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THE ANZUS RIFT: THE POLITICS OF THE MATTER

By

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Preface

My first two tours in the RNZAF were flown on the New Zealand P3B Orions (a maritime patrol aircraft) back in the late '70s and early '80s. During this time many of the exercises conducted by No 5 Squadron were under the auspices of the ANZUS Alliance. Exercises such as RIMPAC, TRIAD and NAROMI were regular events, and just part of the expected flight training for the air force. The squadron also had US Navy exchange officers, both pilots and tactical coordinators during this period, and I was fortunate enough to fly with six US officers. Their vast experience, different perspectives and personal skills were invaluable—especially for such a small RNZAF squadron.

Of course, all interactions with the US ceased in 1986 after New Zealand enacted its anti-nuclear policy. The US reacted by suspending the ANZUS Alliance, curtailing all military interactions and reducing political contact to a very low level. This had little effect on me personally until I returned to P3K Orions in 1987, as the Flight Commander. There I was struck by the scarcity of exercises and training opportunities. It was a real problem to maintain an already reduced level of operational readiness. In fact, to this day the NZDF struggles to find exercise opportunities.

The end of the “Cold War” heralded many changes in the world situation, but not a change in the US policy toward New Zealand. Although political interaction recommenced, military cooperation remained non-existent.

In 1995 I spent three years in the Pentagon, working with the Plans and Operations Division of the USAF Air Staff—in the “International Standardization Office.” In February 1998 I was the New Zealand Liaison Officer (LNO) at Headquarters Central Command (USCENTCOM) during the Coalition Forces build-up in the Persian Gulf. The Pentagon tour was also followed by attendance at the Air War College (AWC) at Maxwell AFB in 1998/99. After such great interaction with the US, it struck me as being more than just puzzling that there was still an ANZUS rift. The depth of feeling was brought home to me when I met Lieutenant General Joseph J. Redden, Commander Air University, in June 1998. His first words were “are we talking to you now?” This was the catalyst for the paper.

In order to better understand why the US-NZ military relationship has been in a state of impasse for 14 years, I selected the “ANZUS rift” as my main research paper. In writing the paper I am especially grateful to Dr. Jeffrey Record for several key suggestions.

I only hope that someone, somewhere, some time soon within both governments, will take the time to review the “unfinished business” between these two former allies. If this paper is no more than a discussion piece then it shall have served its purpose. Should it be the catalyst for change then it will be more than worth its weight in gold.

Abstract

The New Zealand-United States military relationship has been in a state of suspension for some 14 years, with no change in sight. This is due entirely to the New Zealand anti-nuclear legislation of the mid 1980's. However, the world has changed significantly over the last decade, significantly enough to have seen the US conducting exercises with former Warsaw Pact enemies, while exercising with New Zealand—a previous ally—is forbidden.

As we approach the twenty-first century, can the two governments resolve their differences? Even within current national policies there is room to accommodate or even restore the military ties, yet neither side will initiate the first crucial move. Change may not necessarily mean a restoration of the ANZUS Treaty, but at least some normalization of the military relationship would be welcomed. Until that move is made, the ANZUS rift will remain. This is the politics of the matter.

This paper traces the history of the ANZUS rift, highlighting the slow progress made during this decade, the anomalies of the situation, and the need for military cooperation in an uncertain multi-polar world. The paper concludes with how, why and when a change should occur.

Chapter 1

Introduction

Last, loveliest, loneliest – apart

—Rudyard Kipling¹

There has been a long and enduring relationship between the United States (US) and New Zealand (NZ). The two nations speak a common language, have the same British heritage, similar culture and beliefs. Moreover, American culture, through the TV and movie media, has a strong influence on the New Zealand way of life. New Zealand fought along side the United States in the two world wars, Korea, Viet Nam, and the Gulf War. In fact, New Zealand and Australia are the only two countries to have fought alongside the US in every major conflict this century. Today, New Zealand prides itself in its initiatives in strengthening the United Nations General Assembly, supporting peacekeeping and arms control initiatives, and decrying abuses of human rights. Specifically, there has been a common commitment to helping sustain democracy and international security. Yet, this long and close relationship has somehow been forgotten.

New Zealand is not invited to conduct military exercises with United States forces. Nor will the United States participate in an exercise to which New Zealand is also invited. Furthermore, no New Zealand military aircraft or ship is to use US military installations for transit support nor for any other reason. The United States also limited intelligence support provided to New Zealand. So what occurred to make the United

States severely restrict military interaction for the entire year? What did New Zealand do to deserve these restrictions?

In fact, the NZ-US military relationship has been in a state of suspension for over 14 years, with no change in sight. Up until the latter part of the 1980's, even political relations were curtailed and there was even talk of economic sanctions from Congress. This was due entirely to the New Zealand anti-nuclear legislation initiated in 1984. But it must be remembered that the New Zealand anti-nuclear policy was invoked during the latter stages of the Cold War. The world has changed significantly over the last decade, yet there has been little movement on the NZ-US issue, and no improvement in the military relationship. The world changes are significant enough to have seen the US conducting exercises with former Warsaw Pact enemies, though exercising with New Zealand—a previous ally—remains forbidden.

As we approach the twenty-first century, can the two Governments not resolve their differences? Even within current national policies there is room to accommodate or even restore the military ties, yet neither side will initiate the first crucial move. This may not necessarily be a restoration of the ANZUS Treaty, but at least some normalization of the military relationship ought to be possible. Until that move is made the ANZUS rift will remain. This is the politics of the matter.

This paper traces the history of the ANZUS rift including the presidential influence on the issue. It also highlights the slow progress made during this decade, the anomalies of the situation, and the need for military cooperation in an uncertain multi-polar world, and New Zealand's missed opportunities in the military arena. Particular emphasis is

given to the inconsistency of the NZ-US military relationship. The paper concludes with how, why and when a change should occur.

Notes

¹ Rudyard Kipling made this statement when he visited Auckland late in the nineteenth century; and in a metaphor for the whole country, described that great city in the context of an empire.

Chapter 2

Background to the ANZUS Rift

Each Party recognizes that an armed attack in the Pacific Area on any of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger...

—ANZUS Treaty, Article IV

The ANZUS Treaty

US and New Zealand strategic attention in 1950 was focused on North-East Asia—China, Japan and Korea.¹ The United States interpreted conflict in Asia less in terms of threats to its security but rather in terms of a global Cold War between East and West. This situation was of great concern to New Zealand, enough concern that New Zealand sought a security guarantee from an initially reluctant United States. The concerns were fear of a resurgent Japan; fear of the expansion of communism, especially from China; and concern to “bolt the door” in the Pacific to allow New Zealand and Australia to contribute to Commonwealth defense arrangements in the Middle East.² A security guarantee would also allow New Zealand and Australia an entrée into the Western alliance without the need to go through London. The US had its own concerns; it was worried about the containment of Sino-Soviet communism, the onset of the Cold War, and the need to rearm the Germans and assist Japan. This latter point needed some

serious negotiation before the US could appease the allies. These factors culminated in the ANZUS Treaty being signed in San Francisco on 1 September 1951.

