996

- January France declares an end to its nuclear testing, says it will close its Pacific testing sites and sign the South Pacific Nuclear Free Zone Treaty.
- March The US, Britain and France sign the three protocols of the South Pacific Nuclear Free Zone Treaty. New Zealand to restore ministerial level contacts with France restricted during French testing.
- New Zealand buys second hand US Navy ship USS Tenacious for underwater research and charting. No objections apparently raised in the US Senate which could have delayed or blocked the sale.
- US Assistant Secretary of Defence, Dr Ted Warner, visits NZ for talks with government and defence officials. He sees the visit as proof of improving US-NZ relations.
- April African Nuclear Weapons Free Zone, the Treaty of Pelindaba is signed by 43 of the Continent's 53 states. The nuclear weapon states also signed the protocols with the exception of Russia, which is seeking clarification of the status of Diego Garcia where the US is believed to store nuclear weapons. Russia expected to sign the protocols.

1996

July

The International Court of Justice announces its Advisory opinion on the legality of the threat or use of nuclear weapons, and finds that the threat or use would generally be contrary to the rules of international humanitarian law applicable in armed conflict, and in particular the principles and rules of humanitarian law, but could not decide if this would apply in an extreme circumstance of self defence in which the very survival of a State would be at stake. New Zealand to lobby with other countries in 1997 for a ban on the production of weapons grade fissile material for use in nuclear weapons.

New Zealand effectively normalises military ties with France.

China carries out its last nuclear test and announces that it will join the moratorium on testing.

The Government announces that a second frigate, the Canterbury, will be sent to the Persian Gulf in September. The Wellington completed its duties in January 1996.

August

The Canberra Commission calls for the elimination of nuclear weapons; and for an immediate start by the nuclear powers on steps to achieve this.

September

The Comprehensive Test Ban Treaty (CTBT) is signed by many countries including New Zealand.

New Zealand and other countries promote the idea of cooperation between the members of the four Southern hemisphere nuclear weapons free zones, the Latin American, South Pacific, South East Asian and African zones.

France ratifies the South Pacific Nuclear Free Zone Treaty.

October

A National Party - New Zealand First Party coalition wins the first MMP election, but with a small majority. The coalition government is committed to maintaining a skilled, professional and well equipped defence force to protect New Zealand's sovereignty, provide national security and make an appropriate contribution to regional security. A review of defence needs to be undertaken, but acknowledging there is no commitment to purchase more ANZAC frigates.

December

New Zealand votes in support of a UN resolution by Malaysia calling for a convention to ban nuclear weapons, negotiations to begin in 1997.

1997

February

Foreign Minister Don McKinnon says New Zealand's relations with the United States are the best they have been in more than a decade. He gives a speech to the UN Conference on Disarmament calling for more rapid progress on nuclear disarmament and on the chemical and biological weapons bans.

March

As of 1 March 142 countries had signed the CTBT including the five nuclear powers and Israel. Of the 44 countries whose ratification is required before the treaty can enter into force, only three have not signed: India, Pakistan and North Korea.

1997

March US Embassy Defence Attache cites NZ nuclear powered warship ban as a lingering obstacle to renewal of exercises with NZ forces.

May Intense discussion between New Zealand and Australian officials over the possible purchase of more ANZAC frigates. A review of defence needs over the next 20 years is nearing completion.

June The Royal Navy returns to New Zealand again, with a visit by the guided missile destroyer, HMS Gloucester, and air defence exercises with New Zealand forces are planned.

June 8 is the tenth anniversary of the day the nuclear legislation became law. The occasion is marked in various ways in different places in New Zealand.

This chronology was closed at 8 June 1997, seen as an historic day for New Zealand.

Notification of any errors found in this chronology would be appreciated. Every effort has been made to avoid errors.

TABLE OF COMPARISONS – 1984/5 and 1995/7

This table compares a number of factors relevant to the anti-nuclear policy in the post-1984 election period with the same factors in the period when this study was in progress, 1995/7, and the Act has been operating for eight to ten years. The factors listed briefly here are mostly discussed in greater detail elsewhere in the paper. The choice of entries is, of course, entirely subjective.

<u>1984/5</u>	<u>1995/7</u>
Nuclear deterrence is a major US strategy with the Soviet Union as the primary target.	Nuclear deterrence is a major US strategy but with different goals.
Concerns over NZ being a nuclear target if US Navy vessel visits continue.	US, Russia have detargeted their nuclear weapons. US, and probably the Soviets developing rapid retargeting capabilities.
Cold war situation still very serious. Strong US, UK reactions to the policy.	Greatly reduced US-Russia tensions but no relaxation of US demands for the Act to be modified or repealed.
US has nuclear weapons equipped forces in the Asia-Pacific region, particularly naval forces.	US forces in our region declared free of nuclear weapons including the Pacific Fleet, except for SSBN.
US Pacific Fleet includes 8 nuclear armed SSBN.	US Pacific Fleet includes 8 nuclear armed SSBN
Anti-nuclear policy introduced by Labour but strongly opposed by National which supports nuclear deterrence.	All major parties now support the 1987 legislation, and oppose nuclear weapons and, by their statements, nuclear deterrence.
ANZUS operating but defence relations with the US, UK restricted.	NZ still suspended from ANZUS, and defence restrictions remain with US.
Numerous military agreements and contacts with the US, UK continue operating.	These military agreements and contacts with the US, UK continue.
US breaks diplomatic links with NZ.	High level political, strategic and security contacts with the US resume in February 1994, but military contacts still restricted.
No US or UK naval visits. US-UK solidarity over the incompatibility of NZ's nuclear legislation and NCND. There had been regular visits by both navies prior to the 1984 election.	No US naval visits even though their conventionally powered vessels are now free of nuclear weapons and could visit. First visit by the Royal Navy in 1995. Is the UK breaking ranks with the US over NZ's legislation now?
No exercises with the US military at all. The UK suspends exercises within NZ waters, but continues FPDA exercises.	No exercises with the US, but the NZ government is hoping to see these start again soon following significant warming of relations with NZ. FPDA exercises with the UK continue.

NZ bases considered to be connected with the US military at Black Birch, Tangimoana, and in the past Woodbourne, operating.	Black Birch closed. Tangimoana and a new base at Waihopai operating.
NZ defence expenditure was about \$NZ673 million (1984), or 2% of GDP.	NZ defence expenditure was (1996/7) \$NZ1.6 billion, but dropped from 2.1 % of GDP in 1990 to 1.5% in 1996. Strong calls from the military for increased resources.
No known NZ military related industry.	Small but increasing military related industrial sector.
Nuclear testing a major concern for NZ particularly French testing in the Pacific. Rainbow Warrior sunk.	Very strong protests against French testing during 1995 and early 1996. France then ends testing.
Trade with the US important. Critics of the anti-nuclear policy claim it threatens this trade.	Trade with the US increased steadily from 1984/5, no impact from the Act.
Trade largely US and UK/Europe oriented.	Extensive moves to expand trade with Asian countries, eg. through NZ links in APEC and ASEAN.
NCND policy operating for the US, UK and France, and to some extent for the USSR.	NCND maintained by the US, UK and France. US modifies its statement of the policy to allow for the removal of tactical nuclear weapons in 1991-92.
US Airforce using facilities in Christchurch for Antarctic research programme, Operation Deep Freeze, but concerns over other uses being made of the facilities that violate the anti-nuclear policy .	US Air Force use of facilities at Christchurch continue, as do these concerns.
Public support for the anti-nuclear policy was around 60%.	Public support for the anti-nuclear policy is around 72% (1993).
Public support for NZ to be in ANZUS or have a military alliance with the US was around 70%.	Public support for NZ to be in ANZUS or to have a military alliance with the US is around 44% (1993) but with 34% undecided and 22% opposed.
Very strong anti-nuclear and peace movement.	Peace movement much weaker, or certainly less visible, but strong and widespread opposition to French nuclear testing 1995/6.
Two major political parties and a several minor parties competing in a first past the post electoral system.	The 1996 election sees a new Mixed Member Proportional or MMP electoral system used for the first time, four major parties and a number of minor parties competing the election.
Strong concerns over the nuclear issue and ANZUS in the 1984 election.	Defence and nuclear policies hardly figure in the 1996 election.

The Labour Government and the Opposition National Party both want NZ in ANZUS, but under very different conditions.

Labour no longer see ANZUS as appropriate for meeting our region's post-cold war needs. A National-New Zealand First coalition government policy agreement does not refer to ANZUS directly, but indicates continued commitment to contributing to regional security.

A state interventionist economic system and a strong welfare state operating prior to the 1984 election.

An extreme free market economic system and a much reduced welfare system operating.

Major assets, power, telecommunications health, education, water, mail and others in public hands through government ownership.

Privatisation of telecommunications, power and other assets seen already, and pressure for further privatisation continues.

APPENDIX ONE - THE BUCHANNAN PAPERS

CONTENTS

1. External Intelligence Bureau report IR 101/84, 'Nuclear Capabilities of Ships, Submarines, and Aircraft', 16 November 1984 (cover page only)
2. External Intelligence Bureau report IR 108/84, 'Factors affecting the Deployment of Nuclear Weapons in the South Pacific', 24 December 1984 (cover page only)
3. 20 December 1984 blanket clearance for all visits by US Navy conventionally powered ships that the NZ Government assesses as not nuclear armed
4. 21 December note from M Norrish, Secretary of Foreign Affairs, to the Minister of Foreign Affairs, David Lange, 'Visits of Nuclear Armed and/or Nuclear Powered Warships', together with a draft paper for Cabinet, and 'Ship Visits Chronology'
5. 21 January 1985 press release by Geoffrey Palmer, Acting Prime Minister
6. 22 January 1985, press release by Palmer
7. 24 January letter from Air Marshal Jamieson, Chief of Defence Staff to the Minister of Defence, Frank O'Flynn, 'Proposed USN Port Visit', together with two memoranda, namely
8. 24 January Jamieson, 'Proposed Port Visit: USS Buchanan', and
9. 24 January Jamieson, 'USN Port Visit: Associated Activities'
10. 25 January memorandum from Norrish to Lange, 'Visits of Nuclear Armed and/or Nuclear Powered Warships'
11. Draft press statement for Lange approving Buchanan visit, from Norrish
12. 25 January draft diplomatic clearance for the Buchanan
13. 25 January press statement from Palmer, 'The Hawke letter'
14. 25 January letter from J F Wybrow, General Secretary of the NZ Labour Party, to Palmer
15. 26 January press statement from Palmer, 'Nuclear Ships and the Opposition'
16. 27 January memorandum from Palmer to Lange, 'Developments'
17. 29 January telegram, Washington to Wellington, 'ANZUS: Nuclear Ships: US Policy'
18. 29 January telegram, Washington to Wellington, 'ANZUS: Nuclear Ships: Press Report'
19. 30 January telegram, Washington to Wellington, 'ANZUS: Nuclear Ships: US Views'
20. 31 January telegram, Washington to Wellington, 'ANZUS: Nuclear Ships: US Views'
21. 31 January letter from Lange to US Ambassador, Monroe Browne
22. 1 February memorandum M F Watkins to Francis re Buchanan draft clearance
23. 4 February letter from Lange to Monroe Browne
24. 4 February telegram, Washington to Wellington, 'ANZUS: Nuclear Ships etc: US Views'
25. 5 February telegram, Washington to Wellington, 'ANZUS: Nuclear Ships: US Views'
26. 5 February press statement from O'Flynn
27. 7 February telegram, Wellington to Washington, personal from Lange to NZ Ambassador
28. 7 March telegram, Washington to Wellington, 'ANZUS: Ship Visits: Letter to Deputy Secretary of State'
29. 8 March telegram, Washington to Wellington, 'ANZUS Ship Visits'
30. 13 March telegram, Wellington to Washington, 'ANZUS Ship Visits'



EXTERNAL INTELLIGENCE BUREAU

PRIME MINISTER'S DEPARTMENT, WELLINGTON

IR 101/84

NUCLEAR CAPABILITIES OF SHIPS,
SUBMARINES, AND AIRCRAFT

16 NOVEMBER 1984

RELEASED UNDER THE
OFFICIAL INFORMATION ACT



EXTERNAL INTELLIGENCE BUREAU

THE MINISTRY OF DEFENCE

IR 108/84

FACTORS AFFECTING THE DEPLOYMENT OF
NUCLEAR WEAPONS IN THE SOUTH PACIFIC

24 DECEMBER 1984

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Original handed to US
Ministry of Foreign Affairs 20/12

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's Note No. 173 of 17 December 1984 in which diplomatic clearance was requested for the year 1985 for all visits of United States Navy ships.

The Ministry has the honour to inform the Embassy that the New Zealand Government welcomes naval visits from its ANZUS partners. Accordingly the New Zealand Government wishes to ensure access of United States naval ships within the framework of its policies on visiting warships. Diplomatic clearance will be granted for visits in 1985 by those United States Navy, conventionally powered warships that the New Zealand Government assesses as not being nuclear armed. Requests for diplomatic clearance should be lodged with the Ministry as far in advance as possible of such visits.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Ministry of Foreign Affairs,

WELLINGTON.

20 December 1984

FINAL.



MINISTRY OF FOREIGN AFFAIRS

WELLINGTON

21 December 1954

The Minister of Foreign Affairs

VISITS OF NUCLEAR ARMED AND/OR NUCLEAR POWERED WARSHIPS

... Attached for your consideration is a draft paper for Cabinet describing the implementation of the Government's policy on the non-admittance of nuclear powered and/or nuclear armed warships.

2 We have drafted the paper on the assumption that you will not want Cabinet as a whole to sit in judgment on each individual ship visit. Presumably you will cover this orally.

3 If the paper is acceptable to you, it will be held for circulation, as you have directed, in time for the Cabinet meeting to be held on 28 January 1955.

... The second attachment is the latest version of a chronology of the steps leading up to the ANZUS Council.

(M Norrish)
Secretary of Foreign Affairs

Encls 2

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In Franks
has been
The Minister decided on
the weekend of 18-19 Dec a Cdr
for the subject on 16 of Dec
on 20/11 and can discuss
as an
oral
item

and
22/1

DRAFT MEMORANDUM FOR CABINET

VISITS OF NUCLEAR ARMED AND/OR NUCLEAR POWERED WARSHIPS

The Government's policy precludes visits of nuclear armed and of nuclear powered warships. This paper outlines the implementation of that policy.

Report

2. New Zealand accepts a major responsibility for the stability and well-being of the South Pacific region. That responsibility includes playing our full part militarily to sustain the peace and integrity of the region. The New Zealand Forces have no nuclear roles. Theirs is a strictly conventional role and involves surveillance, exercising - frequently in conjunction with friends and allies - resource protection, military assistance programmes and emergency aid. This is set in the broader context of the Government's policies for promoting political cooperation and economic and social development in the South Pacific and of working for the early conclusion of a Treaty establishing a South Pacific Nuclear Free Zone.

3. New Zealand cannot meet its defence objectives in the region alone. ANZUS provides the framework for defence cooperation with Australia and the United States. In an alliance area such as the South Pacific covering vast stretches of ocean, a reasonable level of port access for the warships of our alliance partners is essential.

4. The United States like other nuclear powers has a policy of neither confirming nor denying the presence or absence of nuclear weapons on board its ships. The United States makes no exceptions to this policy which it regards as fundamental to its security interests worldwide. The New Zealand Government has an equally clear and categorical requirement that nuclear armed ships will not enter New Zealand ports. To reconcile these positions it is plain that the Government must come to its own assessment of the armament of a given vessel for which a port visit is requested. I am convinced that we can make such a judgment.

5. The assessment will be made in consultation with the Defence authorities. Unlike almost any other part of the world, the South Pacific is a region free of great power contention and is unlikely to attract conflict at the nuclear level. We are entitled to bear this in mind. We will of course also take account of such factors as the type of vessel, whether or not it is fitted with nuclear-weapons capable systems, its recent operational history, the purpose of its current voyage and subsequent plans.

6. I acknowledge that it may not be possible to say with 100% certainty that a vessel carries no nuclear weapons. On the one hand however some categories of vessels plainly fall outside the Government's criteria and would not be granted access eg battle-ships, large aircraft carriers, or ballistic missile submarines. On the other hand the many smaller vessels which have no strategic roles can be judged according to the above criteria. It is intended that this be done on a case by case basis.

/7. British

British naval visits (and those of other nuclear powers) will give rise to exactly the same issues and will accordingly have to be judged by the same criteria.

8. Because of its concern over safety standards and procedures, the Government will not receive nuclear powered vessels.

9. The Government's policy has been formally advised to the United States by diplomatic note on 20 December 1984 responding to their note of 13 December 1984 in which diplomatic clearance was requested for the year 1985 for all visits of United States ... Navy ships. This exchange is attached for the information of Cabinet members. Our response indicates that clearance will need to be sought for each individual ship visit. The first such clearance sought is for a visit in March of a ship taking part in the ANZUS exercise "Sea Eagle".

