

Parliamentarians for Nuclear Non-proliferation and Disarmament

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Introduction

On this historic International Day Against Nuclear Tests, marking the 25th anniversary of the cessation of nuclear testing in Kazakhstan, may I acknowledge our hosts the Government and people of Kazakhstan, and thank President Nazarbayev for the honour he has done this conference by addressing it.

May I also acknowledge Kazakhstan for its total elimination and decommissioning of all nuclear weapons formerly stationed on its soil and its leading efforts in the Central Asia Nuclear Weapons Free Zone. As a nation so devastated by nuclear testing, and with significant uranium resources, Kazakhstan has taken a stand for a responsible and peaceful future.

It is my honour today to represent the NZ PNND to summarise New Zealand's anti-nuclear stance, update you on recent developments and look ahead to the next stage of the peace-building agenda.

New Zealand's nuclear-free legislation: from novel to normal

New Zealand's stand against nuclear ship visits, notwithstanding its traditional ANZUS alliance with the United States, has been embodied in our nuclear-free New Zealand legislation.

Following controversy over a declined US naval visit in 1984, the landmark *New Zealand Nuclear Free Zone, Disarmament and Arms Control Act* was enacted in 1987. This Act:

- Requires the NZ Prime Minister to have regard to all relevant information in assessing whether a potential visiting vessel is nuclear armed or powered and must certify a vessel nuclear free before it can enter NZ territory¹
- Establishes a Minister of Disarmament and Arms Control², and
- Prohibits any agent of New Zealand from aiding or abetting the production, transfer or use of nuclear weapons anywhere in the world.

Following its enactment New Zealand was suspended from the ANZUS alliance between the United States, Australia and New Zealand.

However relations have gradually improved and the United States has now accepted an invitation to for a (non-nuclear armed or powered) naval vessel to attend the 75th anniversary celebrations of the New Zealand Navy later this year.

1. According to section 9 of the *New Zealand Nuclear Free Zone, Disarmament and Arms Control Act*, 'entry into internal waters of New Zealand':(1)When the Prime Minister is considering whether to grant approval to the entry of foreign warships into the internal waters of New Zealand, the Prime Minister shall have regard to all relevant information and advice that may be available to the Prime Minister including information and advice concerning the strategic and security interests of New Zealand.(2)The Prime Minister may only grant approval for the entry into the internal waters of New Zealand by foreign warships if the Prime Minister is satisfied that the warships will not be carrying any nuclear explosive device upon their entry into the internal waters of New Zealand.

2 This prominence and resourcing of this Ministerial role has varied according to the government in office.

This transcends a long impasse between the US policy to neither confirm nor deny the presence or absence of nuclear weapons, and the legal requirement for New Zealand to be nuclear-free.

The bipartisan New Zealand commitment to our anti-nuclear law, the publically announced US policy of removing nuclear weapons from all surface ships, and the importance of engagement in the Asia-Pacific region, have all assisted this.

There remains strong support in New Zealand for our anti-nuclear law, alongside public welcoming of the normalisation of relations with the United States.

Other anti-nuclear actions

New Zealand's anti-nuclear stance has led to a range of other domestic, regional and multilateral actions. While time does not permit a detailed survey, let me mention the following:

Public pension funds such as the New Zealand Superannuation Fund have divested from holdings in companies manufacturing nuclear weapons. However banks and private pension funds administering the government backed KiwiSaver scheme have invested in companies producing cluster munitions and potentially nuclear weapons, and these are now under urgent legal review.

New Zealand was instrumental in forming the South Pacific Nuclear Free Zone (SPNFZ) with the South Pacific Forum nations. This is a sister agreement to the Central Asian NFZ and we share a common vision for a world increasingly covered by such regional agreements as building blocks of a nuclear weapons free world.

We have pursued peace building and anti-nuclear initiatives through a range of multilateral fora:

- The 1996 International Court of Justice advisory opinion on the illegality of the threat or use of nuclear weapons
- Support for UN resolution calling for a nuclear weapons convention
- Support for the proposal to include the crime of employment of nuclear weapons in the Statute of the International Criminal Court.

This continues with support for tangible outcomes from of the Open Ended Working Group (OEWG), the ongoing work of the Non-Proliferation Treaty (NPT), and a strong commitment to the United Nations, the rule of international law, and peaceful diplomatic resolution of international disputes.

New Zealand is currently a member of the United Nations Security Council and the global peace agenda is central to the candidacy of former New Zealand Prime Minister and current UNDP Administrator the Rt. Hon. Helen Clark for the position of United Nations Secretary General.

Looking Ahead

Looking ahead, we must confront the possibility that around the world nuclear disarmament issues have become less salient in recent years. In the face of new and emerging threats, we must redouble our efforts towards peace building, the rule of international law and strong multilateral institutions.

The “New Nuclear Age”³ is predicated not only on the reinvestment by nuclear weapons states in modernising their arsenals, but on an increasingly unstable and multipolar security environment, including the risk of nuclear or fissile material being utilised in unconventional warfare.

Middle East conflicts remains acute with ongoing violence in Iraq and Afghanistan and the human tragedy of Syria is driving destabilising refugee flows across Europe.

In the West, increasing inequality and voter alienation is also polarising domestic politics – of which the recent Brexit vote, the rise of ultranationalist parties across Europe and a bitter US election campaign are examples.

Superpower tension remains visible in Ukraine and Eastern Europe, the potential for confrontation in the South China Sea (or the Straights of Taiwan), and in nuclear tension on the Korean Peninsula.

Against this sobering backdrop, progress continues on building the technical capacity to verify nuclear disarmament. There is hope these verification efforts will help frame NPT Review Conference. The OEWG provides an opportunity – if nuclear states allow it – for further progress.

Conclusion

In conclusion, Mr President, PNND colleagues and delegates, we are reminded that all evil needs to prosper is for good people to do nothing.

We are here because Kazakhstan did not do nothing. It ended nuclear testing and the presence of nuclear weapons on its soil.

I am here because New Zealand, by law, has banned the same from its territory, and this law has become the basis for a new non-nuclear consensus.

And we are all here because we know that despite progress, our world faces new and dangerous threats of a level that is serious and increasing.

On behalf of the New Zealand chapter of PNND, we pledge to continue to work with you all towards a just, peaceful and nuclear weapons free world.

³See for example Elbahtimy and Moran, King’s College London, The Telegraph, 29 April 2015