The ANZUS Treaty established a trilateral framework between the United States, Australia and New Zealand—not only for security arrangements but for practical cooperation in the Pacific across the board. In 1985 the President of the New Zealand National Party, Sue Wood, said that “the ANZUS Treaty is not only the pivot of the New Zealand defence system, it is also an expression of unity with Australia, the United States and the Western World.” Although collective security arrangements remain as valid today as they were in 1950, the ANZUS Treaty did not survive the Cold War. Cracks appeared in 1984, and it crumbled in 1986.

The Anti-Nuclear Policy of New Zealand

New Zealand has always been supportive of idealistic issues—from anti-war protests in the late ‘60s, environmental issues, anti-apartheid, anti-nuclear, to anti-abortion today. Each issue has brought the people together, sometimes in impassioned protest. This is what defines New Zealanders, “a population and national psyche ...[that will] single mindedly embrace a concept so totally and adamantly.”³

Fear of nuclear war as much as of nuclear disaster preoccupied the New Zealand public mind in the early 1980s in contrast to the more explicitly environmental concerns of the 1970s.⁴ Whenever a US naval vessel visited New Zealand it was met by a flotilla of protest boats and even more vocal protest ashore. Support for the anti-nuclear issue brought the New Zealand Labour Party to power. Suggestions floated by the Labour Government in 1983 about allowing nuclear powered vessels into New Zealand waters met with the wrath of party activists who reminded all that they had overlooked the

environmental origins of the anti-nuclear movement.⁵ Others, however, saw it as an arms control issue, for others a moral question and still others a pragmatic issue of safety. No matter the reason though, the nuclear-free policy met popular backing.

New Zealand Nuclear Free Zone, Disarmament and Arms Control Act

On becoming the Prime Minister (PM) in 1984, Mr David Lange introduced his new government's "Nuclear Free New Zealand Bill."⁶ Under this bill, permission to enter New Zealand would be granted, by the Prime Minister, only to craft that were neither nuclear powered nor carrying nuclear weapons. Although this Bill was not set in legislation until 4 June 1987, it was effectively in force from 1985 by popular consent.

The South Pacific Nuclear Free Zone Treaty

New Zealand, along with Australia, was also formulating further anti-nuclear legislation—The South Pacific Nuclear Free Zone Treaty of 1985. The Treaty addressed concerns about the possibility of a breakdown of the nuclear peace, an unchecked qualitative and quantitative proliferation of nuclear weapons among nuclear-weapon states, nuclear weapons deployment, and nuclear testing in the South Pacific. The area covered by the Treaty is vast, covering Australia, New Zealand and the Pacific Island States south of the equator. The text of the treaty supports, as expected, the renunciation, prevention of stationing, testing and dumping of nuclear devices within a very large South Pacific region (see Appendix B for text). The protocols have been open for signing by the nuclear capable nations, namely China, France, Great Britain, Russia, and the United States. The USSR and China signed in 1986 and 1987, respectively, but each of the former nations listed stated "they will not sign." The key issue for the United States was Article 5 on the prevention of Stationing of Nuclear Explosive Devices, where "each

party undertakes to prevent in its territory the stationing of any nuclear explosive device.”⁷

United States Issues

The ANZUS Treaty was seen as a key element in US-backed collective security efforts against the perceived Soviet threat in Southeast Asia and the South Pacific. The US argued that New Zealand’s share of the burden of collective defense was, in part, to host US warship visits. The New Zealand anti-nuclear policy was of concern for the following three reasons:⁸

1. It challenged the burden sharing arrangement that prevailed.⁹
2. If not deterred, New Zealand’s policy could spread to Australia, Japan, and other countries in Western Europe (i.e. Norway, Spain, Greece, and Denmark).
3. To officially overrule the “confirming nor denying” of nuclear weapons would seriously weaken US naval deployment postures.

The US would have to make a compromise to accommodate New Zealand’s policy. And the US was not about to compromise to a country of “little consequence” and with which it has only limited economic interests.

Refused Visiting Rights

In 1986 the *USS Buchanan*, a conventionally powered vessel, was refused visiting rights.¹⁰ New Zealand initiated the “nuclear free” Bill, and in response the US would “neither confirm nor deny” that the ship carried nuclear weapons. An elderly vessel that “was almost certainly not armed with nuclear weapons... had to be rejected... Near-certainty was not now enough for us.”¹¹ The State Department took the offensive and issued a statement that, “the denial of port access would be a matter of grave concern which goes to the core of our mutual obligations as allies.”¹² A short time later, on 11 August 1986, the US Secretary of State, Mr George Shultz, informed New Zealand in a

letter, “that the United States is suspending its security obligations to New Zealand under the ANZUS Treaty due to the continuing failure of that country to restore normal access to allied ships and aircraft.”¹³

New Zealand has remained divided between security and the very New Zealand aspiration to be anti-nuclear. Thus a majority of New Zealanders wanted both ANZUS and no nuclear visits.¹⁴ Unfortunately the New Zealand anti-nuclear stance was interpreted in the 80s and early 90s by the US as anti-Americanism. This was by far not the case:

It is not that New Zealanders are anti-American—over-whelmingly they are not—it is not that they shirk their weight in an alliance: it is that today they—like Latvians or Lithuanians—reserve the right to decide, as Norman Kirk suggested, what New Zealand’s interests are.¹⁵

Each nation had interpreted the political messages it had received, had taken a stand, and was now unwilling to move from that position.

Interestingly, there is no formal provision in the ANZUS Treaty for a signatory to arbitrarily suspend security obligations. However, Australia, and New Zealand in particular, accepted this “notice” since the only alternative would have been for the US to cease to be a member of the ANZUS Council. This would truly have exacerbated the problem because at least Australia and the US have continued to meet annually as part of the Council. New Zealand, on the other hand, has continued its close military relationship with Australia, thus only the US-NZ leg of the triad is missing. This way the US can arbitrarily resume the ANZUS Treaty obligations at some future date, should it choose to do so.

Setting the Boundaries

Several points either colored or set boundaries on the dispute. First, there was a personality clash between Lange and Shultz that at best was said to be “not good”, hindering any discussion on the subject. Second, there was fear that New Zealand’s anti-nuclear stance would be contagious and therefore needed direct action to stop the spread of “disease.” Finally, while the US did react harshly, it did set clear boundaries to the “punishment” that New Zealand was to receive—namely suspension of military cooperation and senior-level contact between officials. This stopped all official high-level political and military contact with the US. Further, military training, exercises, courses, and military exchanges ceased. Furthermore, New Zealand lost its most favored nation status for military spare parts, and shared military intelligence was severely “filtered.” Ironically this harmed the organization most committed to cooperation with the US. Moreover, it also rendered the New Zealand Defence Force (NZDF) less able to perform the tasks that the US ostensibly claimed were important to it.¹⁶ This was the US policy from 1986 to 1990. The crack was now an abyss.

Presidential Views

The United States is the world’s greatest superpower, and its President is the most powerful foreign policy maker and world leader. As such, each President set the agenda when it came to the relationship with New Zealand. An understanding of Presidents Reagan, Bush and Clinton is revealing in showing how they reacted to New Zealand’s anti-nuclear policy. The role of the State Department and Secretary of Defense in the review process is also revealing. More importantly, it reveals why there has been little enthusiasm or effort to improve the relationship.