Recommendation

10. I recommend that Cabinet note the contents of this paper.

David Lange

Minister of Foreign Affairs

Encl 1

SHIPS VISITS

CHRONOLOGY

- 13 December 1984 : US presents blanket request for clearance of ship visits.
- 20 December 1984 : New Zealand responds setting out basis on which ships will be cleared.
- First half January 1985 : Speech by Prime Minister including a section on ANZUS and ship visits.
- Week beginning 14 January 1985: US lodges request for a visit by a conventionally powered combatant ship (Buchanan) as a follow-on to Exercise Sea Eagle.
- 28 January 1985 : Cabinet considers a paper on visits of nuclear armed and/or nuclear powered warships.
- Early February 1985 : Announcement by Prime Minister covering Sea Eagle and visit of US Navy ships to New Zealand following the exercise.
- Late February/early March : Exercise Sea Eagle takes place in the Tasman involving US, Australian and New Zealand units.
- Mid March 1985 : Visit to New Zealand by conventionally powered USN ship together with Australian warship of similar characteristics.
- May/June 1985 : US plan to have a second ship of similar characteristics to the Buchanan in the Australia/New Zealand area and currently plan to seek clearance for a visit and impromptu exercise.
- Mid July 1985 : ANZUS Council Meeting in Canberra

Hon. Geoffrey Palmer
Acting Prime Minister
21 January 1985

Press Statement

There has been considerable media speculation, based on overseas reports, about a proposed visit to New Zealand by a United States vessel, the Acting Prime Minister, the Hon. Geoffrey Palmer said today.

It will come as no surprise to New Zealanders that his request has now been received.

In fact it must be the worst kept secret of the year that a request would take place in connection with the ANZUS-related Sea Eagle exercise. This exercise will take place in Australian waters, and will involve vessels of the Australian, United States and New Zealand navies.

There are procedures for dealing with such requests. These will be followed and I emphasize no sudden decision will be taken.

I would expect it to be several weeks before a decision is made and conveyed to the United States Government.

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OFFICIAL INFORMATION ACT

PRESS STATEMENT
22 JANUARY 1985

HON. GEOFFREY PALMER
ACTING PRIME MINISTER

There have been ill-informed suggestions that the New Zealand Government does not have the means to carry out its nuclear policy. It can and it will.

The policy is clear. It is that no vessels that are nuclear-armed or nuclear-powered will be permitted to visit New Zealand ports.

Where we receive a request for the visit of a naval vessel of any nation we will make our own independent assessment to ensure they comply with our nuclear policy.

The Government is committed to ANZUS. We share security interests with Australia and the United States. Port visits by allied vessels are welcomed provided they conform with the New Zealand Government's anti-nuclear policy.

The Government has received a specific request from the United States authorities for a ship visit following the forthcoming Sea Eagle exercise. We are now preparing to answer this request in accordance with our established procedures, the Acting Prime Minister said.

The New Zealand assessment will be based on:

- New Zealand's analysis of the strategic situation in the South Pacific
- New Zealand's considerable technical knowledge of weapon systems and New Zealand's knowledge of the capacities of particular types of naval vessels
- the expertise of our own military and intelligence advisers.

I am completely satisfied that using these methods and these resources the New Zealand Government can arrive at an independent assessment on this specific request.

OFFICIAL INFORMATION ACT
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MINISTRY OF DEFENCE



In reply please quote

DEFENCE HEADQUARTERS
WELLINGTON, N.Z.

24 January 1985

The Minister of Defence

SFA

for info. I intend to deliver to Minister of Defence. Please refer to Mr. Norris.

24/1

PROPOSED USN PORT VISIT

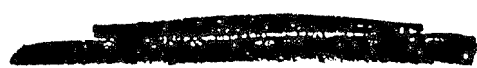
1 Attached for your consideration are two memoranda offering advice on separate aspects of the USN port visit proposed for late March. The first contains my advice on the acceptability of this particular visit under the terms of New Zealand's non-nuclear policy and the second makes proposals for the sequence of exercise activities which might be associated with such a visit.

2 In the interests of security I have had only three copies of each paper produced and numbered them for recording purposes. Attached are the master copies. I have passed the second copy to Mr Norris for his information and so that he can brief the Prime Minister on his return. I hold the third copy in my office safe.

3 I recommend that no wider access be given to these papers until the Prime Minister has considered their advice and given direction on how the matter should be progressed.

E Jamieson
Air Marshal
Chief of Defence Staff

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All correspondence should be addressed to:
Chief of Defence Staff,
Ministry of Defence,
Private Bag, Wellington, N.Z.
Telephone: 726 499

In reply please quote:



DEFENCE HEADQUARTERS
WELLINGTON, N.Z.

24 January 1985

The Minister of Defence

PROPOSED PORT VISIT : USS BUCHANAN

1 I have seen the request lodged by the United States Embassy seeking clearance for the USN destroyer BUCHANAN to make a port visit to Wellington following its participation in Exercise SEA EAGLE 85-1 and offer the following assessment of its compliance with the New Zealand Government's policy of prohibiting the entry of nuclear powered and nuclear armed vessels to our ports.

2 Attached at Annex A is a description of the USS BUCHANAN together with a comparison with HMNZS SOUTHLAND, the most comparable of our frigates. All information in the Annex was derived from unclassified sources to make it suitable for public release in whole or part. On the other hand this memorandum contains some sensitive information and conclusions. It has been written in the expectation that its contents will be protected.

Nuclear Power

3 The BUCHANAN is not nuclear powered.

Nuclear Weapons

4 The only weapon system on board BUCHANAN which is capable of being nuclear armed is ASROC (Anti-Submarine Rocket). This is the standard anti-submarine weapon system on USN ships.

5 [REDACTED]

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6 It is a matter of public record that while something over 20,000 ASROC missiles have been produced no more than 850 nuclear warheads exist. A reasonable inference is that the majority of ASROC systems are equipped with conventional warheads, ie, MK 44 or MK 46 acoustic homing torpedoes identical to those which we carry in our frigates and Orion aircraft.

7 BUCHANAN is a relatively old ship which has been excluded from the list of those of its class which are to undergo a major modernisation programme. In 1981 its ASROC launcher system was modified to give it the optional capability to launch the anti-ship missile Harpoon. Because there are no external signs of that modification it will not be obvious whether or not Harpoon is carried on this voyage. That is, however, irrelevant to this study as, contrary to some recent press and anti-nuclear speculation, there is definitely no nuclear version of Harpoon. BUCHANAN does not carry Tomahawk. It is in my judgement a second-rank ship and less likely than many other USN destroyers to be held at a high state of readiness for commitment to a situation of such critical importance that the possible employment of nuclear weapons might be contemplated.

8 BUCHANAN is currently based within the USN 7th Fleet operating out of Japan. I expect the ship to return there after its deployment to the South Pacific for exercise purposes. It is therefore operating within two regions in which the presence of nuclear weapons is an exceptionally sensitive matter.

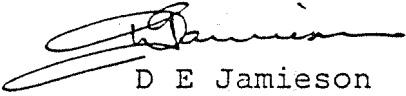
9 Within the US Forces stringent requirements are laid down for the storage of nuclear weapons. These regulations impose constraints on the custodians which it would be reasonable to expect would be avoided unless essential to the maintenance of a high state of readiness in units committed or likely to be committed at short notice, to stations or tasks of critical strategic importance.

10 The Americans, while determined not to compromise their policy of neither confirming nor denying the presence of nuclear weapons on a particular ship, are in no doubt about the equal strength of the New Zealand determination to exclude nuclear weapons from our ports. They know that the New Zealand Government has no option but to rely upon its own judgement based on the advice of its specialist officials. Should that advice be shown to be faulty there would remain no basis upon which to obtain future visit clearances. During any port visit the ship's crew of all ranks, ages and levels of discretion can be expected to mix freely with a cross-section of New Zealanders, some of whom could be expected to try to obtain information about the presence of nuclear weapons. The risk of inadvertent or mischievous disclosure would seem to rule out their carriage unless nuclear weapons were essential to the current operational role and status of a particular ship. I do not consider that true of the BUCHANAN.

Conclusion

11 Like almost all other anti-submarine warships in the USN the USS BUCHANAN is fitted with ASROC, which is its only weapon system capable of being nuclear armed. I can give no absolute guarantee that the ship does not carry any nuclear warheads for that purpose but after careful consideration of the facts and arguments outlined in paras 6-10 I believe it most unlikely.

12 I therefore offer for your consideration my assessment that it is most unlikely that the USS BUCHANAN at the time of its proposed visit to New Zealand would carry any nuclear weapons.



D E Jamieson
Air Marshal
Chief of Defence Staff

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OFFICIAL INFORMATION ACT**

USS BUCHANAN

Reference: Janes Fighting Ships
Nuclear Weapons Data Book - Vol 1 by Thomas B. Cochran

1. The USS BUCHANAN (DDG 14) is one of the 23 Charles F. Adams class of guided missile destroyers built between 1958 and 1964. Six other ships of the class were built, three for the German Navy and three for the Royal Australian Navy. Laid down in April 1959 at the Todd Shipyards in Seattle BUCHANAN was launched in May 1960 and commissioned in February 1962. Copies of photographs of representatives of this class are attached.

2. The primary mission for this class of ship is anti-submarine warfare. A modernization programme to upgrade the class does not include the BUCHANAN. It has now been restricted to three of the later ships. BUCHANAN is due to undertake the normal refit from 24 June 85 to May 86.

3. In comparison HMNZS SOUTHLAND is a British Leander class frigate which has had its gun removed and replaced by the RN version of the Australian designed IKARA anti-submarine missile system. Except for a difference in size the two ships are comparable in roles and characteristics.

4. A table of comparison between BUCHANAN and SOUTHLAND is as follows:

	<u>USS BUCHANAN</u>	<u>HMNZS SOUTHLAND</u>
<u>Commissioned:</u>	February 1962	September 1963
<u>Conversion Completed:</u>		October 1978
<u>Displacement:</u>	4500 tons	2860 tons
<u>Length:</u>	437 feet	360 feet
<u>Air Defence Missiles:</u>	*1 x Tartar twin launcher	*2 x Seacat quadruple launcher
<u>Guns:</u>	2 x 5in	2 x 40mm
<u>Anti-Submarine Weapons:</u>	**1 x ASROC 8 tube launcher 2 x triple torpedo tubes (Mk 32)	**1 IKARA 2 x triple torpedo tubes (Mk 32)
<u>Main Engines:</u>	2 geared steam turbines, 70,000 shp; 2 shafts	2 double reduction geared steam turbines, 30,000 shp; 2 shafts
<u>Speed:</u>	30 knots	30 knots
<u>Complement:</u>	24 officers, 330 other ranks	19 officers, 238 ratings

* SEACAT is a short range (3nm) missile, with optical, radar, or TV guidance and a conventional warhead.

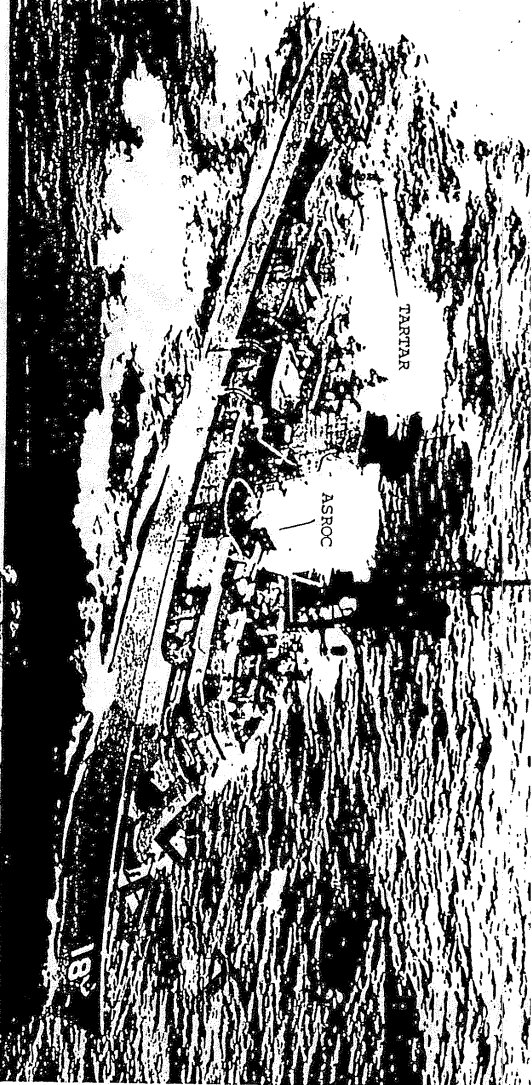
TARTAR is a medium range (14nm) missile with semi-active radar homing guidance. It has a conventional warhead.

** IKARA is an anti-submarine system developed in Australia. It has a solid fuel rocket with a maximum range of some 20,000 yards. It is controlled to point of releasing the warhead (an acoustic homing torpedo) by a command radio link. IKARA is fitted to the three Charles F. Adams class of ships in service in the RAN instead of the USN's ASROC.

ASROC is an anti-submarine missile system with a solid fuel rocket. It has a maximum range of some 12,000 yards and can be armed either with an acoustic homing torpedo or a nuclear warhead. It is a ballistic missile without command guidance. Some 20,000 ASROC missiles have been produced but only 850 nuclear warheads.

It is expected that BUCHANAN will have the capability to launch the Harpoon anti-ship missile. Contrary to some recent press speculation there are no nuclear versions of this weapon.

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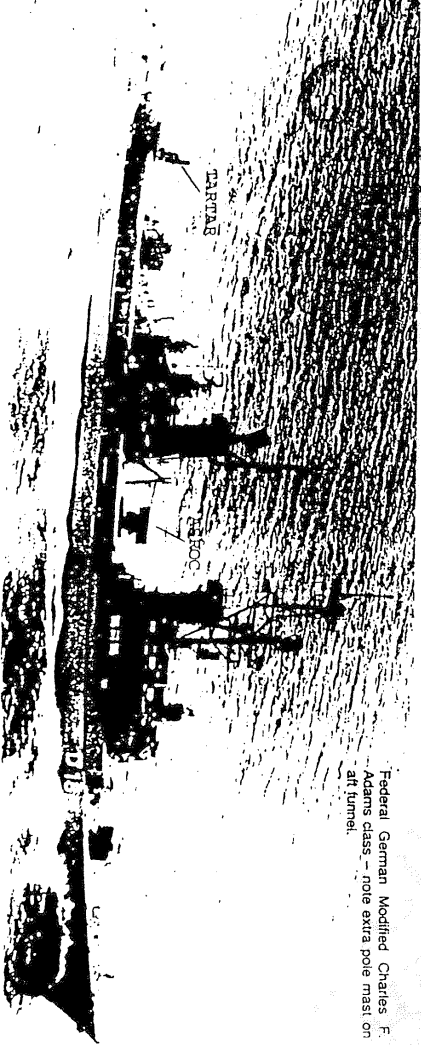


American CHARLES F. ADAMS CLASS

Austriac: Parth class - note the absence of the ASROC launcher armament



Federal German Modified Charles F. Adams class - note extra pole mast on aft funnel.



MINISTRY OF DEFENCE

All correspondence should be addressed
 Chief of Defence Staff,
 Ministry of Defence,
 Private Bag, Wellington, N.Z.
 Telephone: 726 499

In reply please quote



DEFENCE HEADQUARTERS
 WELLINGTON, N.Z.

24 January 1985

The Minister of Defence

USN PORT VISIT : ASSOCIATED ACTIVITIES

1 In the event that Government approves the visit of USS BUCHANAN during the period 23-27 March 1985 it will be necessary to agree in consultation with the United States Embassy the form of other activities associated with the visit. Prior Government guidance will be necessary to allow consultation to begin as soon as diplomatic clearance for the visit is advised.

2 The manner in which the first ship visit after the declaration of new Government policy is managed may prove to be as important as the fact that it occurs at all. Inevitably there will be those in New Zealand, America and Australia ready to deride a simple port visit as no more than a token gesture undertaken under pressure. They will also be ready to question the depth of the Government's confidence in its judgement about the probability of nuclear weapons being carried. I believe that a visit/exercise programme of the kind proposed in this memorandum would cut the ground from under many critics and reduce problems in future similar cases.

3 I suggest that the visit should be shaped to make the following points:

- a The New Zealand Government recognises the shared benefits of such visits and is ready to welcome USN warships which it is confident do not contravene New Zealand's non-nuclear policy.
- b The New Zealand Government is committed to ANZUS.

A primary purpose for visits of this kind is to provide opportunities for cooperative operational training and discussion at unit level of such subjects of common interest as operating doctrine and tactics, command and control procedures, and regional engineering and other support facilities. (Although social contacts and the goodwill they generate are important rarely should visits be made for no other purpose than to provide rest and recreation for the ship's crew.)

4 It is for consideration that the pattern of the Australian naval visit in November 1984 (Exercise TASMANEX) should again be followed. Following recent precedent would demonstrate that this visit and its associated training exercises are not exceptional. The following suggestions are based on that concept.

5 HMNZS CANTERBURY will be the New Zealand ship taking part in SEA EAGLE. It would be normal for it to return to New Zealand in company with BUCHANAN and to exercise communications and tactical manoeuvring procedures while on passage.

6 At that time HMNZS SOUTHLAND will be on a routine resource surveillance patrol off the west coast of New Zealand. It would be a simple matter to divert SOUTHLAND to intercept and pose a threat to the approaching group of ships. After that exercise SOUTHLAND could join the other ships and complete the voyage in company. That would increase the training value for all ships.