Reagan

With the election of President Ronald Reagan in 1980, the president embarked on rhetoric and policies which were more nakedly confrontational with the Soviet Union than anything since the days of John Foster Dulles in the mid 1950s. There can be little doubt that US-Soviet relations had entered a new and dangerous phase. Reagan believed the world was as bipolar in the 1980s as it was in 1950. The resurgence of the long inactive anti-nuclear movement in the West was one indication of the depth of popular concern over the revival of Cold War politics.¹⁷ Furthermore, the US arms build-up was associated with a distinct swing to the right in domestic politics, expressing a repudiation of permissive social values at home and distaste for compromise abroad.¹⁸

Not surprisingly, Reagan came down hard on New Zealand, especially with New Zealand's untimely introduction of the anti-nuclear policy when he was negotiating the Intermediate Nuclear Forces (INF) Treaty (finally signed in 1987). The irony of the situation was not lost on the New Zealand public. Just like the Soviets, the US was quick to use strong-arm diplomacy on the wayward subordinate ally. The aim was of course to deter other allies not to follow New Zealand's policy. The depth of feeling remains today, as one AWC Professor noted "The New Zealand Government succumbed to anti-nuclear hysteria and in so doing effectively destroyed its defense relationship with the US. What should the US have done?"

Bush

When Bush took office in 1989 he continued unchanged the policy of suspending its security obligations to New Zealand. Even after the collapse of the Cold War this policy remained extant. Yet the principal collective good the United States provided other

countries during the Cold War, protection against the Soviet Union, had disappeared. To understand this, it is necessary to look at Bush's method of making foreign policy. Bush's policy decisions were essentially reactive in character rather than arising from a coherent vision of how the United States intended to lead the post Cold War world.¹⁹ To be fair, from 1989-1991 President Bush was totally preoccupied with events in Europe, USSR, and the Persian Gulf. Therefore, no policy review on New Zealand was undertaken, and the relationship between New Zealand and the United States remained one of tension and suspicion.²⁰ Nonetheless, from late 1990 a few high-level political contacts were initiated, and in September 1991 came the first dedicated meeting between a NZ Prime Minister and the US President since 1983, highlighting that "it had been a long time for a stand-off between friends."²¹ The meeting resulted in the New Zealand Prime Minister looking at ways to further improve relations and perhaps change New Zealand's nuclear policy.

Clinton

In 1992 Clinton ushered a new look at the world and the policies of the United States. He was the first president not preoccupied with the central struggles against totalitarianism in WWII and the protracted Cold War. "The state of the US economy, the national finances, and persistent social problems largely drove foreign and defense policy out of the 1992 presidential race. The 1996 campaign was little different."²²

However, the post Cold War made for an uncertain world and the US had no choice but to remain engaged in international affairs—although with a narrow economic focus. Thus, international economic policy in the post Cold War world has proven to be the focal point of policy and structural innovation during the Clinton presidency.²³

Moreover, in the first months of 1993 the US had a public and a president less interested in international affairs than at any time in the previous six decades.²⁴

As Clinton had devoted virtually none of his political career to international matters, it took several years before he made a positive change in policy towards New Zealand. In November 1993 President Clinton stated that “he would have the appropriate officials review the application of the existing presidential directive” in dealing with New Zealand on defense, security and intelligence matters—since it was not a policy he had introduced.²⁵ Thus a review was performed.

The review officials were the State Department’s Asia and the Pacific desk officers and country directors, who both manage the day-to-day relations between the United States and their country of specialty. As such, the State Department possesses the specialized knowledge and analytical insights on which sound policy-making depend. The desk officers often exert considerable influence in formulating US foreign policy toward their area.²⁶ However, they have a two-year rotation, and policy is nonetheless actually set at a higher level. The presidential directive drives the policy and thought processes. This is where the direction must come, from the top, not pushed from below. Presidential Directives set the original policy in 1986 and then again in 1994, when high level visits were recommenced. Therefore change must again come from the President.

While from 1991 to 1994 there was a little thawing of the relationship, it required a presidential directive to make a change. Clinton resumed high level contacts with New Zealand. Thus, in February 1994, US Secretary of State Warren Christopher announced the results of a review of the overall policy toward New Zealand. He stated that:

...we have decided to restore senior level contacts between US officials with their New Zealand counterparts for discussions on political, strategic

and broad security matters...[this] does not signify a restoration of our previous alliance with New Zealand under ANZUS nor does it foreshadow adjustments in other areas of our previous security cooperation that have been curtailed.²⁷

This statement summarizes the situation that prevails to this day. As such there remains a major fissure between the US-NZ defense leg that neither nation is willing to fill.

Moreover, Clinton made further changes that seem to have gone unnoticed. There is some confusion in both New Zealand and the United States about what status the US has given New Zealand. Under United States Code pertaining to Title 22 Foreign Relations and Intercourse, New Zealand has been designated as a major non-NATO ally. This designation also applies to the Arms Export Control Act (Section 65 of the Arms Export Control Act specifically). The initial designation lists Australia, Egypt, Israel, Japan, the Republic of Korea, and New Zealand. The text goes on to state that these nations "...shall be deemed to have been so designated by the President as of the effective date of this section, and the President is not required to notify the Congress of such designation of those countries."²⁸

The effective date of this "designation" was 21 July 1996. Perhaps because Congress never needed to be consulted there is a lack of awareness all round regarding New Zealand's status. Moreover, New Zealand embassy officials are so sensitive about the issue that they do not want to acknowledge the change publicly for fear that should it become common knowledge, Congress (or the President) might conclude that New Zealand was "inadvertently listed."²⁹ Such is the paranoia that New Zealand embassy officials seem willing to do almost anything "not to get off side" with the US.

The phrase "unfinished business" is commonly understood to have been coined in 1995 by Secretary of Defense Perry regarding the NZ-US relationship.³⁰ The phrase was

a useful device to separate the small parts that could not be agreed or resolved, while allowing the relationship to move on. Under Secretary of Defense Perry progress was being made.

Perhaps the biggest hurdle in the NZ-US relationship today is Secretary of Defense William Cohen. He is apparently not in favor of improving defense relations, especially during his tenure. It was as Senator Cohen in 1985 that he sponsored the introduction of Resolution 66 under section 701(a)(2) of the Tariff Act of 1930 that would “withdraw from New Zealand the benefits of the injury test” to dutiable imported products.³¹ This was a direct attempt at introducing economic sanctions. Moreover, under the same Resolution, Cohen suggested a separate, bilateral US security treaty with Australia.³² This would have paved the way for dissolving the ANZUS Treaty altogether. Luckily, Congress did not accept these resolutions. One can only surmise that even today Cohen remains firm in his stand against New Zealand.³³

Review Effort

Until there is a reason to take a new look at New Zealand, the US will not change its present policy, even though there appears to be no cost to the US in making a change—and only benefits to be gained. The effort and cost needed involves getting a US official with sufficient clout away from other more pressing and important matters, such as China, Russia, Japan, or the European Union, and onto New Zealand even for a couple of days. Who is going to devote the time and effort to make a change? For the US, simple inertia may be the main reason why policy remains unchanged—inertia and President Clinton’s relative lack of interest in foreign affairs. But how does New Zealand get over the hurdle? One can only conclude that New Zealand does not even merit the small effort

required. The answer may simply be that the US is just waiting for New Zealand's reassessment of its legislation to permit a return to full ANZUS cooperation. Thus New Zealand should also be proactive in the relationship and review its nuclear policy.

Despite the dramatic changes in the world strategic situation, no comprehensive review of the US policy toward New Zealand was conducted, nor did New Zealand reassess its policy. The US and New Zealand seem frozen in time. Many of the very reasons the US was concerned over the New Zealand nuclear policy have disappeared; similarly, many of New Zealand's concerns over nuclear safety and war have also disappeared. The world has moved on since the troubled days of the 1980's, and yet there is no change in the US-NZ relationship.

Notes

¹ Richard Crockatt. *"The Fifty Years War,"* London, 1995, p 93.

² Bruce Brown. "Background to the ANZUS Pact," *NZIR*, Mar/Apr 1996, p 10.

³ Edgar J. Smith, Jr. "ANZUS: In or Out of Trouble?" Unpublished paper, Columbia University, May 1997, p 9.

⁴ A nuclear disaster or accident was thought to be more likely than nuclear war, and as such was considered to be very destructive to the planet.

⁵ Malcolm McKinnon. *"Independence and Foreign Policy: New Zealand in the World Since 1935."* Oxford University Press New Zealand, 1993, pp 279-282.

⁶ This Bill was submitted in July 1984 and applied to both nuclear-powered and nuclear-armed craft (i.e. ships and aircraft).

⁷ Steve Hoadley. *"The New Zealand Foreign Affairs Handbook."* Oxford University Press, New Zealand, 1989, pp 54-55.

⁸ Robert G. Sutter. "Crisis in US-New Zealand Relations: Issues for Congress." *Report No 85-92 F*, CRS. Feb 26, 1985, pp 4-6.

⁹ Letting US warships visit New Zealand ports was considered to meet the sharing arrangement, with US Navy ship visits averaged around 10 per year in the 1970's. Robert G Sutter. "Crisis in US-New Zealand Relations: Issues for Congress." *Report No 85-92 F*, CRS. Feb 26, 1985, p 3.

¹⁰ The *USS Buchanan* was a conventionally powered vessel that was nuclear weapons capable and could, therefore, have been carrying nuclear arms.

¹¹ David Lange. *"Nuclear Free, The New Zealand Way."* Penguin Books (New Zealand) Ltd 1990, p 87.

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¹² Ibid, p 90.

¹³ Alan Burnett. *"The ANZUS Documents."* Canberra: The Australian National University, 1991, p26. This reference contains a complete copy of the letter.

¹⁴ Frank Corner. "Defence and Security: What New Zealanders Want." *Report of the Defence Committee of Inquiry*, July 1986, pp 38-44.

¹⁵ Keith Jackson. "New Zealand in 1991: A Nation is as a Nation Does," *New Zealand International Review*, Jul/Aug 1991, p 27.

¹⁶ Malcolm McKinnon. *"Independence and Foreign Policy: New Zealand in the World Since 1935."* Oxford University Press New Zealand, 1993, p 285.

¹⁷ Richard Crockatt. *"The Fifty Years War,"* London, 1995, p 5.

¹⁸ Ibid, p 5.

¹⁹ Donald M Snow; Eugene Brown. *"Beyond the Water's Edge,"* An Introduction to U.S. Foreign Policy, New York, 1997, p 122.

²⁰ James B. Bolger, The Right Honourable. *"A View From the Top – My Seven Years as Prime Minister,"* Viking, Penguin Books (NZ) Ltd, October 1998, p 147.

²¹ Ibid, p 148.

²² Barry R, Posen and Andrew L. Ross. "Competing Visions for US Grand Strategy," *International Security*, Vol.21, No.3, Winter 1996/97, p 6.

²³ Donald M. Snow; and Eugene Brown. *"Beyond the Water's Edge,"* An Introduction to U.S. Foreign Policy, New York, 1997, p 158.

²⁴ Michael Mandelbaum. "Foreign Policy as a Social Work." *Foreign affairs*. Volume 75 No1 Jan/Feb 1996, p 19.

²⁵ James B. Bolger, The Right Honourable. *"A View From the Top – My Seven Years as Prime Minister,"* Viking, Penguin Books (NZ) Ltd, October 1998, p153.

²⁶ Donald M Snow; Eugene Brown. *"Beyond the Water's Edge,"* An Introduction to U.S. Foreign Policy, New York, 1997, p148.

²⁷ US Department of State press release. *"US-New Zealand Relations,"* dated 18 February 1994.

²⁸ "United States Code," 1994 Edition, Supplement II. Containing the general and Permanent Laws of the United States, Enacted During the 104th Congress. Vol2, Title 12 – 26. US Government Printing Office, Washington, 1997. Title 22, Section 2321k(b), p 871.

²⁹ As I worked in the New Zealand Embassy in Washington DC from May 1995-May 1998, I was briefed on the change in status to "major non-NATO Ally." Interestingly I was also briefed not to use this information to assist in resolving the legality of a military loan problem. Moreover, it was my opinion that the political staff were also worried about a possible New Zealand public backlash about "getting back into bed" with the US.

³⁰ The first use of this phrase by President Reagan in 1987 is intriguing. On the 40th anniversary of Yalta, President Reagan expressed the view that "the reason Yalta remains important is that the freedom of Europe is unfinished business." The issue, he said, "was not territory or boundaries but democracy and independence." (Richard Crockatt. *"The Fifty Years War,"* London, 1995, p306). In more recent times, theologian Michael Novak wrote that having met the political and economic challenges of the century, he

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asserted a third great challenge needed to be faced. “How, then, shall we live? How must we live, to preserve free societies and to be worthy of the blood and the pain? This is the unfinished business of our century...” (Michael Novak. “The Most Religious Century,” *The New York Times*, Section 4 OP-ED, Sunday May 24 1998, p11. Novak is a theologian at the American Enterprise Institute). In each case the issue of “unfinished business” has been related to a struggle for democracy, independence and freedom—all coveted by New Zealand society. Thus, the phrase is both complex and simple in its application to the NZ-US relationship.

³¹ In explanation, “the US would not be required to determine the existence of injury to a US industry with respect to a dutiable imported product in countervailing investigation involving imports from New Zealand. Such an investigation can be begun upon a petition with substantiating evidence from a US claimant or by the US Department of Commerce. A countervailing duty equal to the amount of foreign subsidy could then be levied merely upon determination of such subsidy.” Robert G. Sutter. “Crisis in U.S.-New Zealand Relations: Issues for Congress.” *Report No 85-92 F*, CRS, The Library of Congress, February 26, 1985, pp 6-7.

³² Robert G. Sutter. “Crisis in U.S.-New Zealand Relations: Issues for Congress.” *Report No 85-92 F*, CRS, The Library of Congress, February 26, 1985, pp 7-8.

³³ Although the New Zealand Embassy political representatives will not elaborate on the subject, it is generally noted that when dealing with Secretary of Defense Cohen he is rather standoffish and not receptive towards suggestions to improve the defense relationship. One past secretary to the New Zealand Ambassador said more directly “he dislikes New Zealand.”