7 The RNZAF would gain useful training if Orion patrol aircraft were required to detect the approaching ships and shadow them from about four hundred miles off the New Zealand coast. Under Orion guidance A4 Skyhawks operating out of Ohakea could be directed to carry out exercise attacks on the ships as they approached Cape Egmont and proceeded through the South Taranaki Bight to Cook Strait.

8 The ships could then enter Wellington Harbour in company. The fact that there would be two RNZN ships but only one from the USN would tend to reduce the impact of the latter. The comparability of SOUTHLAND's weapons fit should also be apparent to informed scrutiny.

9 If it were possible to arrange for an RAN participant in SEA EAGLE to join the other two and travel in company across the Tasman that would add significantly to the message of shared commitment to ANZUS. It would further reduce the visual impact of the entry of the USN ship into Wellington Harbour. Ideally, but not necessarily, that Australian vessel should be one of the three in the RAN which is a sister ship to BUCHANAN. Their entry together would show better than words that BUCHANAN is nothing special as a fighting ship. The presence of an Australian ship would be a tacit but powerful reply to suggestions that New Zealand policies are likely to undermine the solidarity of ANZUS. It would also associate Australia with the implementation of our policy.

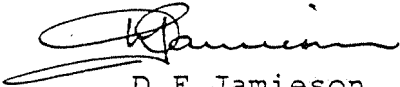
10 After the port visit to Wellington, which I suggest should be from the afternoon of Friday 22 March until the morning of Monday 25 March, the ships could depart in company and continue their exercises together and in cooperation with the RNZAF as they travel up the east coast of the North Island. That too would follow the pattern of TASMANEX.

11 On about 27 March the second phase of exercises would terminate either by dispersal of the group of ships, with BUCHANAN departing to the north while the New Zealand and any Australian ships went on to Auckland, or with all ships continuing to the Naval Base. I favour the second option although it would entail another port visit before BUCHANAN clears New Zealand. The main reason for that visit would be to gain the full benefits of the naval/air exercises by providing time in port for a face to face exercise debrief between sailors and airmen and to familiarise the Americans and Australians with our Naval Base. TASMANEX finished that way.

12 I suggest that if we were to take the initiative in proposing such a sequence it could be expected to make a number of positive impressions on the Americans, the Australians and on the New Zealand public:

- a It would meet the requirements of all the objectives stated in my para 3.
- b It would demonstrate the New Zealand Government's confidence in its ability to judge whether a particular ship does or does not contravene its non-nuclear policy.

13 I would welcome the opportunity to further discuss this question and to obtain guidance.



D E Jamieson
Air Marshal
Chief of Defence Staff

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OFFICIAL INFORMATION ACT



MINISTRY OF FOREIGN AFFAIRS

WELLINGTON

25 January 1985

The Minister of Foreign Affairs

VISITS OF NUCLEAR ARMED AND/OR NUCLEAR POWERED WARSHIPS

The United States Embassy lodged a request on 18 January for the destroyer USS Buchanan to make a routine operational visit to the port of Wellington in the period 23 to 27 March in connection with the ANZUS exercise Sea Eagle.

- ... 2 A copy of this request is attached. Also attached are:
- ... - a copy of the report of the Chief of Defence Staff to the Government giving his assessment that a visit by the Buchanan would be in conformity with the Government's policies on visits of warships;
 - ... - as an annex to that report a factual paper on the characteristics of the Buchanan which can be published;
 - ... - a draft press statement for your consideration announcing, if you agree, the visit of the Buchanan;
 - ... - the two EIB papers: "The Nuclear Capabilities of Ships, Submarines and Aircraft" and "Factors Affecting the Deployment of Nuclear Weapons in the South Pacific" which provide background on the issues. You may wish to consider releasing these to the media following your announcement;
 - ... - a copy of a memorandum by the Chief of Defence Staff on possible exercises with the "Buchanan".

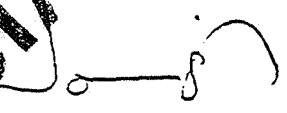
3 I understand that you intend to discuss the question of ship visits in general terms in the Cabinet meeting on 28 January. In accordance with your direction no papers have been circulated for this meeting.

4 The spate of media stories and speculation in the last week, many of them ill-judged, lead me to advise that it would be sensible now to announce a decision on the United States request for a ship visit immediately after your discussions in Cabinet. You will of course be asked in detail how you have reached your decision. This would be an opportunity to make an explicit acknowledgement, which we believe the Americans would find helpful generally, of the neither-confirm-nor-deny policy. It will also be desirable to stress that the decision is based on New Zealand sources and expertise. While there can be no 100% assurance about the presence or absence of nuclear armaments, you may wish to indicate in general terms that it is entirely possible to make a reasoned judgment about a specific vessel in the specific context of its present voyage and visit to New Zealand. To assist in handling the public and media appetite for this issue you may consider it worthwhile releasing the two EIB papers. That proposal has been cleared with Gerald Hensley.

5 While the US requests for one port call only, the Chief of Defence Staff's recommendations about the visit include possible joint exercises off the New Zealand coast with Australian participation if this can be arranged and a debriefing call by the Buchanan at Auckland.

6 Your decisions on these proposals should be communicated to the United States and Australia in advance of your public statements and we will arrange to hand over copies of the EIB papers in advance also should you decide to publish them.

7 It has been arranged that Mr O'Flynn and senior officials concerned call on you on Monday morning at 9.30 am to go over this material and the recommendations.


(M Norrish)
Secretary of Foreign Affairs

Encls 7

PRESS STATEMENT: Rt Hon David Lange

The Government has given approval for a United States warship to visit New Zealand in late March.

The ship in question is the conventionally powered destroyer USS Buchanan, launched in 1960. It will visit here following the ANZUS exercise Sea Eagle.

There has been a great deal of public discussion over recent months of the question of visiting warships. We have, as I said we would, been working our way through this matter. I have said that we would resolve it in a manner consistent with our anti-nuclear policies, our support for ANZUS, and our recognition of the value of naval cooperation in an alliance area which covers vast stretches of ocean.

The United States makes no exception to the policy that it will neither confirm nor deny the presence or absence of nuclear arms on board its naval vessels. They are very firm about this policy which relates to their security interests world-wide. We for our part do not seek to breach that policy.

In coming to our decision on this visit we have drawn on our own New Zealand resources to determine that the ship complies with our policy that nuclear armed or nuclear powered warships should not come into New Zealand ports.

Any ship of any of the nuclear powers may be nuclear capable. Whether a particular vessel is nuclear armed

/has

has to be assessed. This we can do in respect of specific visits to New Zealand drawing on our analysis of such factors as the strategic situation in the South Pacific, our technical knowledge of weapon systems and of the capacities of particular types of naval vessels, recent operational history and the purpose of a particular voyage.

Taking account of such factors and of the advice and information available to it, the Government has made a considered judgement that USS Buchanan's visit is in conformity with the Government's established policy on visits of military vessels, and that it is to be welcomed.

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OFFICIAL INFORMATION ACT

DRAFT
MFW:EJH
25.1.85

As the 25.1.85
Sketch instructions
when you are in

59/206/20
111/3/3/1

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's Note No 9 of 18 January 1985 which requested diplomatic clearance for the destroyer USS Buchanan (DDG-14) to make a routine operational visit to the Port of Wellington during the period 23-27 March 1985 after ANZUS Exercise Sea Eagle 85-1.

The Ministry wishes to inform the Embassy that diplomatic clearance is given for this visit.

Authorisation is given for transmissions on the radar and radio frequencies specified in the Embassy's Note with the exception of 425-450 MHz (because of the possibility of interference to New Zealand radio and telecommunications services.)

The Ministry of Foreign Affairs takes this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

The Ministry of Foreign Affairs
WELLINGTON

1985

copy: Assistant Secretary (Policy) Defence HQ
Director, External Intelligence Bureau
Telecommunications (Radio) Post Office HQ (Mr McGuire)
DDC Defence HQ

OFFICIAL INFORMATION ACT
RELEASED UNDER THE OFFICIAL INFORMATION ACT

Press Statement

Geoffrey Palmer
Acting Prime Minister

Jan 25 - Friday night.
1985

The Hawke letter

I regret that the substance of the letter by the Australian Prime Minister to the New Zealand Prime Minister has been released. I regret it because it appears to place public pressure on the New Zealand Government. The New Zealand Government has been scrupulous in not making public statements about the Australian position.

The communication from Mr Hawke sets out the Australian policy. The policy of the New Zealand Government is different. Our anti-nuclear stance will not be altered by the letter.

We will not be deflected from our policy. And no amount of friendly persuasion from our friends will cause us to deviate from our policy. There will be no ships carrying nuclear weapons in New Zealand ports while this Government is in office.

New Zealand is a small country. It does not carry a big stick. But our stand is one of principle. It will be resolutely maintained.

New Zealand remains committed to the Anzus pact and our Anzus allies. But we will not bend to their wishes ~~xxx~~ when our policies are so clearly established and so firmly held.

Some in New Zealand fear the Government will buckle. I assure them it will not.

OFFICIAL INFORMATION ACT

~~CONFIDENTIAL~~

25 January 1985

Hon. Geoffrey Palmer
Deputy Prime Minister
Parliament Buildings
WELLINGTON

Dear Geoffrey

RE: VISIT US NAVY SHIP

The NZ Executive has considered at length the problems that will be encountered if the Government approves of the visit of a United States navy ship. Topmost in our discussions was the need to ensure that there is no deviation from Party policy and the paramount importance of ensuring that the credibility of the Party and its members remains intact.

The Executive is mindful of the stance of the United States Government on the subject of disclosing the nuclear capacity of US vessels but does not see this as a problem for the NZ Government. We are firmly of the opinion that to date our Government has carefully and without equivocation articulated the Party's policy and that there is no need to attempt to accommodate the American point of view.

Accordingly in seeking to help strengthen Governments hand the Executive unanimously passed the following resolution:

"The New Zealand Executive of the Labour Party reaffirms its strong support for the implementation of Labour policy to ban the entry to New Zealand of all nuclear-powered and/or armed vessels and craft and specifically urges the Government to admit no vessel to New Zealand ports unless either there is publicly available and creditble evidence that the vessel is neither nuclear-powered and/or armed or a declaration is filed by the United States Government with the New Zealand Government certifying that the vessel is neither nuclear-powered or armed. "

2/...



2.

Hon. Geoffrey Palmer


Due to unforeseen circumstances we did not have the benefit of the presence of either yourself or David to participate in the discussions or indeed to appreciate the resolve of the Executive on this matter.

Accordingly, we would respectfully request that the Executive be given the opportunity to meet with both yourself and David as a matter of urgency. Our members are available to attend on either late Monday afternoon or Tuesday with our preference for Monday when most of the members are available.

The Executive desires to resolve this problem quickly and without public comment and is therefore hopeful that you accommodate our wish to meet on Monday.

Please feel free to contact either Margaret Wilson or myself during the weekend if need be.

Yours sincerely


John F. Wypiew
GENERAL SECRETARY

cc Re Hon. David Lange, Prime Minister

RELEASED UNDER THE ACT
OFFICIAL INFORMATION ACT

January 26th 1985

Acting Prime Minister

Nuclear Ships and the Opposition

The Leader of the Opposition has said he wishes to help the Government over the nuclear ships issue. He could help the Government by stating clearly and unequivocally what the position of the Opposition is on the issue.

There appear to be at least three Opposition positions being advocated by various spokesmen. There is the Leader of the Opposition's position which is totally pro-entry of nuclear ships. There is the Kidd position which seems somewhat softer and more reasonable. And there is the Burdon position which recognises that urban people in New Zealand do not want nuclear weapons here and the National Party should recognise that.

The Government has clearly said where it stands. The Opposition is at sixes and sevens. The people of New Zealand are entitled to know where they stand on this crucial issue.

Some questions need to be answered.

Does the Opposition support the entry of nuclear weapons into New Zealand? If the Opposition opposes the entry of nuclear weapons how would it bring that policy about?

The truth is that the position of the present Opposition is the same as the position of the previous Government. They welcome the entry of nuclear weapons into New Zealand. If that is not the position let the Leader of the Opposition say exactly what the position is.

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OFFICIAL INFORMATION ACT

Memorandum to : The Prime Minister

from: Deputy Prime Minister

re: Developments

Sunday 1.30 pm Jan 27 1985

1. You will see from the material we have been sending to you that there have been massive developments on this front in your absence. I have done my best but it has been necessary to take some rather big initiatives on the publicity front about which it was impossible to consult you because there was no secure way of doing so.

2. There are a number of important features.

.Australian pressure which has been very hot-

[REDACTED] culminating in publication of substance of Hawke letter to which I responded strongly-see attached

.Leak from [REDACTED] that request for ship visit had been made which I had to respond to-see attached

.developments in party culminating in Executive resolution see attached

[REDACTED] have leaked the fact that there is a Schultz letter to which I have not yet been asked to respond. If I can I shall neither confirm nor deny.

.evidence about whether this vessel carries nuclear weapons has been assessed by officials. The evidence is enclosed. I have not yet seen it. Frank O'Flynn has. He says it is his view that the evidence is not sufficient to convince the public that it will not be carrying weapons and therefore we should refuse the request. He says official advice is that we should let it in.

3. I have kept in touch with Margaret Wilson over the issue. I have made a foray at McLay. (copy attached) A tape is also with Ross of my interviews with Radio New Zealand on Sunday.

4. My assessment is as follows:

. when you arrive in New Zealand say nothing until after
Cabinet

. The Cabinet should make no decision but should discuss
the issue

. a decision should not be announced until after the
Caucus meets.

I have had conversations with several members who are afraid
we will let the ship in. Anderton says he will speak with us if
we do not follow our policy on this. Some marginal members have
legitimate and real concerns. Anne Fraser told me on Sunday she
would lose her activists if we let the ship in. The Peace groups
are still with us but will demonstrate if we let the ship in.
My own view is this: it depends on how strong the evidence is as
to whether the ship should come in. Further, it depends on the
strength of the case we can develop publicly that the ship is
not carrying nuclear weapons

5. I have had substantial difficulties with Fiji aid about which
Ross can brief you. It culminated in my sending Richard Prebble
to Fiji and he has done the job very well.

6. [REDACTED] is most concerned that you do not appear at the
Oxford Union. He says to go there with Falwell would be a disaster.
He asked from us to tell us this. He told me that Australian High
Commissioner [REDACTED] had been for Australia Day were agog at the
prospect.

OFFICIAL INFORMATION ACT
RELEASED UNDER THE ACT

29 JANUARY 1985

FROM WASHINGTON
TO WELLINGTON IMMEDIATE NITAC

URGENT

PERSONAL FOR FRANCIS/NORRISH FROM WOOD.

ANZUS : NUCLEAR SHIPS : U.S. POLICY.

GLASSMAN, DIRECTOR, ANZ AFFAIRS STATE, HAS JUST CONTACTED ME TO SAY THAT AFP HONG KONG HAS JUST RELEASED A FULL ACCOUNT IN THE ENGLISH LANGUAGE OF PRIME MINISTER LANGE'S REQUEST YESTERDAY TO THE AMERICAN

AMBASSADOR FOR A SUBSTITUTE VESSEL INCLUDING DETAILS OF THE VESSEL REQUESTED. STATE ARE SENDING AN IMMEDIATE MESSAGE TO HONG KONG WHICH SIMPLY SAYS 'NO COMMENT'. BUT THERE IS CLEARLY NO CONVICTION IN GLASSMAN'S MIND THAT THE REPORT WILL NOT IMMEDIATELY SPREAD.

RELEASED UNDER THE ACT
OFFICIAL INFORMATION ACT

UNCLASSIFIED [REDACTED] 29 JANUARY 1985
FROM WASHINGTON
TO WELINGTON [REDACTED] IMMEDIATE NITAC NITAC

MR FRANCIS/NORRISH
SFA (AMER)(AUS)
FMD
P/S DMFA
DEFENCE
EIB

ANZUS : NUCLEAR SHIPS : PRESS REPORT

I HAVE OBTAINED FROM THE STATE DEPARTMENT, THE FOLLOWING
TEXT OF A PRESS ITEM HEADED 'NEW ZEALAND ASKS U.S. TO SEND
'SUBSTITUTE WARSHIP' ON VISIT' BY-LINE HONG KONG AFP IN ENGLISH
1138 GMT, 29 JANUARY 1985.

BEGINS :

NEW ZEALAND ASKS U.S. TO SEND 'SUBSTITUTE WARSHIP' ON VISIT.

WELLINGTON JAN 29 (AFP) NEW ZEALAND HAS ASKED THE UNITED STATES
TO SEND A SUBSTITUTE WARSHIP TO NEW ZEALAND, AFTER FAILING TO
CONFIRM THAT THE VESSEL PROPOSED FOR A MARCH VISIT IS NOT NUCLEAR-
ARMED, A GOVERNMENT SOURCE SAID TODAY.

THE LABOUR GOVERNMENT HAS BANNED NUCLEAR-ARMED OR -POWERED
WARSHIPS FROM ITS PORTS, ALTHOUGH THE UNITED STATES SAYS SUCH
VISITS ARE ESSENTIAL UNDER THE ANZUS DEFENCE PACT LINKING AUSTRALIA,
NEW ZEALAND AND THE UNITED STATES.