Chapter 3

Policy Relevance: Post Cold War Changes

In recent times neither New Zealand nor the US has let the unfinished business on defence interfere with the bilateral relationship in all other fields.

—Ex-New Zealand Prime Minister James B. Bolger¹

For 45 years, the Cold War had provided the fixed compass points of world affairs. It defined the arena within which American policymakers were forced to operate. The world was a bipolar schism between two ideologically incompatible superpowers, each heavily armed and each presiding over its subordinate bloc of allies.²

The bipolar world had disintegrated by 1990, leaving an unfamiliar world and one superpower. 1989 saw the brutal crackdown on student protesters in China, the collapse of communism in Central Europe, and the US invasion of Panama. The years 1990 and 1991 were dominated by the US-led effort to expel Saddam Hussein from Kuwait and the definitive failure of communist rule in the Soviet Union. 1992 saw the eruption of ancient ethnic hatreds in the formerly communist-controlled republics that had comprised the Soviet Union and Yugoslavia, as well as the promise of a single North American trade bloc and a new global emphasis on the environment. Most importantly though, in December 1991, following the re-drawing of the political map of central Europe, the Soviet Union itself finally disintegrated and with it the Cold War.

Although the Cold War is a distant memory for many, the experiences it created remain an important part of the backdrop of current US policy. As such it is impossible to fully understand the current policy debates without understanding the context of the past—as this shapes the present and future policy. Yet it has now become difficult to find a link or reason that was a major part of the original rationale for demanding the suspension of the ANZUS Alliance. But the reasons had gained such force that they constrained policy makers in any effort to revise the formula in light of the demise of the USSR. Until the US moves away from the label of the “post-Cold War world,” New Zealand seems to be condemned to the ruling made in that era.

Mr James B. Bolger, Ex-Prime Minister of New Zealand recently summed the situation up as follows:

The nuclear issue has been a major difficulty for both countries. But since the early days of the dispute the personalities and circumstances have all changed. The surges of passion surrounding New Zealand’s original anti-nuclear decision have abated. The ‘evil empire’ has gone, the cold war is over and nuclear weapons have been removed from surface vessels. Nuclear testing had stopped...”³

One is left wondering what it would take to initiate a positive change in the presidential directive to improve the security relationship. The relevance of current US and NZ policy is questionable in the post Cold War world.

United States Navy and Nuclear Policy

The US has a very active policy of nuclear arms reduction through the START Treaties. New Zealand has similar aims, though through a different means, with its “Disarmament, and Arms Control Act.” It appears incongruent, therefore, that the US advocates a punitive policy against New Zealand for taking a firm stand in furthering non

proliferation goals. Nonetheless, US arms control policies and New Zealand's disarmament policies, though at different ends of the spectrum, are congruent.

President Clinton has been far more receptive and supportive of anti-nuclear issues. Although, on 18 May 1994, the House Foreign Affairs Committee reported to Congress urging US support for the South Pacific Nuclear Free Zone Treaty, no positive action was taken. Nonetheless, France, Great Britain, and the United States signed the Protocols on 25 March 1996—a further sign of accommodating the interests of New Zealand.⁴

In September 1991 President Bush proposed to remove all nuclear weapons from US surface naval vessels. This meant the US would no longer deploy naval ships with tactical nuclear weapons (“nukes” would only remain on ballistic missile submarines). While the New Zealand Government, or more specifically the Prime Minister, could accept this statement on face value and allow a conventional vessel to visit New Zealand—he would not. The US could also take the further step of confirming that no nuclear arms are being carried—they could not. Neither government would accept the obvious and practical solution to the situation.

Restating Why the United States Suspended Security Obligations

Admiral Charles R. Larson, USCINCPAC, set the tone for the NZ-US relationship for the 1990s. While giving testimony to the Senate Armed Services Committee on 21 April 1993, regarding the possibility of normalized relations as the US had removed nuclear weapons from USN ships, he stated:

In my view, it would be wrong for us to move forward and establish a relationship with an ally that is only a fair weather ally. You know, we will stick with you as long as you meet our conditions, but if a crisis occurs in the world then we will not be your friend any more.⁵

Two points cry out for comment. First, New Zealand has stood by the US in all-significant operations undertaken this century—WWI, WWII, Korea, Vietnam, and the Persian Gulf. To say New Zealand was a “fair weather ally” was, at the least, unreasonable. Second, “the US position was essentially that its allies could not impose special conditions on their security relationships.”⁶ With these testimonial arguments it is not hard to understand why the standoff continues.

Admiral Charles R. Larson’s visit to New Zealand in 1994 reinitiated the first of many senior military interactions between the two countries. Ironically, though he was about to retire and was on his last visit when he arrived in New Zealand, when speaking to the New Zealand Institute of International Affairs on 12 April 1994 he restated why the US suspended security obligations to New Zealand in 1986.

The United States, for its part, determined that the use of nuclear technology was indispensable to our security—and also to our friends and allies. As kindred democracies, we respected each other’s right to disagree. But the United States could not meet the requirements of your decision, and still fulfill our international responsibilities for maintaining peace and stability—or our responsibilities to our many friends and allies who support our engagement in the region with places and bases and who agreed to stand with us in bearing the responsibility of nuclear deterrence. With considerable regret, we suspended our ANZUS security obligations in 1986.⁷

If the reasons given above are the truth of the matter, then the major impediment to resuming military relations have all but vanished. Admiral Larson emphasized the US *determined* that nuclear technology was indispensable to New Zealand’s security, and under Cold War terms this was true, but the US could just as easily (in today’s global strategic situation) determine that it is not now necessary. In fact, the US made the first move in this direction when it removed all nuclear weapons from its ships by 1994. By

inference the US has decided that it can provide the greater part of nuclear deterrence from CONUS.

Even today it appears the US will not move on this issue but instead expects New Zealand to change its fundamental nuclear policy. The statement found in the State Department background notes on New Zealand supports this premise, notably, “the United States would welcome New Zealand’s reassessment of its legislation to permit that country’s return to full ANZUS cooperation.”⁸ The State Department has not moved from this premise since 1986, nor seems willing to negotiate the point today.

Safety of Nuclear Powered Ships

The New Zealand Prime Minister James Bolger saw an opportunity in late 1991 to improve relations with the US, what with the collapse of the Soviets and President Bush’s announcement that all nuclear weapons would be removed from its naval surface fleet. PM Bolger saw an opportunity to change the New Zealand nuclear policy by removing the ban on nuclear-powered vessels, but he realized he needed to first convince the New Zealand public that nuclear powered vessels were safe. He therefore set up a “Special Committee on Nuclear Propulsion” in 1992 to set the record straight once and for all on the dangers (defined in terms of risk and safety) of nuclear propulsion. The report “The Safety of Nuclear Powered Ships,” published in December 1995, was comprehensive. The essential findings of the committee were significant and interesting.

The likelihood of any damaging emission or discharge of radioactive material from nuclear powered vessels if in New Zealand ports is so remote that it cannot give rise to any rational apprehension.⁹

As well as a further five “findings” that reinforced the statement made above, the report also found that “there was a serious lack of understanding and knowledge, and

much misinformation, in the minds of the public concerning safety and technical issues related to nuclear powered vessels.”¹⁰ “In other words, nuclear-powered vessels were safe but it was a political decision whether such vessels came to New Zealand.”¹¹ Unfortunately, the report did little to resolve the debate. First, there was a distinct lack of enthusiasm in New Zealand for a change in policy. Second, New Zealand’s public announcement built up US hopes of a change in policy but the only result was to further upset the US Government by not acting on the findings.

New Zealand Anti-Nuclear Policy Today

In 1990 both major political parties had campaigned on retaining New Zealand’s non-nuclear position and that a solution to the impasse would have to be found elsewhere.¹² Politically the Labour Government, as staunch supporters of the nuclear free legislation, would not consider amending the Act. The National Party, by contrast, while willing to take steps to change the legislation, has not held a strong enough majority to get the Act changed. In fact the present National-led Coalition Government has only a slim seat margin (62-58) in the House of Representatives, and any attempt to initiate change would be defeated and could bring down the Coalition. The end result is that neither major party has the will nor support to change the Nuclear Free Act.

New Zealand will not change the anti-nuclear policy for three reasons. First, as stated above, the fragility of the governing party is such that to attempt a policy change would be akin to political suicide. Second, the people want it and the politicians want it. More correctly, there was—and still is—a distinct lack of enthusiasm in New Zealand for a change in policy. Third, even if the government could change the anti-nuclear policy, it would most likely be changed back by successive governments, resulting in a most

unsatisfactory “light switch” change in policy every three years. What's more, announcing the change would only build up US hopes, to only see it changed back again, thereby further upsetting the US Government by not acting consistently. This is a no win issue, that was and is divisive both in New Zealand, and between US and New Zealand officials. In short, “It was a policy that continued to evoke tides of emotion from people on both sides.”¹³

There is little political will in New Zealand for legislative change. Change must therefore begin with cooperative military measures short of nuclear policy alteration—but with the clear understanding that policy will have to change eventually to ensure a long term solution.

Political Relations

In recent years, the combination of a US preoccupied with domestic and other foreign policy issues has led to declining attention towards Australasia. Understandably, attention has been diverted into other regions. Regardless, some interests still remain and span the security, economic, political, and environmental issues.

In June 1993 Prime Minister James Bolger suggested to the American Chamber of Commerce in Wellington, that the US and New Zealand adopt a two track policy to improve ties. He suggested a defense track and a political track; the two countries would agree to disagree on nuclear ships, but would pursue an improvement in political relations. Over the next year or so there was little change; however, the US appears to be now following the dual policy track to improve ties. True to this policy, political and economic relations are now very good but military relations are not.

There have been at least 15 senior separate US Government representative visits to New Zealand over the last five years. The March/April 1995 New Zealand Prime Minister James Bolger's visit to Washington, DC, "represented another step forward ...but, the basic disagreement remained."¹⁴ Nonetheless, regular visits have become the norm. For example, General Michael Ryan, Chief of Staff of the Air Force, visited New Zealand in April 1998. Today, political relations are so good that US Secretary of State Madeleine Albright visited New Zealand on 01 August 1998 and New Zealand Prime Minister Jenny Shipley had a short meeting with President Clinton on 15 January 1999. Most notably, President Clinton has planned a state visit following the APEC summit in September 1999; he will be the first US president to visit New Zealand since LB Johnson in 1968. There is obviously no restriction on political contact nor any hesitation from the US to make the journey to New Zealand.

It is perhaps fortunate that the Right Honourable James Bolger, the ex-Prime Minister of New Zealand, is now the New Zealand Ambassador to the United States. Bolger has vast political experience and numerous US connections, having, for example, met George Bush back in May 1982. Moreover, he has held high political positions in New Zealand since the "nuclear debate" commenced, and understands the nuances of the problem. He has much to offer and is perhaps now, more than anyone in New Zealand, in the right position to influence the US on the issue of New Zealand military relations.

The overall relationship is unimpaired and valued by both governments. Politically, therefore, there are now no impediments to continued good relations.

The Military Relationship

New Zealand has a “most favored nation” status for trade, is a “major non-NATO ally” for arms exports, is a coalition “partner”, and a “valued member” of the UN. There is little room for New Zealand to improve its status—except in security cooperation that is. Defense and security issues remain as the only area where the US has not relaxed her policy—security obligations remain suspended. Nonetheless, today there are numerous examples of military interaction that highlight the anomalies of the situation.

Training

Training of New Zealand military personnel recommenced in the 1990’s after a period of suspension. It is now quite common to see New Zealand military personnel at senior Staff courses for all four services, and at other specialist courses. There are currently 10 NZDF personnel attending a variety of courses in the US.

Military Equipment

New Zealand has a long history of purchasing US military equipment. Much of the present inventory is US sourced, and is supported through the Foreign Military Sales (FMS) “case” system. The latest purchase being the Seasprite SH-2G helicopters from the US DoD, which included training, spares, and missiles. The P3K Orion major airframe and avionics update will require considerable input from US companies, specifically from Lockheed Martin and E-Systems. The RNZN has a new ship HMNZS Resolution bought from the US in February 1997. This was a former United States Navy Towed Array General Oceanographic Surveillance (T-AGOS) ship.

The US offered and New Zealand tentatively accepted (on 1 December 1998) the lease of 28 F-16A/B aircraft from the United States. The deal, if approved, would replace

the aging A-4K Skyhawk in 2002. The aircraft would be leased at an average of US\$6.6 million annually for an intended 10 years, after which New Zealand would buy the aircraft.¹⁵ The deal will include a support package (spares and activation) cost of US\$105 million. US law limits such leases to only five years at a time, after which Congress would need to re-approve it. As can be seen, this complete package is at a very favorable cost to New Zealand.

Again there is no impediment to acquiring US military equipment from either the US military directly or an aerospace company. Similarly spare parts, system upgrades or airframe modification work is readily available. At least trading in military equipment is unhindered. The F-16 deal can be interpreted as signaling “a further improvement in relations.”¹⁶

Military Contacts

New Zealand has a wide range of longstanding military contacts with United States Forces. These contacts are not widely known and rarely discussed. Nonetheless the US military is comfortable with operating with New Zealand as part of the five nation organizations. The Australia, Canada, New Zealand, United Kingdom, and the United States defense forces are members of a number of organizations which regularly meet with the aim of ensuring the nations can operate with each other as a coalition force. These organizations include ABCA Armies (America, British, Canada, Australia Armies), ASCC (Air Standardisation Coordinating Committee), AUSCANNZUKUS Navies (Australia, Canada, New Zealand, United Kingdom, United States Navies), CCEB (Combined Communications Electronics Board) and JWID (Joint Warrior Interoperability Demonstrations). All but the latter are long standing organizations that

were formed after WWII to ensure the forces would share information and operate together with more success than seen in the WWII. In a given year these organizations will see NZDF personnel attending at least 75 meetings annually. Most importantly, each organization has a New Zealand military representative positioned in Washington DC; most work from the New Zealand Embassy but some work in the Pentagon itself. Throughout the ANZUS rift these positions were never affected. It is only through these personnel that unbroken military contact continued. Moreover, it is through these contacts that New Zealand is accepted as a coalition partner.