THE GOVERNMENT SOURCE SAID PREMIER DAVID LANGE HAD ASKED THE
U.S. AMBASSADOR TO NEW ZEALAND FOR A SUBSTITUTE VESSEL TO MAKE A
PORT VISIT, PLANNED AT THE END OF THE 'SEA EAGLE' ANNUAL ANZUS
DEFENCE EXERCISE.

8903

OFFICIAL INFO ON THE
RELEASABLE

UNCLASSIFIED ██████████ PAGE TWO ██████████ ..

SOURCES HERE SAID NEW ZEALAND WANTED AN OLIVER HAZARD PERRY CLASS GUIDED MISSILE FRIGATE MAKE THE VISIT, INSTEAD OF THE SO-FAR UNNAMED NUCLEAR CAPABLE WARSHIP NOMINATED BY THE UNITED STATES.

MR LANGE MET WITH AMBASSADOR H. MONROE BROWNE YESTERDAY AND TODAY TO DISCUSS THE VISIT.

THE EXERCISE, INVOLVING WARSHIPS FROM ALL THREE COUNTRIES, WILL BE HELD OFF THE QUEENSLAND COAST OF AUSTRALIA FROM LATE FEBRUARY TO EARLY MARCH.

THE PREMIER SAID YESTERDAY THAT NEW ZEALAND INTELLIGENCE HAD BEEN UNABLE TO DETERMINE WHETHER THE WARSHIP NOMINATED BY THE UNITED STATES WOULD BE CARRYING NUCLEAR-ARMS. THE ISSUE OF THE VISIT WAS CLOSE TO A SOLUTION, HE ADDED.

IT IS UNDERSTOOD NEW ZEALAND EXPECTS A RESPONSE FROM WASHINGTON IN THE NEXT FEW DAYS ON WHETHER AN ALTERNATIVE VESSEL MIGHT MAKE THE VISIT.

THE AUTHORITY BOOK, JANE'S FIGHTING SHIPS, SAYS THE GUIDED MISSILE FRIGATES ARE ARMED WITH SURFACE-TO-AIR AND SURFACE-TO-SURFACE MISSILES WHICH ARE NOT NUCLEAR-ARMED.

A TOTAL 13 OF THE 26 OLIVER HAZARD PERRY FRIGATES IN SERVICE ARE UNDER THE U.S. NAVY'S PACIFIC COMMAND.

THE U.S.S. WAD WORTH, A VESSEL IN THE SAME CLASS VISITED NEW ZEALAND IN 1983.

30 JANUARY 1985

FROM WASHINGTON
TO WELLINGTON IMMEDIATE

PERSONAL

PERSONAL FOR FRANCIS/NORRISH FROM WOOD.

ANZUS : NUCLEAR SHIPS : U.S. VIEWS.

JUST TO CONFIRM AND EXPAND ON THE ACCOUNT OF MY CONVERSATION WITH [REDACTED] STATE DEPARTMENT, AT THE CHANCERY LAST NIGHT, PASSED TO FRANCIS BY TELEPHONE.

2. I TOLD [REDACTED] THAT THE PRIME MINISTER HAD BEEN DISTRESSED THAT THE AFP STORY HAD BROKEN, BUT WAS STILL ANXIOUS TO LOOK TOWARDS A VISIT WHICH WOULD IN TURN PAVE THE WAY FOR A MUTUALLY ACCEPTABLE ARRANGEMENT. I DESCRIBED SOME OF THE POLITICAL PRESSURES THAT HAD BUILT-UP SINCE THE LEAK OF THE HAWKE LETTER FROM AN AUSTRALIAN SOURCE. I ARGUED STRONGLY FOR RESTRAINT AND FLEXIBLE RESPONSE FROM THE AMERICANS, WHILE APPRECIATING THAT SOME OF THE DIFFICULTIES HAD INCREASED FOR THEM ALSO.

3. [REDACTED]

4. [REDACTED]

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[REDACTED]

[REDACTED] PAGE TWO [REDACTED] ..

[REDACTED]

5. [REDACTED]

[REDACTED]

6. [REDACTED]

[REDACTED]

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OFFICIAL INFORMATION ACT

Text sent to PM.

UNCLASSIFIED SECURE 31 JANUARY 1985
FROM WASHINGTON
TO WELLINGTON 561 IMMEDIATE NITAC

PERSONAL FOR FRANCIS/NORRISH FROM WOOD

ANZUS : NUCLEAR SHIPS : U.S. VIEWS

[REDACTED] READ ME THIS MORNING
THE PRIME MINISTER'S POST-CAUCUS LETTER TO THE U.S. AMBASSADOR.
[REDACTED] WOULD NOT BE DRAWN ON THE DETAIL OF THE EXPECTED U.S.
RESPONSE EXCEPT TO SAY THAT THE IMMEDIATE RESPONSE WOULD BE
PUBLIC, CLEARED BY AND PROBABLY FROM SECRETARY OF STATE SHULTZ
AND "VERY SEVERE INDEED". OTHER MEASURES WERE UNDER
IMMEDIATE CONTEMPLATION.

2. THE STATEMENT WHICH HAS BEEN DRAFTED WILL, IT APPEARS,
BE RELEASED AS SOON AS SECRETARY OF STATE SHULTZ IS FREE OF
TESTIMONY HE IS GIVING THIS MORNING BEFORE THE SENATE FOREIGN
RELATIONS COMMITTEE. I GUESS IN 2-3 HOURS TIME.

3. [REDACTED] PROMISED ME A COPY AS SOON AS CLEARANCE IS OBTAINED.

=

10083

COL: 561

31/125QLT/WSH

OFFICIAL INFORMATION ACT

9(2)(c)

31 January 1985

H E Mr H Monroe Browne
Ambassador
Embassy of the United States
of America
WELLINGTON

My dear Ambassador

I wish to inform you that the New Zealand Government has been giving the most careful and serious consideration to the request of your Government for clearance for the USS Buchanan to visit Wellington following the Sea Eagle exercise.

I need hardly tell you that my Government has been looking earnestly for a way of meeting this request in accordance with our continuing and deeply felt commitment to the ANZUS alliance and our desire to work in the closest cooperation with our Treaty partners. I am sorry to say that at the present moment we do not feel that we have enough information available to make a final decision which will be fully consistent with both our alliance commitments and our policy on nuclear weapons.

In the meantime my Government wishes, as a clear indication of its desire to welcome United States naval vessels to this country, to invite your Government to send to New Zealand an FFG 7 naval vessel, either in connection with the Sea Eagle exercise or, if that cannot be arranged, at a time which is suitable to the US authorities. I can assure you that such a visit would be received very warmly by my Government and by the New Zealand people.

I should be glad if you would convey this invitation to your Government.

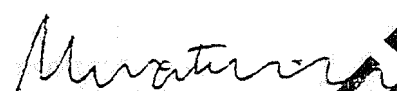
Yours sincerely

David Lange

Mr Francis

US NOTE SEEKING DIPLOMATIC CLEARANCE FOR PROPOSED
VISIT BY US WARSHIP

Among the papers I returned to you ^{on Wednesday} recently concerning this subject was a draft response to the US Note on the above matter. The draft provides inter alia that authorisation has been given for transmissions by the vessel concerned on certain radar and radio frequencies (with one exception). In seeking this authorisation - orally - from the Post Office Telecommunications (Radio) Division after the Government had announced that a request from the US Government had been received, against the possibility of an affirmative Government decision on the above subject, no/no mention at all was made of the name, pennant number or class of vessel concerned. You may like to add this note to your collection of papers on the matter.


M F Watkins

1 February 1985

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OFFICIAL INFORMATION ACT



Prime Minister
Wellington
New Zealand

4 February 1985

HE Mr H Monroe Browne
Ambassador
Embassy of the United States of America
Private Bag
WELLINGTON

My dear Ambassador

Thank you for your letter of 3 February in which you seek a final decision on your request for a clearance for a port visit by USS Buchanan during the period 23 - 27 March.

The United States policy of neither confirming nor denying the presence of nuclear weapons aboard its ships requires my Government to make its own assessment of whether a particular ship visit conforms with New Zealand's policy on nuclear weapons. While New Zealand appreciates the way in which this issue has been explored between our two Governments over the past months, the information available to us has not proved sufficient to provide the Government of New Zealand with the assurance it needs. Therefore, while acknowledging your Government's concerns, we regret that in this case we must decline.

I wish to emphasise that this decision on USS Buchanan should not be interpreted as in any way diminishing the commitment of the New Zealand Government to work with the United States within ANZUS to uphold our shared security interests in the Pacific. New Zealand's defence policy will continue to reflect this commitment.

Our common interests of course go wider than the Pacific. We are members of the Western alliance. Nothing is more important to us than that your Government should succeed in the negotiations which it has now undertaken aimed at the reduction and ultimate elimination of nuclear weapons. You may be assured of our whole-hearted support.

May I repeat that we welcome continued co-operation with

the United States Navy, as we do with the US forces overall, and we therefore will be happy to receive port visits from US naval vessels which conform with our policy. As I said in my letter of 31 January, such visits would be received very warmly by my Government and by the New Zealand people.

Yours sincerely

David Lange

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OFFICIAL INFORMATION ACT**

Handwritten initials and "Aussl."

[REDACTED]

04 FEBRUARY 1985

FROM WASHINGTON

TO WELLINGTON [REDACTED] IMMEDIATE

PERSONAL URGENT
UNDER THE INFORMATION ACT

SFA (PERSONAL FOR NORRISH FROM AMBASSADOR)
PERSONAL FOR MINISTER OF FOREIGN AFFAIRS FROM AMBASSADOR

ANZUS : NUCLEAR SHIPS ETC : U.S. VIEWS

OUR [REDACTED]

2. OVER LUNCH TODAY - WHICH SAW A FULL TURNOVER OF POLICY OFFICERS
[REDACTED] STATE -

[REDACTED] AND I, WITH [REDACTED] CHIPPING IN, HAD A CORDIAL
ENOUGH, BUT VERY FRANK AND WILLING EXCHANGE OF VIEWS ABOUT WHERE
THE ANZUS RELATIONSHIP, AND THE NUCLEAR SHIPS ISSUE, NOW STOOD.

3. [REDACTED] IN HANDING ME A COPY OF STATE DEPARTMENT'S
NOON PRESS BRIEFING SAID THAT AS THE RESULT OF THE NEW ZEALAND
GOVERNMENT'S REFUSAL OF THE 'BUCHANAN' CERTAIN, [REDACTED]
[REDACTED], CONSEQUENCES WOULD FOLLOW. [REDACTED]

4. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

EXPLAINED THAT HE AND HIS SENIOR OFFICERS HAD BEEN ENGAGED IN
RECENT MONTHS WITH THEIR NEW ZEALAND INTERLOCUTORS, [REDACTED]
[REDACTED] - IN AN ATTEMPT TO FIND A WAY
THROUGH THE CONTRADICTIONS IN OUR RESPECTIVE GOVERNMENTS'

[REDACTED]

[REDACTED]
APPROACHES.

5. [REDACTED]

6. [REDACTED]

OFFICIAL INFORMATION ACT
RELEASED UNDER THE

7. I RESPONDED VIGOROUSLY THAT HIS ANALYSIS GAVE ME TWO PARTICULAR PROBLEMS. ONE, IT PLACED SHIP VISITS AT THE CORE OF THE ALLIANCE RELATIONSHIP. THIS WAS NOT WHAT HAD GIVEN RISE TO THE ANZUS RELATIONSHIP NOR WHAT HAD SUSTAINED IT. WE IN NEW ZEALAND TENDED TO GIVE OURSELVES MUCH MORE CREDIT FOR THE BIGGER CONTRIBUTION WE COULD MAKE IN OTHER FORMS, THE BATTALION IN SINGAPORE, THE SINAI MFC AND OUR PREPAREDNESS WITH OUR SOUTH PACIFIC PARTNERS TO TAKE AND SOLVE PROBLEMS WHICH AROSE WITHIN THE REGION WITHOUT HAVING TO CALL IN FRIENDLY (NUCLEAR) FORCES FROM OUTSIDE. SECOND, IT FAILED TO DIFFERENTIATE OUR REGION FROM OTHER AREAS OF THE GLOBE IN WHICH THE US MAINTAINED ITS MAJOR ALLIANCE RELATIONSHIPS. IT SIMPLY REFUSED TO ACKNOWLEDGE THAT YOU COULD TAKE NEW ZEALAND AND JAPAN IN ONE BREATH, AND DRAW CONCLUSIONS FOR ONE COUNTRY'S POLICIES FROM THOSE OF THE OTHER.

8. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

OFFICIALS UNDER THE INFORMATION ACT

11. ANY GUIDANCE YOU WERE ABLE TO GIVE ME BEFORE FRIDAY'S MEETING WITH [REDACTED] WOULD BE MOST WELCOME.

=

RELEASED UNDER THE OFFICIAL INFORMATION ACT

██████████ 05 FEBRUARY 1985
FROM WASHINGTON
TO WELLINGTON ██████ IMMEDIATE

P. Minister (See)

URGENT

PERSONAL FOR NORRISH FROM AMBASSADOR

ANZUS : NUCLEAR SHIPS : U.S. VIEWS

ON ARRIVAL HERE I ASKED SENIOR STAFF OF THE EMBASSY TO UNDERTAKE AN IMMEDIATE EXAMINATION OF THE POSSIBLE RANGE OF AMERICAN RESPONSES TO THE GOVERNMENT'S DECISION NOT TO ACCEPT THE USS BUCHANAN. THAT ASSESSMENT FOLLOWS. IF NECESSITY THIS HAS BEEN AN IMPERFECT AND LARGELY IN-HOUSE EXERCISE BUT WE HAVE SOUNDED OUT A FIEW OF OUR STATE DEPARTMENT CONTACTS ON THE ACCURACY OF OUR OWN ASSUMPTIONS ABOUT THE PARAMETERS OF THE EXERCISE AS FAR AS THE US IS CONCERNED. THESE ARE: [7 pages deleted]

RELEASED UNDER THE OFFICIAL INFORMATION ACT

5 February 1985

PRESS STATEMENT BY HON FRANK O'FLYNN, MINISTER OF DEFENCE

"The Government's defence advisers left it in no doubt that a refusal to accept visits by nuclear capable ships without a public declaration that they were not nuclear armed would almost inevitably result in curtailment by the US of present activities under ANZUS", said the Minister of Defence, Frank O'Flynn today. "The Government was well aware that the US might withdraw facilities now available under ANZUS from New Zealand, such as concessions in purchase of military equipment. That is one of the costs of our anti-nuclear policy, and I'm sure most New Zealanders will be willing to pay that price to see the Government stand firm", Mr O'Flynn said. Messages from Washington this morning indicated, as our defence advisers also warned us, that the US might seek to reduce participation in exercises with New Zealand. Sea Eagle had now been cancelled, the announcement curiously coming from Mr Hawke. The US may also reduce or stop the flow of "intelligence" as it did to the Whitlam Labour Government in Australia in 1974", Mr O'Flynn said. "How much this matters I don't know. Our defence advisers warned us of all these probable consequences of our anti-nuclear policy. We are prepared for them and their cost and I'm sure most New Zealanders are too", concluded Mr O'Flynn.

RELEASSED UNDER THE OFFICIAL INFORMATION ACT

[REDACTED] PERSONAL 7 FEBRUARY 1985

FROM WELLINGTON

TO WASHINGTON 368

PRIORITY [REDACTED]

PERSONAL

SFA (MR NORRISH)

NO CLIPS

PERSONAL FOR AMBASSADOR FROM PRIME MINISTER

YOUR CABLE [REDACTED] ON TUESDAY WAS WELCOME. IN AS IT SEEMS TO ME, IT INDICATES A DESIRE FOR CONTINUED COOPERATION IN NEW CIRCUMSTANCES - AT LEAST IN STATE - THEN IT IS SOMETHING WE SHOULD BUILD ON AS WELL AND AS QUICKLY AS WE CAN.

2. PLEASE TELL [REDACTED] THAT WE HAVE APPRECIATED THE WAY IN WHICH, BEHIND ALL THE RHETORIC, HE AND HIS PEOPLE HAVE BEEN WILLING TO WORK QUIETLY AND WITH RESTRAINT TO FIND A WAY THROUGH OUR DIFFERENCES. SO HAVE WE. FOR A TIME IT LOOKED AS THOUGH A WAY HAD BEEN FOUND. BUT IT WAS NOT TO BE. SPARKED OFF BY SOME LAMENTABLE LEAKS AND OTHER MANOEUVRES WE HAD A MOVEMENT OF OPINION HERE WHICH NO GOVERNMENT COULD HAVE STOOD AGAINST.

3. YOU SHOULD MAKE THIS CLEAR TO [REDACTED]. YOU SHOULD ALSO MAKE CLEAR THAT THE DECISION WE TOOK WAS IN NO WAY CAPRICIOUS OR TAKEN FOR DOCTRINAIRE REASONS. THERE IS VERY STRONG SUPPORT FOR IT NOT JUST IN THE LABOUR PARTY BUT MUCH MORE WIDELY IN THE COUNTRY, INCLUDING ELEMENTS OF THE OPPOSITION.