Missed Opportunities

New Zealand does have a balanced range of defense resources that can be made available as a contribution to regional and global stability. These resources include forces trained for UN peace support operations, and other coalition operations such as that in Bougainville, Bosnia, and in Africa—but, in particular within a coalition of like-minded states during the Gulf War. Regardless, the continued constraints on exercising pose problems for New Zealand's defense capabilities and their interoperability with the United States.

Military exchanges, exercises, and related activities such as ship visits are still under a moratorium. ANZUS offered New Zealand the opportunity to be a member of the Western Alliance, a chance to participate in a larger defense force, and gave advantages in technology acquisition. These are the key areas where New Zealand is sadly missing out. Admiral Charles R. Larson summed up the missed opportunities for New Zealand:

New Zealand has missed some opportunities as well—opportunities of professional cooperation with the United States forces. You have missed opportunities for preferential treatment regarding foreign military sales and licensing of defense-related equipment. And you missed numerous

chances for professional contacts to enhance the expertise and readiness of New Zealand forces.¹⁷

Discussions on what the New Zealand military has missed—and continues to miss—are publicly debated to this day.

Instead of a valued ally that had privileged access within the US system, our armed forces have to either join the queue with 150 other nations that seek US training and exercise opportunities, or seek a second-best solution through contact with Australia. This does not negate the value of exercise and training opportunities through FPDA [Five Power Defence Arrangement] and with our regional friends, but instead of New Zealand being an equal contributor we are now more often than not taking part as the junior—learning—partner...¹⁸

New Zealand has a heavy reliance on the intelligence it received under the ANZUS Alliance. This support has now been severely reduced but the flow of information has never been cut altogether. In contrast, Australia has enjoyed a continuance of intelligence information flow, provided support for US deployments through access to ports, airfields and facilities, exercised together on a regular basis, and continued military training. New Zealand is truly being left in the dark.

New Zealand's eagerness to see improvement in the defense relationship has seen many messages received from the US misinterpreted. Over the last four years the New Zealand Ministers of Defence, (Warren Cooper in 1995, Paul East and Max Bradford since) have publicly stated, each several times, that the US-NZ relationship was now ready to take the next step and restore military relations. Unfortunately, they all assumed the warming of political and economic relations could automatically be extrapolated into full military interchange. They were also misled by a statement made by retired General Colin Powell in March 1997 while in Australia, when he echoed a statement made by Paul East "that ANZUS could soon return to its former status." In order to set the record right, Admiral Richard Macke, USCINCPAC, stated quite bluntly "joint exercises could

not go ahead until the unfinished business—New Zealand’s anti-nuclear stance—was resolved.”¹⁹

Australia

The severance of defense ties with the United States placed a greater focus and even increased reliance on the defense relationship with Australia. In 1988 Peter Jennings, a defense analyst, stated that Australia might prove to be a harder taskmaster to New Zealand than ever was the United States. In essence this has been true, as Australia has felt the burden of assisting New Zealand while not losing favor with the US. Moreover, Australia has incurred inconvenience and additional costs in order to keep exercise activities with New Zealand separate from those with the US. Admittedly, the defense activity “with New Zealand embraces a different level of training and exercising...”²⁰ As a result, it has not been uncommon for Australia to “suggest what New Zealand needs to do to meet its security obligations.” Nonetheless, today Australia remains New Zealand’s closest and most important security partner.²¹

New Zealand for its part has felt the continued pressure to conform from both America and Australia. However, New Zealand has stood fast in independently defining its policy, this firmness is best characterized as “New Zealanders will do almost anything Australians or Americans ask but nothing they tell us to do.”²²

Coalition Operations

Today, when the United States discusses meeting America’s defense commitments around the world, it is quite clear in stating how this is to be implemented:

We must always be prepared to act alone when that is our most advantageous course. But many of our security objectives are best achieved—or can only be achieved—through our alliances and other

formal security structures, or as a leader of an ad hoc coalition formed around a specific objective. *Durable relationships with allies and friendly nations are vital to our security* [emphasis added]. A central thrust of our strategy is to strengthen and adapt the security relationships we have with key nations around the world and create new relationships and structures when necessary.²³

This statement is born out of necessity as much as political rhetoric. Today, the US finds itself stretched to the limit just to perform myriad Military Operations Other Than War (MOOTW) missions, not counting being prepared to fight and win two nearly simultaneous Major Theater Wars (MTW) and other tasks. Moreover, the “ability to sustain combat of any size or duration in one, let alone two, simultaneous regional contingencies is suspect at best.”²⁴ Only on paper does the US have the capacity to “go it alone,” through necessity America will rely more and more on coalition forces for both true combat capability gap fillers and the “legitimate” UN force needed to give a moral and legal underpinning to US actions. Moreover, coalition action will continue to be the norm for the foreseeable future.²⁵ Since 1991, the last three military buildups in the Persian Gulf support this fact—with New Zealand asked to contribute on each occasion.

Longstanding alliances have time to formulate doctrine, resolve interoperability problems, and refine agreement on strategic objectives.²⁶ In WWII, time was available to adjust to the military situation. The hard lesson learned was that interoperability required large amounts of time and patience to achieve close training, coordination, planning, and assembly of necessary logistical support. In the expeditionary mode this luxury has disappeared. In the Gulf War, the pace of operations did not allow for the training necessary to integrate coalition forces. How then does the US intend to train and integrate the coalition forces in a matter of a few days? Moreover, how does the US expect New Zealand to be integrated having been isolated for so long?

The US problem of establishing command relationships and operating procedures within a coalition force is often challenging. The US understands the complexities, citing differences in language, equipment, capabilities, doctrine and procedures as some of the interoperability challenges that mandate close cooperation.²⁷ Unequivocally, regular interaction through exercises is key to the cohesiveness of coalition force. Again, how is New Zealand expected to bridge many of these differences after being isolated from the US for 14 years?

The 1998 Persian Gulf Coalition

In February 1998 President William Clinton called New Zealand Prime Minister Jenny Shipley to solicit international support for the coalition force being gathered in the Middle East. This coalition was to again defend UN resolutions that were being countered by Saddam Hussein. Here was a direct approach from the US President requesting New Zealand assist the US led Coalition. The irony is interesting, to say the least. New Zealand is not invited to exercise with the US under any conditions, yet New Zealand forces can undertake “operations” with US forces. The ANZUS Alliance is suspended, yet the US asks for stoic support from New Zealand in a direct request from chief executive to chief executive.

Prime Minister Shipley, with a majority support of the members of parliament, gave her full support. While the forces offered were numerically insignificant, it was nonetheless significant for New Zealand. New Zealand was of course accepted as a US coalition “partner.” Moreover, at USCENTCOM, Tampa Florida, the NZDF Representative was accepted as an “inner member.” Interestingly, only four nations were given this status; Australia, Canada, New Zealand and the United Kingdom.

When the President personally called the New Zealand Prime Minister for international support, it in effect temporarily overrode the “suspension of the security alliance” previously imposed by his presidential directive. In essence, it calls into question the logic of the US military policy toward New Zealand.

Notes

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¹⁸ R. T. Jackson. "Rift Still Hurts. Our Readers Say...(A letter to the editor)," *New Zealand Defence Quarterly*, Winter 1998, p ?

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²⁰ Ian Sinclair. "ANZUS After 45 Years." Joint Standing Committee on Foreign Affairs, Defence and Trade, Defence Sub-Committee Seminar Proceedings, 11-12 August 1997. House of Representatives, Canberra, September 1997, p FADT 18.