4. SO WE HAVE A NEW SITUATION. [REDACTED]

[REDACTED]

[REDACTED] THE POLICY OF NO NUCLEAR WEAPONS ON SHIPS COMING INTO OUR PORTS IS ABOUT AS FIRMLY ESTABLISHED AS ANY POLICY CAN BE. THERE IS NO ALTERNATIVE BUT TO LOOK AHEAD FROM THAT BASE. [REDACTED]

PROTECTED BY THE INFORMATION ACT

[REDACTED]

5. I AGREE THAT THE DUST SHOULD BE ALLOWED TO SETTLE. I SHALL HAVE TO COMMENT PUBLICLY ON AMERICAN ANNOUNCEMENTS OF MEASURES THEY MAY TAKE IN RESPONSE TO OUR DECISION. ASSUMING THE AMERICAN MEASURES ARE RESTRAINED I SHALL KEEP MY OWN COMMENTS RESTRAINED AND SHALL SEEK TO REIN OTHERS IN ALSO. IF WE CAN COOL THE PUBLIC CLAMOUR THEN WE CAN HOPE TO HAVE A PERIOD OF RELATIVE QUIET IN WHICH TO DEMONSTRATE THAT WE MEAN IT WHEN WE SAY THAT, APART FROM THIS ONE RESTRICTION, OTHER FORMS OF COOPERATION UNDER ANZUS AND MORE WIDELY CAN CONTINUE IN FULL MEASURE.

6. LIKE YOU I FLATLY DISAGREE WITH [REDACTED] THAT THE MAINTENANCE OF OUR SHIP VISITS POLICY MEANS THAT ANZUS IN ITS PRESENT FORM IS "NO LONGER SUSTAINABLE". OF COURSE THE ADMINISTRATION WILL HAVE TO REACT TO A DEGREE - THEY HAVE ALREADY CANCELLED SEA EAGLE AND WILL DOUBTLESS TAKE TOUGHER MEASURES THAN THIS. BUT GIVEN A LITTLE TIME I HAVE NO DOUBT WE CAN WEATHER THIS INITIAL REACTION AND PROVE OUR POINT ABOUT THE PERMANENCE OF OUR COMMON INTERESTS TO BOTH OUR AUSTRALIAN AND AMERICAN PARTNERS. WHAT WOULD QUEER THE PITCH WOULD BE SUCH A DISPROPORTIONATE REACTION ON THE U.S. SIDE AS TO PROVOKE A WAVE OF PUBLIC REACTION HERE. THAT MIGHT BE VERY DIFFICULT TO CONTROL.

7. I AM TOLD THAT WHEN THE NATIONAL GOVERNMENT WAS CONSIDERING POSSIBLE REPLACEMENTS FOR OUR NAVY FRIGATES A YEAR OR TWO AGO [REDACTED] SAID TO MY PREDECESSOR THAT THERE WERE TWO WAYS IN WHICH WE COULD APPROACH OUR ANZUS PARTNERSHIP. ONE WAS TO TRY TO KEEP UP WITH THE JONESES BY BRINGING THE BEST AND BRIGHTEST NEW FRIGATES AND CONTINUING TO PARTICIPATE IN SOPHISTICATED JOINT EXERCISES ETC OUT OF HAWAII AND SAN DIEGO. THE OTHER WAS TO RE-EQUIP WITH SMALLER SHIPS ADEQUATE TO PLAY OUR PART IN MAINTAINING SECURITY AND STABILITY IN OUR OWN AREA, I.E. THE SOUTH PACIFIC AND ANTARCTICA.

[REDACTED]

8. I FULLY AGREE WITH [REDACTED] THAT THERE IS MORE THAN ONE WAY TO MAKE OUR ANZUS CONTRIBUTION. IT IS NOT TOO MUCH OF AN EXTENSION OF HIS POINT TO ARGUE THAT WE CAN MAKE NOT JUST A REASONABLE CONTRIBUTION BUT OUR BEST (U/L) CONTRIBUTION BY ENSURING THAT WESTERN INTERESTS ARE PROTECTED AND PRESERVED IN OUR OWN AREA. THAT MAY MEAN MORE ACTIVITY ON OUR PART. IT CERTAINLY MEANS SOME RE-ADJUSTMENT OF OUR MILITARY HARDWARE PLANS AND QUITE POSSIBLY SOME ADDITIONAL COST. THIS IS WHAT WE ARE NOW GOING TO ADDRESS OURSELVES TO.

9. WE ARE FIRMLY IN FAVOUR OF CONTINUED NAVAL COOPERATION AS YOU KNOW. WE WERE WILLING TO TAKE PART IN SEA EAGLE IRRESPECTIVE OF THE POWER SOURCE OR THE WEAPONRY OF OTHER PARTICIPATING SHIPS. THE WILLINGNESS STANDS. THE AUSTRALIAN MINISTER OF DEFENCE HAS TALKED OF SEPARATE EXERCISES. I ASSUME THAT IS SIMPLY AS A POSSIBLE REPLACEMENT FOR SEA EAGLE ITSELF. IT WOULD MAKE NO SENSE IN THE LONGER TERM. THE ONLY CHANGE I WOULD ENVISAGE OVER THE YEARS IS THAT WE MAY HAVE NEED FOR JOINT EXERCISES MORE APPROPRIATE TO OUR REGIONAL CONCENTRATION RATHER THAN EMPHASISING INTER-OPERABILITY ANYWHERE AND EVERYWHERE. BUT THAT IS DOWN THE TRACK.

10. CAN SHIP VISITS RESUME? I WELL UNDERSTAND THAT THE AMERICANS MAY FEEL UNABLE TO SEND AN FFG7 OR ANOTHER READILY ACCEPTABLE SHIP IN THE IMMEDIATE AFTERMATH OF RECENT EVENTS. I HOPE, HOWEVER, THAT WE CAN GET TO IT BEFORE TOO LONG.

11. IT MAKES NO SENSE FOR U.S NAVY SHIPS TO BE TOTALLY ABSENT FROM OUR PORTS. WE HAVE FAILED IN OUR FIRST ATTEMPT TO FIND A WAY THROUGH THE SEEMING INCOMPATIBILITY OF THE AMERICAN POLICY OF NON-DISCLOSURE AND OURS OF NO NUCLEAR WEAPONS. THAT SHOULD NOT BE AN END OF IT. NEITHER OF US, I AM SURE, WANTS THE LIMITING EFFECT OF THOSE TWO POLICIES TO BE ANY MORE SEVERE THAN IT ABSOLUTELY MUST BE.

[REDACTED]

12. WE SHALL BE KEEN TO TALK THESE THINGS OVER AT THE ANZUS COUNCIL MEETING IN JULY.

13. I TAKE IT THERE IS NO DISPOSITION ON [REDACTED]'S PART TO DOUBT OUR ASSERTIONS OF OUR CONTINUED AND FULL WESTERN SOLIDARITY,

[REDACTED]

[REDACTED]
PAGE FOUR/

OUR SUPPORT FOR THE AMERICAN APPROACH TO THE ARMS TALKS, ETC. ETC. WE MUST BE JUDGED BY OUR ACTIONS AND YOU HAVE POINTED TO SOME OF THOSE (SINGAPORE, MFO, ETC). WE SHALL CONTINUE TO DO WHAT WE CAN. WE SHALL SPEAK OUT AGAINST NUCLEAR WEAPONS, BUT NOT IN WAYS THAT CALL INTO QUESTION WESTERN POSITIONS VIS-A-VIS THE EAST OR SUGGEST SUPPORT FOR UNILATERAL MEASURES OR UNVERIFIABLE AND UNSUSTAINABLE AGREEMENTS. INDEED, IN SPEAKING OUT, OUR WHOLE AIM WILL BE TO USE WHAT INFLUENCE WE HAVE TO ADVANCE THE AMERICAN AIM OF THE REDUCTION AND EVENTUAL ELIMINATION OF NUCLEAR WEAPONS. THAT IS OUR COMMON OBJECTIVE.

14. WHAT ELSE? WE ARE OPEN TO SUGGESTIONS AS TO OTHER WAYS IN WHICH FULL COOPERATION MAY BE CONTINUED AND BUILT UP, SUBJECT ONLY TO THE NUCLEAR WEAPONS RESTRICTION.

15. I SHALL BE VERY INTERESTED IN YOUR REPORT OF YOUR NEXT DISCUSSIONS.

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NI2175
WLN 062200Z

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OFFICIAL INFORMATION ACT

PERSONAL

7 MARCH 1985

FROM WASHINGTON
TO WELLINGTON PRIORITY

PERSONAL FOR NORRISH/FRANCIS FROM AMBASSADOR.

ANZUS : SHIP VISITS : LETTER TO DEPUTY SECRETARY OF STATE.
WE HAVE RECEIVED BY BAG THE DEPUTY PRIME MINISTER'S LETTER OF 20 FEBRUARY IN REPLY TO THE DEPUTY SECRETARY OF STATE'S LETTER OF 17 SEPTEMBER 1984, WITH THE REQUEST THAT WE CONVEY IT TO KENNETH DAM.
2. CLEARLY IT IS VERY USEFUL THAT THERE IS SUCH A PERSONAL RELATIONSHIP BETWEEN GEOFFREY PALMER AND KEN DAM AND THAT IT CAN BE USED FOR A FRANK EXCHANGE OF VIEWS ON CURRENT ISSUES IN THIS WAY. WHAT CONCERNS ME IS THAT THE DEPUTY PRIME MINISTER'S LETTER OF 20 FEBRUARY HAS TO A LARGE EXTENT BEEN OVERTAKEN BY EVENTS. CERTAINLY IN OUR OWN RECENT DISCUSSIONS WITH DAM WE HAVE BEEN OBLIGED TO GO BEYOND ASSERTIONS THAT THE ANZUS ALLIANCE IS IN GOOD SHAPE. AND BOTH THE AMERICANS AND THE AUSTRALIANS HAVE MADE IT ABUNDANTLY CLEAR THAT DEFENCE COOPERATION UNDER ANZUS WILL NOT CONTINUE, AT LEAST FOR THE TIME BEING.
3. IN THESE CIRCUMSTANCES I SUGGEST THAT WE DO NOT FORWARD THE 20 FEBRUARY LETTER IN ITS PRESENT FORM, ALTHOUGH IT FOLLOWS FROM THE ABOVE THAT WE CERTAINLY RECOMMEND, EVEN AT THIS LATE STAGE, THAT A REPLY BE SENT.
4. I SHOULD BE GRATEFUL IF YOU WOULD DISCUSS MY VIEWS WITH GEOFFREY PALMER. IF HE AGREES THAT WE SHOULD HAVE ANOTHER LOOK AT THE TEXT OF HIS REPLY WE WOULD BE HAPPY TO PREPARE A DRAFT HERE AND FORWARD IT BY TELEX FOR HIS CONSIDERATION.

2438

7/2015Z/WSH

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WS 949
PP W LINGTON
GPS 65Q
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[REDACTED] 8 MARCH 1985
FROM WASHINGTON
TO WELLINGTON 1395 P R I O R I T Y

SFA (MR FRANCIS) [REDACTED]

PERSONAL FOR FRANCIS FROM AMBASSADOR

ANZUS SHIP VISITS

THANKS YOUR [REDACTED].

2. THE FOLLOWING IS OUR SHOT AT A DRAFT FOR NORRISH TO DISCUSS WITH GEOFFREY PALMER:

DEAR KEN

THANK YOU FOR YOUR LETTER OF 17 SEPTEMBER. AS YOU MAY HAVE NOTED IN THE PERIOD SINCE YOU WROTE, MY PORTFOLIO HAS INDEED EXTENDED TO THE PORT ACCESS AND RELATED ANZUS ISSUES. AND WHEN THE PRIME MINISTER HAS BEEN OUT OF NEW ZEALAND I HAVE BEEN REQUIRED TO ACT IN HIS STEAD BOTH WITHIN THE GOVERNMENT AND PUBLICLY ON THESE MATTERS.

IN FACT, IT WAS DURING JUST SUCH A PERIOD AS ACTING PRIME MINISTER IN LATE JANUARY THAT I CONFRONTED THE VERY DIFFICULT ISSUES WHICH RESULTED IN THE NEW ZEALAND GOVERNMENT'S DECISIONS CONCERNING THE PROPOSALS FOR THE VISIT OF THE USS BUCHANAN. IT IS NOT FOR ME TO RETRACE THE DETAILS OF OUR DECISION BUT I DO WISH TO ASSURE YOU OF MY GENUINE REGRET AND THAT OF THE PRIME MINISTER, THAT THE PROCESS ON WHICH OUR OFFICIALS HAD BEEN ENGAGED, WITH OUR SUPPORT, DID NOT LEAD TO A FAVOURABLE OUTCOME.

[REDACTED] 2500

PERSONAL
URGENT
OFFICIALS UNDER THE INFORMATION ACT

PERSONAL 13 MARCH 1985

FROM WELLINGTON

TO WASHINGTON

PRIORITY

SFA (MR FRANCIS)

PERSONAL FOR AMBASSADOR FROM TIM FRANCIS:

ANZUS SHIP VISITS

1. THANKS YOUR [REDACTED].
2. MR PALMER HAS SLIGHTLY MODIFIED YOUR TEXT. THE FOLLOWING IS THE ACTUAL TEXT OF THE LETTER HE HAS SIGNED: BEGINS:

13 MARCH 1985

KENNETH W DAM ESQ.
DEPUTY SECRETARY OF STATE
WASHINGTON DC

DEAR KENNETH

YOU WERE GOOD ENOUGH TO WRITE TO ME ON 17 SEPTEMBER AND I AM ASHAMED TO SAY I MISPLACED THE LETTER AND HAVE ONLY JUST FOUND IT AGAIN. THANK YOU FOR YOUR LETTER - I AM SORRY ABOUT THE DELAY IN REPLYING.

AS YOU MAY HAVE NOTED IN THE PERIOD SINCE YOU WROTE, MY AREA OF INVOLVEMENT HAS INDEED EXTENDED TO THE PORT ACCESS AND RELATED ANZUS ISSUES. WHEN THE PRIME MINISTER HAS BEEN OUT OF NEW ZEALAND I HAVE BEEN REQUIRED TO ACT IN HIS STEAD BOTH WITHIN THE GOVERNMENT AND PUBLICLY ON THESE MATTERS. IT HAS BEEN A DEMANDING TASK AND A BIG CHANGE FROM MY LEGAL PORTFOLIOS.

IN LATE JANUARY I CONFRONTED THE VERY DIFFICULT ISSUES WHICH RESULTED IN THE NEW ZEALAND GOVERNMENT'S DECISIONS CONCERNING THE PROPOSALS FOR THE VISIT OF THE USS BUCHANAN. IT IS NOT FOR ME TO RETRACE THE DETAILS OF OUR DECISION. BUT I DO WISH TO ASSURE YOU OF MY GENUINE REGRET AND THAT OF THE PRIME MINISTER, THAT THE PROCESS ON WHICH OUR OFFICIALS HAD BEEN ENGAGED, WITH OUR SUPPORT, DID NOT LEAD TO A FAVOURABLE OUTCOME. I MUST ADD OUR APPRECIATION OF THE UNDERSTANDING DISPLAYED BY ADMIRAL CROWE AND OUR OTHER U.S. CONTACTS DURING THE PROCESS.

THAT LEADS ME TO WHERE WE ARE NOW. THE POSTPONEMENT OF THE ANZUS COUNCIL AND THE ANNOUNCEMENT OF SECRETARY SHULTZ'S VISIT TO AUSTRALIA MEANS THE TRILATERAL FRAMEWORK WITHIN WHICH NEW ZEALAND-UNITED STATES RELATIONS HAVE BEEN CONDUCTED SO SUCCESSFULLY FOR MANY YEARS HAS BEEN SET TO ONE SIDE. WE REGRET THAT ALTHOUGH WE MUST ACCEPT IT, MOST NEW ZEALANDERS CONTINUE TO SUPPORT THE GOVERNMENT'S POLICY TO REMAIN A FRIEND AND PARTNER OF THE UNITED STATES. WE FIND IT VERY DIFFICULT TO BELIEVE THAT THE MAINTENANCE OF OUR REGIONAL AND EXTRA-REGIONAL CONTRIBUTIONS TO STABILITY AND PEACE HAVE COUNTED FOR SO LITTLE WHEN WEIGHED AGAINST OUR INABILITY TO OFFER PORT ACCESS TO CERTAIN U.S. NAVAL VESSELS. IT HURTS NEW ZEALANDERS TO HEAR SOME OF THE THINGS THAT HAVE BEEN SAID IN THE PAST FEW WEEKS BY RESPONSIBLE U.S. POLITICAL FIGURES AND JOURNALISTS. THIS COUNTRY HAS DEEP DEMOCRATIC TRADITIONS AND OUR POLICY IS DRIVEN BY THE DEMOCRATIC IMPERATIVES OF TRADITIONS AND OUR POLICY IS DRIVEN BY THE DEMOCRATIC IMPERATIVES OF OUR POLITICAL PROCESS. I CAN ONLY HOPE THE CONTROVERSY WILL NOT DAMAGE THE HIGH STANDING IN WHICH THE UNITED STATES IS HELD IN MY COUNTRY. IT THREATENS TO DO SO UNLESS THE TEMPERATURE IS LOWERED.

THE RANGE OF ACTIONS WHICH HAVE BEEN UNDERTAKEN AS A RESULT OF THE 'BUCHANAN' DECISION WILL IMPAIR NEW ZEALAND'S CAPACITY TO PERFORM TASKS WHICH WE BELIEVE ARE THE BASIS OF THE MUTUAL SELF-INTEREST UNDERLYING OUR RELATIONSHIP WITH THE UNITED STATES. YOU LEFT US UNDER NO ILLUSION THAT IF WE COULD NOT ACCEPT THE 'BUCHANAN' THEN THERE WOULD BE CONSEQUENCES. I THINK THE COUNTRY COULD ACCEPT THAT. STILL, YOU ARE GOING TO MAKE THINGS HARDER FOR US AS A RESULT OF THE DEFENCE AND INTELLIGENCE CURTAILMENTS. THE IRONY, AS SEEN FROM OUR PERSPECTIVE, IS THAT THE GREATEST BENEFICIARY OF THESE STEPS - AND OF THE ABANDONMENT OF THE ANZUS COUNCIL - WILL BE THE SOVIET UNION. WE HAVE DONE OUR BEST TO HEAD OFF ANY SOVIET TRUMPETING AND TO REMOVE ANY

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PERSONAL PAGE THREE

ILLUSIONS THEY MAY HAVE ABOUT THE BASIC INSTINCTS AND LOYALTIES OF NEW ZEALAND. BUT SEEING US NOT EVEN TALKING TO EACH OTHER AT THE POLITICAL LEVEL MUST BE AN UNDREAMED OF BENEFIT. I CAN ONLY HOPE WE WILL NOT LOSE THE HABIT AND PRACTICE OF CONSULTATION WHICH HAS LONG BEEN THE STRENGTH OF OUR FRIENDSHIP, REGARDLESS OF CHANGES OF GOVERNMENT IN EITHER COUNTRY.

WE ARE STILL CONCERNED THAT THERE IS A BODY OF OPINION IN WASHINGTON WHICH REMAINS DETERMINED TO EXACT SOME FORM OF RETRIBUTION FOR NEW ZEALAND. AS YOU KNOW WE VALUE GREATLY AND PLACE GREAT STORE BY SECRETARY SHULTZ' REPEATED ASSURANCES ABOUT CAREFUL CONFINEMENT OF THE AMERICAN RESPONSE TO TRILATERAL, NON-ECONOMIC AREAS OF CO-OPERATION. IT IS NOT QUITE AS SIMPLE AS THAT. NEW ZEALAND HAS BECOME AN EASY TARGET FOR CONGRESSIONAL WRATH AND PROTECTIONIST OPPORTUNISM.

IF WE ARE TO LOOK FORWARD TO A TIME - NOT TOO FAR AWAY I HOPE - WHEN WE CAN SET ABOUT THE BUSINESS OF REAFFIRMING OUR SHARED INTERESTS AND THE PRACTICAL BILATERAL ARRANGEMENTS TO ACHIEVE THEM, SOME MESSAGE TO THAT EFFECT NEEDS TO BE CONVEYED NOW TO CONGRESS, AND, DARE I SAY, TO THE WASHINGTON MEDIA.

THE SPIRIT IN WHICH I HAVE WRITTEN THIS LETTER IS ONE OF FRIENDSHIP AND, I HOPE, NON-RECRIMINATION. I DO NOT WANT TO DWELL IN THE LAND OF "WHAT IF" OR "WHO STARTED IT". THE NEW ZEALAND GOVERNMENT HAS A POLICY WHICH IS HOSTILE TO NUCLEAR WEAPONRY BUT FRIENDLY TO THE UNITED STATES. IT IS NOT GOING TO CHANGE. EVEN IN THIS NEW SITUATION THERE IS THE BASIS FOR A VERY GOOD BILATERAL RELATIONSHIP. WE ARE CERTAINLY PREPARED TO WORK AT IT.

I WELL REMEMBER THOSE HEADY DAYS AT CHICAGO STUDYING INTERNATIONAL LAW. NEVER THEN DID I DREAM THAT ONE DAY A GOVERNMENT OF WHICH I WAS A SENIOR MEMBER WOULD HAVE A MAJOR DISAGREEMENT WITH THE UNITED STATES. TO PARAPHRASE DANIEL WEBSTER IT IS A SMALL COUNTRY BUT THERE ARE THOSE WHO LOVE HER. DIPLOMACY OF SENSITIVITY AND IMAGINATION MUST BE ABLE TO FIND A WAY THROUGH ALL OF THIS.

WITH BEST PERSONAL WISHES

YOURS SINCERELY

(SIGNED) GEOFFREY PALMER
DEPUTY PRIME MINISTER

ENDS.

3. GRAVEFUL IF YOU WOULD PASS THE MESSAGE TO MR DAM. THE SIGNED ORIGINAL WILL FOLLOW BY BAG.

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WB 130757Z

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APPENDIX TWO

Prime Minister's Visit to New York, notes from a meeting with United States Secretary of State, George Shultz, Monday 29 September 1984

2-6/8/5
29-9-1984

PRIME MINISTER'S VISIT TO NEW YORK

Meeting with United States Secretary of State
on Monday, 29 September, at 4.00 p.m. in the
Prime Minister's Suite

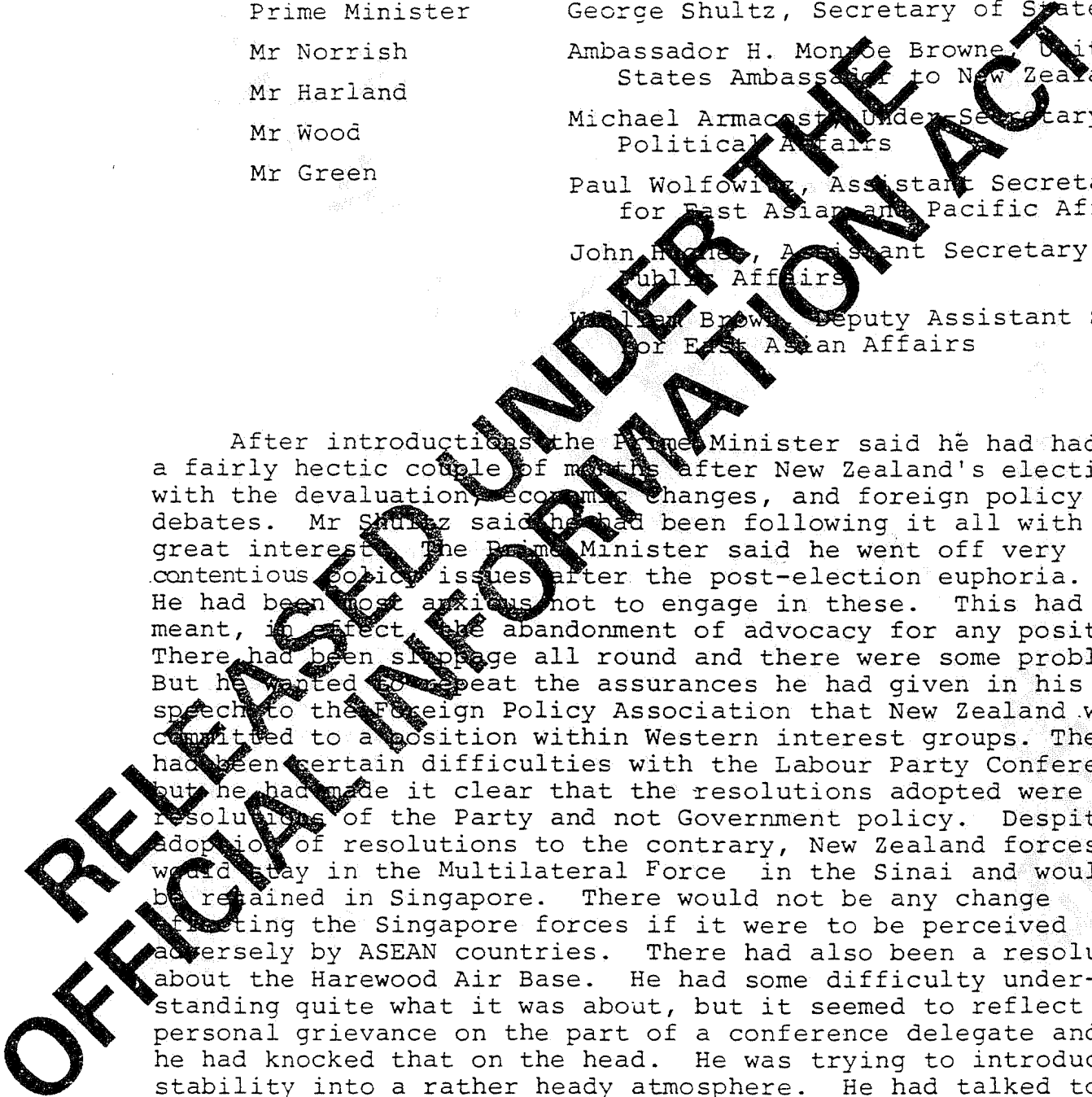
Present:

Prime Minister	George Shultz, Secretary of State
Mr Norrish	Ambassador H. Monroe Browne, United States Ambassador to New Zealand
Mr Harland	Michael Armacost, Under-Secretary for Political Affairs
Mr Wood	Paul Wolfowitz, Assistant Secretary for East Asian and Pacific Affairs
Mr Green	John Hone, Assistant Secretary for Public Affairs
	William Brown, Deputy Assistant Secretary for East Asian Affairs

After introductions the Prime Minister said he had had a fairly hectic couple of months after New Zealand's elections with the devaluation, economic changes, and foreign policy debates. Mr Shultz said he had been following it all with great interest. The Prime Minister said he went off very contentious policy issues after the post-election euphoria. He had been most anxious not to engage in these. This had meant, in effect, the abandonment of advocacy for any position. There had been slippage all round and there were some problems. But he wanted to repeat the assurances he had given in his speech to the Foreign Policy Association that New Zealand was committed to a position within Western interest groups. There had been certain difficulties with the Labour Party Conference but he had made it clear that the resolutions adopted were resolutions of the Party and not Government policy. Despite adoption of resolutions to the contrary, New Zealand forces would stay in the Multilateral Force in the Sinai and would be retained in Singapore. There would not be any change affecting the Singapore forces if it were to be perceived adversely by ASEAN countries. There had also been a resolution about the Harewood Air Base. He had some difficulty understanding quite what it was about, but it seemed to reflect a personal grievance on the part of a conference delegate and he had knocked that on the head. He was trying to introduce stability into a rather heady atmosphere. He had talked to the Australians two or three times and would be seeing Foreign Minister Hayden again in New York.

The Prime Minister said he was encouraged by the President's address to the General Assembly. It contained expressions which he believed would be well received by those concerned

/with disarmament



with disarmament issues. It was very important to make progress in this field in order to break down suspicion and what he considered to be overt anti-Americanism in the positions adopted by some New Zealand groups. The events of the last week had been very difficult. Some New Zealand journalists had "run amok". On top of that the speech by a Ministerial colleague had "run amok" around Washington. Mr Shultz said that speech had stunned the Americans because it was delivered by the Minister of Defence. If the Minister of Defence had said something like that in the United States the country would either get a new Minister of Defence or everyone would adopt his policy because he was the definitive spokesman on defence issues. That was why the Americans were so upset. The Prime Minister replied that the situation in New Zealand was slightly different. The Minister of Defence was not the definitive spokesman. He had been very keen to ensure that the speech was not seen as a repudiation of treaties or alliances. Mr Shultz observed that it had a "Stop the world, I want to get off" quality. The Prime Minister noted the peculiar context of the Defence Minister's remarks. The debate had moved from one of prepared statements to the extemporaneous. The transcript, if carefully read, affirmed that Government policy was not to withdraw from alliances. The Prime Minister said he had left New Zealand at that point and had only learned of the American reaction in Auckland as he was about to depart. Mr Shultz said the Americans had tried to react mildly by comparison with what they felt. The Prime Minister commented that bridges in his electorate were valuable because they took so long to build and he certainly did not want to see them blown up. The previous week's problems were, however, indicative of the state of play. He had to say there would be no quick or easy resolution. He was not excusing them but felt that some of the difficulties had been engendered by comments from a Congressional source published in New Zealand newspapers that day which appeared to make a direct link between defence issues and economic sanctions and protectionism. The atmosphere in New Zealand last week had been veryumpy and the Labour Party Conference had been pretty florid in parts, but it was he and not the Conference who asserted Government policy.

Mr Shultz said he proposed to review some propositions about the United States/New Zealand relationship and then to make some comments about questions of timing and specific problems. He recalled that in Wellington he and Mr Lange had agreed that, whatever happened to ANZUS per se the United States liked and admired New Zealand and considered it a friendly country with similar values. That position would not change. Having said that, however, it was also the case that a country with an explicit alliance with the United States was in a different situation from one without an explicit alliance. That alliance produced flows of information, intelligence, strength and support. That was the purpose of the alliance. If the alliance was removed those things would

be removed along with it. Therefore a way must be found to address that problem. The next proposition, one that he had expressed already while in New Zealand, was that it was difficult to conceive of an alliance in which the military forces could not interact. A fair number of United States ships and submarines - in fact all the worthwhile submarines, some of the carriers and some other ships - were nuclear powered. They were very safe. There had never been an accident. They had a fantastic safety record. The United States had invited whoever New Zealand wanted to nominate to inspect its nuclear powered ships. The Prime Minister noted that the invitation had been taken up. Mr Shultz went on to say that in the matter of propulsion they were operating at a safety level better than nuclear power plants. In the case of weapons, President Reagan's speech made the point that deterrence was necessary but not sufficient. He planned to go on from that proposition. In the President had his way he would like to see the abolition of nuclear weapons, but so long as the Soviet Union had them that would be suicidal - for New Zealand as well as for the United States. There was a need for a process leading to reductions in weaponry. The President had been very strong in proposing reductions. In his view a nuclear freeze was not ambitious enough. The aim should be reduction. People who had been critical of the President's position were now coming around gradually to see his point of view.

Mr Shultz said that nuclear weapons were an essential part of deterrence. That did not mean that they had to be stationed in New Zealand. There was no particular reason for that. But it was part of the deterrent to have some ships armed with nuclear weapons. As they moved round and made port calls or interacted with their allies, the United States had developed a policy of not identifying which ships were nuclear armed. This was essential and he knew that the Prime Minister understood why in military terms it would be suicidal to disclose this information. The United States would have to stick to that policy. Furthermore, it was a world wide situation. What was done with one ally would be transmitted elsewhere. There had to be a consistent policy. The United States wanted to hold the alliance together. Mr Shultz said he appreciated the statements the Prime Minister had made, including those in his Foreign Policy Association address, which Mr Shultz had read. He had said several very positive and clear cut things. But somehow, if ANZUS was going to be saved it would be necessary to satisfy conditions of the kind he had discussed earlier.

On the question of timing Mr Shultz said no nuclear ship visit to New Zealand was scheduled for sometime. That had been deliberate policy. However, early December was the usual time for consultations about the schedule of ship visits. The United States would want to go forward with those consultations. That set a sort of time limit. Mr Shultz asked what were the Prime Minister's intentions and how would he

/formulate a plan.

formulate a plan. At some stage, if a policy was going to be changed, it was necessary to get up and advocate it. Change could not be brought about privately.

The Prime Minister stated his belief that a solution would not unfold unless there was a chance of a credible assurance to the vociferous that the United States had a different policy concerning nuclear weapons. He understood the "neither confirm nor deny" policy. He had to say - indeed it would be quite dishonest to give any other impression - that an Australian style compromise did not seem to offer a way out. The Australian Labor Party had very different mechanisms and interest groups from those of its New Zealand counterpart. Therefore, he was looking for a form of progress which was not just for political necessity, but which met his personal criteria about nuclear weaponry. It was no secret that propulsion was viewed differently. Public opinion polls showed very clearly in New Zealand a split between those against nuclear weapons and those who were, in addition, opposed to nuclear propulsion. Accordingly there had to be a prospect of some change in the policy concerning nuclear weapons. He could imagine the American response - delivered not in anger but in sorrow - might be that it was "Curtains for ANZUS". In that event it would be necessary to ask what lay ahead for the United States/New Zealand relationship.

In so far as the timetable for a more rational policy on nuclear propulsion was concerned, the Prime Minister said he looked to the forthcoming series of Labour Party regional conferences starting early next year. It would need an extra effort to get a policy in place before the next ANZUS Council meeting, assuming that was to be held in July. Unfortunately, the Party Conference would not take place before the ANZUS Council meeting but it might be possible to use the Party's Policy Council to work through a change. If something did not happen by the time of the ANZUS Conference through positive resolutions at the regional level, then he had to say that the issue could not mature easily. He gave a pledge, however, that no concessions were expected from the United States that could be used politically by him. There would be no seizing of concession and then failing to deliver from the New Zealand side, and he was sure that the United States would not offer that sort of concession. Accordingly, the outcome should be known by July.

The Prime Minister commented that a very odd climate of opinion seemed to be developing in New Zealand. He pointed out that one of the other political parties, which had got about 12 percent of the vote during the last election, had held its Conference last week. It wanted not merely a nuclear free New Zealand, but a military free New Zealand, and this was a party of the right. Mr Shultz said everybody would like not to have to spend money on defence. The Prime Minister replied that it was not simply a question about taxes or spending. There was a bit of a crusade about this issue.

/Mr Shultz

Mr Shultz asked how the December ship visit consultations should be handled. The Prime Minister replied that it would be useful to have the normal request so that the Labour Party would have something to talk about. The conventional wisdom seemed to be that he should put off facing the issue and hope that it went away. But it was necessary to have something specific coming up so that both sides could see how things would develop. He recalled that there had been a historical problem about indemnification and that procedures had been found to resolve them. That practice should continue. The United States Government should tender its schedule of ship visits and he would take it up from there. The Prime Minister observed that the forthcoming exercise "Sea Eagle" was probably not in the December schedule. Negotiations on that should have taken place by now in the normal course of events. He repeated that he thought it was time to have some specific propositions put forward that the two sides could talk about. Mr Shultz commented that that would be good. The Prime Minister said that he did not relish it but he saw the need for a more formal agenda which he hoped would lead to more positive signals.

Mr Shultz recalled that they had talked about the policies adopted by other countries on this issue. He invited Mr Wolfowitz to summarise the Norwegian position. Mr Wolfowitz said that in very general terms Norwegian policy was opposed to the basing of nuclear weapons on Norwegian territory in peace time. He noted the reference to peace time as an important qualification. The Norwegians acknowledged the need for tactical nuclear weapons in the event of a Soviet invasion. Norwegian policy, however, did not apply to ships in transit and acknowledged the United States policy of neither confirming nor denying that nuclear weapons were being carried. A critical point for the Norwegians was the length of stay of visiting ships but the line had been clearly drawn between stationing weapons on Norwegian territory and the transit of weapons. The United States could live with that policy. The transit right was the critical element. The Prime Minister observed that Japanese policy seemed to be "heroic ignores". Mr Wolfowitz said the Japanese position reflected the intricacies of their treaty with the United States and some specific constitutional prohibitions. Any mention that New Zealand might adopt the Japanese formula caused the Japan Desk in the State Department to leave the ground. The Prime Minister noted that he had been careful not to speak of that. Mr Shultz summed up the Norwegian position. First, it denied the stationing of nuclear weapons on Norwegian territory in peace time. Secondly, it recognised the role of deterrence in international relations and acknowledged that some other countries did have nuclear weapons. Third, it recognised that there were times when these weapons might or might not be aboard ships in transit. They did not know and they did not consider weapons in transit to be on Norwegian territory. The Prime Minister said that was akin to the Australian position. Mr Wolfowitz observed that the Norwegian one was more formally stated.

/Mr Shultz

Mr Shultz suggested that they leave the issue on the following basis. They had discussed the question of ships' visits. They recognised its significance for ANZUS. The normal processes of consultation about a schedule of ship visits would go forward. The two sides would stay in close touch to try to work the problem out. Whatever the outcome they had restated their intention to remain good friends. The Prime Minister drew attention to one important issue. It was not to be spoken of publicly but he assumed that it was no part of Administration strategy to confuse or to link the defence alliance and economic sanctions. In New Zealand this was not well understood. New Zealanders tended to have a monolithic view of the United States. Many New Zealanders believed that Congressman Solarz spoke for the President. His comments and those of Congressman Delo Garza were perceived in New Zealand as statements of the United States Government position. Everybody in the room knew that was not the case but each time it happened it had a curious effect in New Zealand. New people were thereby induced to buy into the debate and to take the view that New Zealand should stand up to this sort of economic pressure. The Prime Minister said he had tried to counter this attitude but if something similar happened again there might be a need for assurances from the Administration without, of course, in any sense binding it to give New Zealand preferential treatment. Mr Shultz observed that in one sense there was a grain of truth in these sorts of statements. Occasionally when things came up in the economic sphere the State Department would alert the New Zealand Government, the Ambassador would give the Department New Zealand's views and the State Department would then go to various governmental councils and make reference to the ANZUS link saying that New Zealand was a strong ally and that, although a particular proposal made sense from a United States point of view, it would hurt a military ally. This line of argument did not always prevail, but sometimes it did. If there was no alliance that argument would no longer exist. The Prime Minister said he appreciated that and recognised that New Zealand had benefitted greatly. For example, it would not be exporting to the United States the present volumes of casein but for that. But the impression in New Zealand in recent weeks was that the United States - symbolised on this occasion by people who were not spokesmen for the Administration - was playing the heavy. Mr Shultz observed that both Congressmen were Democrats and that he did not see a Democratic being elected President this year.

The Prime Minister then referred to the recent South Pacific Forum and to the Australian initiative for a South Pacific Nuclear Free Zone. This would preserve freedom of navigation on the high seas and permit parties to the treaty to follow their own policies with respect to ship visits. It would, however, ban the deployment, installation, testing and use of nuclear weapons. The zone would mature within the next year. It was hoped that a treaty would be signed at the next Forum in August 1985. It would then be touted

/around the nuclear

around the nuclear weapon states. He emphasised that it preserved most of the freedoms of the current United States/Australian link and should not cause problems for the United States. It was a matter of some moment for the countries of the South Pacific.

Mr Shultz asked about the prospects for the New Zealand economy. He was aware of the problems Mr Lange's Government had inherited and of some of the steps taken to deal with them. The Prime Minister said the prospects were very optimistic for a recovery in the three to five year time frame. Devaluation had brought certain short-term benefits. For example, there had been an immediate tourist boom of such an order that the demand could not be handled. Three new additional Boeing aircraft were being ordered. They would probably buy Rolls Royce engines because of the better deal. The Government had left Air New Zealand to make its decision on economic grounds but knew that the airline would buy American because the other aircraft in contention did not measure up. Mr Lange said his Government was trying to preserve the benefits of devaluation and was having some success, but at a cost. For example, the wage freeze had been kept on longer than intended and some anomolous situations were developing. For instance, because benefits were inflation-indexed some of them now offered a better income than work. These problems would have to be addressed. The Government aimed to produce a budget by 8 November. It would have some income redistribution effect. Mr Lange went on to say that deregulation will continue. The Government had taken some spectacularly "un-Labour" steps such as deregulating interest rates. This had induced some money to flow back into the country but it caused a good deal of anguish to some labour supporters. The Government was also pursuing a tight monetary policy. It had issued several stock tenders at high interest rates to soak up excessive liquidity. The Government was also moving away from subsidisation. It had decided to phase out export incentives. This would take place over a somewhat longer time frame than had previously been suggested to the United States Government and he hoped that the Administration would understand. Mr Shultz commented that it would be very tough for the United States but Bill Brock would be handling that. The Prime Minister went on to say that the Government was determined to target resources to add value in New Zealand. The country should no longer be simply a commodity exporter. He appreciated the limitations of this policy and compared wage rates and productivity in Los Angeles with those in New Zealand to indicate problem areas. But he said that there was an apparent buoyancy. The Government had carried the business sector with it. It had received endorsement for its policies from some unlikely and politically awkward quarters. It was difficult in many ways to identify his Government as one of a non-conservative party. There were those who saw in the Government's foreign policies a romantic adherence to the Labour tradition that it was not able to demonstrate in the economic field. He did not accept that proposition. He believed that an efficient economy can also be socially just. New Zealand would be more market-oriented and was therefore anxious

for freer international trade, but it would stop bleating about its traditional markets and go after new ones. This would involve mounting new diplomatic efforts, especially in the Pacific. The Government had decided to restore representation in India. Sir Edmund Hillary had been invited to be the new High Commissioner there. Mr Shultz recalled that J.K. Galbraith, when U.S. Ambassador to India, had written a novel and two books. Mr Wolfowitz thought Mr Moynihan's tour as Ambassador had been similarly productive. The Prime Minister noted that Sir Edmund Hillary had a link with Sears, Roebuck to promote camping equipment and suggested that a new style of ambassadorial residence might result from that.

Summing up, the Prime Minister said he was quite excited about what was happening in New Zealand. There had recently been an Economic Summit Conference. This had involved a degree of risk because there was no precedent between business and the unions as in Australia. Just before the Summit an agreement on wage fixing had been hastily cobbled together. He thought, nevertheless, that it was a good agreement. Then the Conference had brought together business leaders and social groups. The inclusion of the latter - representatives of the unemployed, the disadvantaged, the handicapped, churches etc - was a significant difference between the New Zealand and Australian Economic Summits. The presence of the social interest groups had had an enormous impact. The government was trying to be open about the state of the economy and was progressively releasing departmental briefing papers prepared for the incoming Government. It remained to be seen whether the people would tire of an excess of democracy but at present they seemed to like it. Finally, the Prime Minister noted that New Zealand was raising money in the United States at that very moment.

After expressing appreciation for the Prime Minister's briefing, Mr Shultz observed that the United States economy seemed to be settling down to a sustainable rate of growth. It had been growing very rapidly and there had seemed to be some problems about ensuring a soft landing into a sustainable growth rate but that was being managed. Inflation was staying under control and interest rates were falling a little. There was concern about the Federal deficit and work on that was continuing. The Prime Minister commented that the United States deficit had never approached the New Zealand level of 9 percent of GDP. Mr Shultz recalled that, among the participants at the most recent summit, only the FRG had had a lower deficit, expressed as a percentage of GDP, than the United States. That did not prove that the United States' deficit was acceptable but it showed how difficult the problem was. A major factor was that social programmes were out of control in the United States and needed to be brought back into balance. He commented that the President was standing firm against protectionist pressures. He was being criticised by Mr Mondale but should get credit for political courage for this stand because he did not give in to other interest

groups. The Prime Minister noted that a remarkable feature of New Zealand's election was that the winning party had promised less. He believed people could see that endless prosperity could not be politically ordained. Mr Shultz recalled a television commercial with the theme "We make money the old-fashioned way - we earn it".

Mr Shultz made some suggestions for handling the Press who were bound to be interested in the meeting. He said Mr Hughes would speak for the United States saying that discussions had ranged across the bilateral relationship generally and had touched on matters of international interest such as those raised in the President's speech and economic questions. With respect to NZUSA, he suggested that the points made earlier form the basis of any press briefing. Mr Hughes read those points again. The Prime Minister agreed with those suggestions. Mr Shultz clarified that Mr Lange would speak for himself. Mr Hughes would speak only for the United States but he thought it important that they should have a common theme, and he thought the points listed previously described what had been said. The Prime Minister observed that they had the great virtue of being the truth.

In response to a question as he was leaving, Mr Shultz commented that he would be in New York for two weeks, except for a brief return to Washington to be present at Mr Gromyko's meeting with the President. He hoped that something would come of this meeting and undertook to keep New Zealand posted. In return, the Prime Minister offered to arrange a briefing for United States officials about his own meeting with Mr Gromyko.

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APPENDIX THREE

13 December 1984 telegram for Heads of Post/Mission from M Norrish, Secretary of Foreign Affairs.

✓ 59/206/20

→ 59/8/2

[REDACTED] 13 DECEMBER 1984
FROM WELLINGTON
TO ALL POSTS MISC 943 ROUTINE

SFA (AMER)
SFA (AUS UNC SPA AAD)

FOR HEADS OF POST/MISSION FROM NORRISH.
ANZUS AND SHIP VISITS.
ENDEAVOURING TO RESOLVE THE ANZUS/SHIPS VISIT ISSUE HAS BEEN
A PREOCCUPATION SINCE THE ELECTION IN JULY. THE DEBATE
GENERATED HERE HAS BEEN INTENSE ON OCCASION AND THE INTEREST
SHOWN ABROAD, NOT LEAST BY AN OFTEN UNSYMPATHETIC AUSTRALIAN
AND US MEDIA, HAS BEEN AT AN EXCEPTIONAL LEVEL. THERE HAS
BEEN SOME QUIETENING DOWN IN RECENT WEEKS AS COMMENTATORS HAVE
COME TO APPRECIATE THAT THE TWO GOVERNMENTS MOST INVOLVED ARE
TALKING THE ISSUE THROUGH. FURTHER DEVELOPMENTS ARE LIKELY
WITHIN THE NEXT 2-3 WEEKS WHEN THE U.S. SHOULD APPROACH US
WITH ITS REQUEST FOR U.S. NAVY SHIPS VISITS FOR NEXT YEAR.
THIS MESSAGE IS DESIGNED TO GIVE YOU SOME BACKGROUND ON THE
ISSUE.

2 WE HAVE BEEN VERY AWARE OF THE FACT THAT SOME POSTS - IN PARTICULAR,
BUT NOT ONLY, THOSE IN NORTH AMERICA AND AUSTRALIA - HAVE HAD
TO COPE OVER THE PAST SEVERAL MONTHS WITH SOME VERY DIFFICULT
QUESTIONS ABOUT THE DIRECTION IN WHICH NEW ZEALAND POLICY IS
GOING. THE FACT IS THAT THE WHOLE SUBJECT HAS BEEN PLAYED,
FOR VERY GOOD REASONS, CLOSE TO THE PRIME MINISTER'S CHEST SO
IT HAS NOT BEEN POSSIBLE TO PROVIDE COMPREHENSIVE BRIEFING TO
POSTS. THE COMMENTS THAT FOLLOW, WHICH SHOULD BE HANDLED
WITH SOME SENSITIVITY, SPELL OUT THE CURRENT POSITION ON THE
SHIPS ISSUE AND SKETCH IN THE PARAMETERS OF POSSIBLE SOLUTIONS.

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file

[REDACTED] MISC 943 PAGE TWO [REDACTED]

YOU SHOULD SHOW THIS TO STAFF ON A "NEED TO KNOW" BASIS ONLY. IN THE MEANTIME THE CONTENTS SHOULD NOT BE DISCUSSED IN ANY DETAIL WITH THOSE GOVERNMENTS TO WHICH YOU ARE ACCREDITED. 3 AT THE SAME TIME, THERE IS A NEED FOR HEADS OF MISSION IN A VARIETY OF POSTS TO COUNTER SOME OF THE MISAPPREHENSIONS WHICH ARE WIDESPREAD ABOUT WHAT OUR POLICIES ARE AND THEIR IMPLICATIONS FOR OUR GENERAL FOREIGN POLICY STANCE. IN THE NEXT BAG TO POSTS IS AN UNCLASSIFIED BACKGROUND PAPER AND QUESTION AND ANSWER BRIEF SETTING OUT GOVERNMENT THINKING ON VARIOUS ASPECTS OF THE SITUATION. THIS IS DESIGNED TO PROVIDE HOMES WITH A READY GUIDE TO THE SUBJECT AND MAY ALSO PROVIDE MATERIAL FOR SPEECHES OR PRESS RELEASES WHERE THESE ARE ADJUDGED APPROPRIATE AND TIMELY. SITUATION AND OUTLOOK.

4 THE PAST MONTH OR TWO - SINCE THE MATTER HAS GONE OFF THE BOIL SOMEWHAT - HAVE PROVIDED A CHANCE FOR THE ANZUS PARTNERS TO PAUSE AND ASSESS THE IMPLICATIONS OF THE GOVERNMENT'S FIRM POLICY THAT NO NUCLEAR-POWERED OR NUCLEAR-ARMED SHIPS WILL BE ALLOWED INTO NEW ZEALAND PORTS. A NUMBER OF HIGH LEVEL BILATERAL MEETINGS BETWEEN FOREIGN MINISTERS AND BETWEEN OFFICIALS AND DEFENCE STAFF OF THE ANZUS MEMBERS HAVE PROVIDED OPPORTUNITIES TO EXPLORE POSSIBLE OPTIONS AND AREAS OF POTENTIAL ACCOMMODATION. THE POSITION AS IT STANDS NOW WAS DEVELOPED AT THE MEETING OF THE PRIME MINISTER AND MR SHULTZ IN NEW YORK AT THE TIME OF THE UNCTAD, WHICH FOLLOWED ON FROM THE PRELIMINARY TALK THAT THE TWO HAD HAD IN WELLINGTON AFTER THE ANZUS COUNCIL. BOTH SIDES WERE CONSCIOUS IN NEW YORK OF THE NEED TO FIND A WAY FORWARD ON THE NUCLEAR SHIPS ISSUE BEFORE TOO LONG. UNDUE DELAY WOULD TEND TO CONSOLIDATE THE EXISTING POSITION, RESULTING IN A

[REDACTED]

MISC 943 PAGE THREE

DE FACTO ACROSS-THE-BOARD EXCLUSION OF ALL U.S. (AND OTHER NUCLEAR POWERS') MILITARY VESSELS AND AIRCRAFT. THE DESIRABILITY OF AN EARLY MOVE HAD AT THE SAME TIME TO BE BALANCED AGAINST PROVIDING A HIATUS WHILE PUBLIC DEBATE IN NEW ZEALAND AND AN ELSEWHERE PROGRESSED. TO THE DEGREE THERE IS A MANDATORY TIME LIMIT ON FINDING A SOLUTION, NEXT YEAR'S ANZUS COUNCIL MEETING IN CANBERRA (PROBABLY MID-JULY) IS THE DEADLINE.

5 TO THIS END, THE GOVERNMENT HAS INVITED THE U.S. TO SUBMIT IN DECEMBER THEIR USUAL REQUEST FOR CLEARANCE FOR THEIR 12985 1955 PROGRAMME OF NAVY SHIP VISITS. UNTIL THE CHANGE OF GOVERNMENT, CLEARANCE WAS GIVEN FOR ALL EXCEPT NUCLEAR-POWERED (1 U/L) VESSELS, WHICH REQUIRED INDIVIDUAL CLEARANCE. IT IS FELT TO BE IMPORTANT THAT BEFORE TOO LONG NEW ZEALAND HOST A VISIT BY A U.S. NAVY COMBATANT TO DEMONSTRATE THAT THE SHIP BAN IS NOT (1 U/L) TOTALLY EXCLUSIVE AND THAT WE WISH TO MAINTAIN AN ACTIVE PARTNERSHIP IN THE US WHICH INCLUDES SOME U.S. NAVY PORT CALLS.

6 LOOKING TO THE POSSIBLE FORM OF A SOLUTION, THE GOVERNMENT RECOGNISES THAT THERE WILL ALMOST CERTAINLY HAVE TO BE SOME MEASURE OF SELF-DETERMINATION ON OUR PART IN IDENTIFYING ACCEPTABLE VISITS. THE ESSENTIAL QUESTION IS HOW TO FIND A WAY FORWARD WITHIN THE VERY RESTRICTED AREA WHERE THE POLICIES OF THE TWO GOVERNMENTS CAN BE HELD TO OVERLAP. THE GOVERNMENT REMAINS, AS NOTED ABOVE, FIRMLY OPPOSED TO HAVING NUCLEAR-ARMED OR POWERED SHIPS IN OUR PORTS. ON THE OTHER SIDE, THERE IS NO WAY OF AMENDING OR IGNORING THE U.S. POLICY OF NEITHER CONFIRMING NOR DENYING THE PRESENCE OF NUCLEAR WEAPONS ON BOARD VISITING VESSELS. U.S. SECURITY CONCERNS MAKE ITS RESPONSE IN THIS RESPECT UTTERLY UNPREDICTABLE. THE TWO POSITIONS ARE NOT TOTALLY IRRECONCILABLE BUT ANY UNDERSTANDING REACHED MAY WELL HAVE TO INCORPORATE AN ELEMENT OF TRUST. THE GOVERNMENT WILL HAVE TO

MISC 943 PAGE FOUR

BE ABLE TO SAY PUBLICLY AND WITH ABSOLUTE CREDIBILITY THAT IT IS REASONABLE TO ASSUME THAT ANY PARTICULAR VESSEL IS NOT NUCLEAR-ARMED. AT THIS STAGE IT IS NOT CLEAR WHETHER THE DECEMBER REQUEST WILL BE ACCOMPANIED BY A LIST OF POSSIBLE VISITING SHIPS. IT MAY BE THAT THE AMERICANS WILL SIMPLY PUT FORWARD THE NAMES OF ONE OR TWO SHIPS WHICH COULD VISIT IN THE FIRST PART OF THE YEAR. SOME WORK HAS BEEN UNDERTAKEN ON THE LEVEL OF ARMAMENT, PROPULSION AND TASKING OF CANDIDATES SINCE NOTHING HAS BEEN PUT FORMALLY IN WRITING UNTIL NOW. YOUR RESPONSE WILL PROBABLY OUTLINE, BRIEFLY, THE GOVERNMENT'S POLICIES ON SHIPS VISITS.

7. IT MIGHT BE NOTED THAT IN THE PAST IF AND WHEN ENVIRONMENTAL AND SAFEGUARD STUDIES HAVE BEEN FURTHER PURSUED - IT MAY BE POSSIBLE TO DRAW A DISTINCTION BETWEEN NUCLEAR-POWERED SHIPS AND NUCLEAR-ARMED ONES. THE NEW ZEALAND PUBLIC HAS COME TO MAKE THAT DISTINCTION - IT IS CLEAR THAT WHAT THE PUBLIC IS CONCERNED ABOUT IS THE ENTERING OF WEAPONS. TO A DEGREE, HOWEVER, MAKING SUCH A DISTINCTION WILL NOT CARRY US VERY FAR SINCE IN PRACTICE SHIPS WHICH ARE NUCLEAR-POWERED WOULD NORMALLY BE FITTED WITH NUCLEAR WEAPON SYSTEMS.

IMPLICATIONS FOR ANZUS AND THE 'WESTERN ALLIANCE'.

8. NONE OF THE ABOVE GIVES YOU A COMPLETE PICTURE OF WHERE WE MAY END UP THAT REFLECTS THE PRESENT REALITY. I HOPE IT GIVES YOU SOME FEEL FOR THE SUBJECT AND A REMINDER - IF ONE WERE NEEDED - OF HOW DIFFICULT IT IS GOING TO BE TO FIND THE ACCOMMODATION WE SEEK. PERSONALLY I AM OPTIMISTIC AT THIS POINT, BUT THERE ARE SOME HURDLES STILL TO BE FACED. IN THE INTERIM, WE CONTINUE TO HAVE MISUNDERSTANDINGS ABOUT WHAT OUR STANCE IMPLIES FOR OUR ATTITUDE TO ANZUS ITSELF AND TO THE WESTERN

MISC 943 PAGE FIVE

ALLIANCE IN GENERAL. THE SHORT ANSWER IS THAT WE FAVOUR BOTH, SEE OURSELVES AS ACTIVE AND POSITIVE MEMBERS OF BOTH GROUPINGS AND INDEED HAVE A RANGE OF IDEAS FOR ADVANCING IN DUE COURSE HOW ANZUS MIGHT BE MADE MORE EFFECTIVE.

9 REPEATED ASSURANCES BY OUR MINISTERS SHOULD HELP ALLAY THE FEARS AND CONCERNS OF THOSE OF OUR FRIENDS AND ALLIES WHO STILL DO NOT HAVE THE PICTURE STRAIGHT. BUT THERE IS STILL SOME VERY DEEP-SEATED CONCERN, PERHAPS CHIEFLY IN WASHINGTON AND CANBERRA BUT ALSO IN WESTERN EUROPE, ABOUT OUR CONTINUED RELIABILITY AS ALLIES. IT LEADS ONE TO WONDER A LITTLE ABOUT THE QUALITY OF REPORTING FROM MISSIONS IN WASHINGTON AND CAPITALS. IT MAY BE APPROPRIATE - AND WE LEAVE IT TO HOSTS TO JUDGE THIS THEMSELVES - FOR US TO GET ON THE FRONT FOOT A LITTLE MORE BY POINTING OUT SOME EXAMPLES OF THE RESTRAINT WE HAVE SHOWN OVER THE PAST MONTHS ON WIDER FOREIGN POLICY ISSUES. WHILE THIS IS NOT A POINT I WOULD WISH TO PURSUE IN PUBLIC, IT COULD WELL BE ARGUED THAT WE HAVE BEEN A "BETTER ALLY" ON A WHOLE RANGE OF ISSUES OF CONCERN TO THE NORTH AMERICANS AND WESTERN EUROPEANS THAN SOME OTHERS IN RECENT MONTHS. SOME EXAMPLES - TO BE USED WITH DISCRIMINATION - FOLLOW:

I THROUGH THE LAST DEFENCE REVIEW STRESSED OUR ROLE CLOSER TO HOME WE CONTINUE TO HAVE A HELICOPTER DETACHMENT IN THE STRAIT MULTI NATIONAL FORCE. THIS WAS A DECISION TAKEN FOR GOOD ANZUS AND WESTERN ALLIANCE REASONS.

II SIMILARLY WE STILL HAVE A WELL TRAINED INFANTRY BATTALION STATIONED IN SINGAPORE. IT IS MAINTAINED FOR GOOD ANZUS REASONS.

III A MINOR SHIFT IN OUR KAMPUCHEAN POLICY TO EMPHASISE THAT WE DO NOT RECOGNISE POL POT IN ANY WAY WAS HANDLED WITH A

MISC 943 PAGE SIX

GOOD DEAL OF CONCERN FOR THE VIEWS OF OUR ALLIES BOTH ASIAN AND WESTERN.

IV THE GOVERNMENT HAS RESISTED WIDESPREAD PRESSURE TO MAKE TOUGH STATEMENTS ABOUT THE SITUATION IN NICARAGUA AND CENTRAL AMERICA IN GENERAL.

V OUR VOTING IN THE UN ON RESOLUTIONS INCLUDING DISARMAMENT RESOLUTIONS, HAS CONTINUED TO TAKE SERIOUSLY INTO ACCOUNT WESTERN POSITIONS AND SENSITIVITIES. THERE IS NO RADICAL DEPARTURE FROM PAST POSITIONS.

VI THE BRITISH WILL HAVE OBSERVED THAT AT SOME POTENTIAL COST TO OURSELVES - ALTHOUGH AGAIN THE HANDLING OF THE MATTER SEEMS TO HAVE ASSURED THAT THE AI AIR LINK IS TO BE RE-ESTABLISHED SHORTLY - WE ADHERED TO THE POSITION OF PRINCIPLE ON THE FALKLANDS AND VOTED IN A TINY MINORITY TO SUPPORT THE BRITISH.

VII OUR RESPONSES TO A WHOLE RANGE OF SOVIET OVERTURES FOR CLOSER BILATERAL POLITICAL RELATIONS HAVE BEEN VERY MEASURED - WE HAVE NOT ASGREGED TO ANY INCREASE IN THE STAFF CEILING OF THE EMBASSY, WE HAVE DECLINED A SOVIET REQUEST FOR A RESEARCH SHIP TO DO STUDIES IN OUR EEZ, WE HAVE DECLINED A LUCRATIVE PROPOSAL FOR SOVIET FISHING VESSELS TO COME TO NEW ZEALAND FOR MAINTENANCE, TOGETHER WITH REQUESTS FOR AEROFLOT FLIGHTS INTO NEW ZEALAND. A PROPOSED MINISTERIAL VISIT TO MOSCOW THIS YEAR HAS BEEN CANCELLED UNTIL A MORE PROPITIOUS TIME WHILE NO PREFERENTIAL TREATMENT HAS BEEN GIVEN TO THE USSR AS REGARDS FISHING RIGHTS, DESPITE PRESSURE FROM THEM ETC. ETC.

10 I MAKE THE ABOVE POINTS NOT ONLY TO PROVIDE SOME AMMUNITION

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FOR WASHINGTON AND CANBERRA IN PARTICULAR, BUT ALSO BECAUSE A DEGREE OF UNCERTAINTY IS APPARENT IN SOME REPORTING FROM POSTS ABOUT WHERE WE MIGHT BE HEADING ON A RANGE OF ISSUES. THE SITUATION IS THAT MINISTERS, COME HERE TO ACHIEVE A WORKABLE AND MUTUALLY SATISFACTORY ARRANGEMENT WITH OUR ANZUS ALLIES ON THE FUNDAMENTAL ISSUE OF NUCLEAR POLICY, HAVE TAKEN A SERIES OF PRAGMATIC DECISIONS IN THE FOREIGN POLICY FIELD THAT ARE NOT ONLY SENSIBLE IN THEIR OWN RIGHT BUT ALSO DESIGNED TO DEMONSTRATE PUBLICLY A FUNDAMENTAL COMMITMENT TO OUR ANZUS RELATIONSHIP AND TO THE WESTERN ALLIANCE GENERALLY. I SEE IT AS ONE OF THE FUNCTIONS OF HEADS OF MISSION TO GET THIS MESSAGE ACROSS IN CAPITALS WHERE IT IS APPROPRIATE TO DO SO.

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12/2338 [REDACTED]

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APPENDIX FOUR

31 August 1984 memorandum from M Norrish, Secretary of Foreign Affairs, to the Minister of Foreign Affairs, David Lange, and a related press release



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156 | 2 | 6

Mr. Morrison
Mr. Francis
Mr. Russell
Mr. McDonald

MINISTRY OF FOREIGN AFFAIRS
WELLINGTON

31 August 1984

The Minister of Foreign Affairs

REQUEST FOR CLEARANCE FOR UNITED STATES AIR FORCE AIRCRAFT

The United States Embassy has requested diplomatic clearance for USAF aircraft participating in the ANZUS exercise TRIAD 84, which as you know is to be conducted in this country in the period 23 September to 15 October. Your attention on diplomatic clearance for these aircraft is sought.

2 The aircraft concerned include 18 fighter aircraft (F15 Eagles and F16 Fighting Falcons), 1 aircraft warning and control system (AWACS), 5 Tankers for airborne refuelling and an unspecified number of cargo/troop carriers for deployment of personnel and equipment. Four New Zealand airfields will be utilised: Auckland International Airport; RNZAF base Whenuapai; RNZAF base Ohakea; Christchurch International Airport.

3 TRIAD 84 is the third in a series of land/air exercises hosted by New Zealand as our contribution to ANZUS combined training, the previous exercises having taken place in 1976 and earlier this year. As before, this year's exercise will involve members of the New Zealand Army and the RNZAF and their Australian and United States counterparts. No naval forces will be involved.

4 Mr Shultz has made it clear that the United States is not going to force the issue of visits of nuclear powered or equipped platforms before early 1985. It is our assessment that it is unnecessary for us to repeat the formula used in giving clearance to the visit of the French frigate concerning awareness of the Government's policy regarding visits by nuclear powered and/or nuclear armed vessels (or, in this case,

/ aircraft).

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aircraft). A routine clearance, making no specific reference to nuclear policy, would suffice.

5 The exercise may draw some attention from the media and the public. The Minister of Defence has already issued the attached press statement designed to emphasise that the exercise is a regular occurrence and involves conventional ground and air forces. Mr Doug Kidd, MP, has now stated that the F16s taking part are nuclear capable and has attempted to suggest that the Government is being inconsistent in its policies towards ships as contrasted with aircraft.

6 The Ministry of Defence says that no nuclear capable equipment will be brought here by the US ground forces. It confirms that the F16 is a dual role aircraft which can be used for ground attack purposes for which it might be equipped with tactical nuclear weapons in some theatres, e.g. Europe. The possibility of F16s coming here for the TRIAD exercise being so equipped is, however, so remote as to be discounted. The fact is that the situation of US aircraft is different from that of their ships. Since aircraft are seldom more than a few hours' flying time from their bases there is no requirement - unlike ships - for them to carry their nuclear armament with them on routine exercises.

7 Doubtless you will be questioned by the press, in the light of Mr Kidd's statement, about assurances you have had regarding the F16. We suggest that you say that you do not regard it as necessary to seek any specific assurances at this time from the United States Government. The press knows that Secretary of State Shultz has said that the United States will not be forcing this issue in the months immediately ahead - and we accept that assurance. In any event, the concept of "nuclear capability" is rather meaningless - a Wadestown bus (a Proton to Blenheim bus?) is theoretically nuclear capable. You may also wish to say that the fact that the TRIAD 84 exercises are going ahead illustrates our continuing commitment to ANZUS.

8 If you concur in the assessment in para.4 above, I suggest that we simply acknowledge the US request for diplomatic clearance in a routine fashion and make no specific reference to nuclear policy. A copy of this memorandum is attached for reference to the Minister of Defence if you agree.

(M Norrish)
Secretary of Foreign Affairs

h. Norrish *J. Gough*
Chang

PRESS STATEMENT

EMBARGOED Until
midday 30 August 1984

"An important ANZUS land/air exercise will be held in New Zealand over the period 1-14 October," the Minister of Defence, the Hon. F. D. O'Flynn said today. "This is the third in a series known as TRIAD, which involves the conventional ground and air forces of the three partners. The TRIAD series is sponsored by New Zealand. Similar exercises were held in 1976 and 1981".

Mr O'Flynn commented that the first part of TRIAD 84, the air phase, would take place in the week 5-9 October. Aircraft from the Air Forces of the United States, Australia and New Zealand will operate from Whenuapai, Waiouru, Ohakea and Christchurch, ranging over a wide area of New Zealand. Of necessity, some of the flying will be conducted at low altitude but it is planned that to the greatest extent possible this will be within the boundaries of gazetted low flying areas and air routes away from centres of population.

The United States Air Force is to deploy eight F-15s, ten F-16s, one E-3A and two KC-135 tankers and the Royal Australian Air Force ten Mirages, four F-111s and one Caribou. These aircraft will be serviced and manned by 500 visiting aircrew and ground staff. RNZAF participation will involve four Hawks, three Skyhawks, an Orion and Iroquois and Sioux helicopters.

The land phase of TRIAD 84 is to be a command and signals exercise based at Waiouru. It will run from 9-14 October. The command, staff and communications elements of three brigade headquarters, one from each participating nation, will be set up in the field, together with a New Zealand divisional headquarters.

Mr O'Flynn said that about 280 soldiers from the Australian and United States Armies would join their New Zealand counterparts for this phase of the exercise.

The Minister said that there would be a period of work-up before both phases of TRIAD and evaluation of the results would follow the active parts of the exercise. The debriefs will be completed and all overseas participants have left by 20 October.

Mr O'Flynn commented that TRIAD 84 would allow the land and air forces of the three allies to gain experience of working together in conventional operations and give an important opportunity to test tactical procedures and command and control systems for land/air operations. It was appropriate that New Zealand should host an exercise of demonstrable importance to the maintenance of effective defence in this part of the world. TRIAD 84 would be consistent with our commitments in the region and New Zealand's own defence and security interests.

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