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²² This statement was made in 1998 by former Prime Minister Mike Moore, now the Labour Party's foreign affairs speaker. Colin James. "Mates Yes, Bedmates No," *New Zealand Defence Quarterly*, Winter 1998, p 2.

²³ "A National Security Strategy for a New Century." The White House, October 1998, p 2.

²⁴ Grant T. Hammond. "The New "PPBS": Problems Between the Active Forces and the Reserve and Guard Components of the US Military," 31 Aug 95. *DFW Reader* (Forces and Capabilities - Book 1, AY 1999), p 245.

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²⁶ Peter C. Hunt, Maj USAF. "Coalition Warfare: Considerations for the Air Component Commander." Air University Press, Maxwell AFB, March 1998, p 4-5.

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Chapter 4

Options For Change

These forces of integration offer us an unprecedented opportunity to build new bonds among individuals and nations, to tap the world's vast human potential in the support of shared aspirations,...

—William J. Clinton¹

The New Zealand-United States relationship is fundamentally sound. The two countries are engaged at the highest political levels, have progressive trade arrangements, and are military coalition partners. Nonetheless difficulties remain. Despite these difficulties though, New Zealand has remained engaged in global matters through trade, international forums, and peacekeeping operations. In the recent past, New Zealand had a seat on the UN Security Council, highlighting New Zealand's contribution to world peace. Military interaction has increased over the latter few years, to the point where there are now numerous contradictions in the US-NZ defense situation. Moreover, on both sides few understand the “no exercise” moratorium. It begs the question of why the security alliance has remained “suspended.”

Although the US keeps touting a policy of strengthening security relationships, this has been and continues to be a very selective process. The US-NZ relationship is a case in point. New Zealand has been a reliable supporter to calls for assistance and support by both the UN and the US—and will continue to be so in the future. Mr Don McKinnon,

New Zealand Minister of Foreign Affairs and Trade, reinforced New Zealand support when he stated that:

It is my view that New Zealand's security interests in this decade, and in the next five or six that follow, are best served by a positive relationship with the economic and military superpower of the Pacific, which is the US.²

However, the lack of exercises, training opportunities and the expeditionary posture of the US may make New Zealand a military liability rather than a welcomed coalition partner.

New Zealand Prime Minister Jenny Shipley clearly understands this issue, in discussions with President Clinton on 15 January 1999 she stated that "she hopes New Zealand's ability to take part in joint [US-NZ] defence exercises 'will be advanced'."³ This is not a call for the reinstatement of the ANZUS Alliance, though that would be an all too obvious step. Rather it is a call for practical measures to be undertaken by the US and New Zealand, so that New Zealand can continue to be a reliable coalition partner for the years to come.

What practical measures can be undertaken now so that military relations might be changed? Politically, any solution will require compromise and limitations accepted by both sides. As stated earlier, change must begin with cooperative military measures short of nuclear policy alteration, but with the clear understanding that policy will have to change eventually. Nonetheless, small but significant change is possible under present policy.

A suggested scenario for advancing the military relationship is listed as follows:

1. A US non-nuclear powered ship is invited to visit New Zealand ports.
2. New Zealand Military aircraft/ships are granted use of US military installations for transit support.
3. New Zealand forces exercise with US forces outside New Zealand waters.

4. Regularization of such visits and exercises.
5. A Defense Cooperation Agreement is framed.

Each scenario is an integral step aimed ultimately at ensuring that military interaction is normalized—so that New Zealand can continue to be a reliable coalition partner for the years to come.

US Non-nuclear Powered Ship Visits New Zealand

The first step in improving the military relationship is best initiated by New Zealand. It must be remembered that the US has already made significant attempts at normalizing the defense relationship. They have allowed senior military interaction, accepted New Zealand as a major non-NATO ally for arms exports, given New Zealand a coalition “partner” status, and removed nuclear weapons from their surface ships. Understandably the US is now expecting a New Zealand “move.” An obvious first move is for New Zealand to invite a US warship to visit New Zealand ports. In order to accommodate New Zealand’s anti-nuclear policy the US would, in return, send an obviously non-nuclear powered and armed ship—like a fleet oiler or command and control ship, both of which are completely unarmed. Alternatively, the US could send a non-nuclear powered vessel and confirm that it was not carrying nuclear weapons.

This latter option raises two issues for the US—confirmation of nuclear arms and sending a non-nuclear powered ship. Present New Zealand legislation (New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act) states that “The Prime Minister may only grant approval for entry into... New Zealand... if the Prime Minister is satisfied that the warships will not be carrying any nuclear explosive device...” Although the US stated that it would never officially overrule the “confirming nor denying” policy, as it would seriously weaken US deployment postures, the precedence

has already been set. In 1985, the United States agreed to confirm that B-52 strategic bombers entering Australia for exercises would not be armed with nuclear weapons.⁴

Thus the US must confirm that its warship was not carrying nuclear weapons

Notably, when the US removed all nuclear weapons from their surface fleet the British quickly followed suite. But, contrary to the US stance, the United Kingdom followed up this change in policy with the reinstatement of New Zealand port visits by their naval vessels.⁵ Thus, New Zealand welcomed an RN Frigate and tanker into Wellington on 6 September 1995 and this was followed by the RN guided missile destroyer Gloucester visiting Auckland, Napier and Wellington in June 1997. The “Gloucester” was part of a flotilla taking part in exercises with the FPDA—one of the few multinational exercises still available to New Zealand.⁶ As the Prime Minister said at the time, at least here there was “more progress.” The US could just as easily follow the British lead.

The US Navy presently has 335 ships with the stated aim of reducing this to just 306 ships, including 12 carriers. Of these remaining vessels only 86 will be nuclear powered; 76 are nuclear powered submarines (58 attack, 18 strategic) and 10 are nuclear powered carriers. With 70% of US ships conventionally powered there is a vast selection of vessels eligible for New Zealand ship visits. A genuine opportunity for more progress is available, should be utilized today, and most importantly is within current policy and sets no new precedence. In essence a USN ship visit should be the first move to improve military interaction.

Table 1. Ships of the United States Navy FY2003

Ship Type	FY 2003		
	Conventional Powered	Nuclear Powered	Total
Aircraft Carriers	2	10	12
Guided Missile Destroyers	38	0	38
Guided Missile Frigates	35	0	35
Guided Missile Cruisers	27	0	27
Destroyers	24	0	24
Miscellaneous Command Ships	2	0	2
Attack Submarines	1	58	59
Strategic Missile Submarines	0	18	18
Auxiliaries: Underway Replenishment & Material Support Ships	11	0	11
Mine Warfare & Coastal Patrol Ships	40	0	40
Amphibious Warfare Ships	40	0	40
Totals	220	86	306

Source: Fleet Identification At A Glance, Department of the Navy (Phoenix, Maryland, Fourth Edition Revised, April 1998).

New Zealand Military Aircraft/Ships Visit US Military Installations

The second step in the scenario is for the US to allow New Zealand military craft access to US military installations for transit and operational purposes. Presently New Zealand forces are not allowed to use any US military installation for transit or for any other reason. By contrast the US has been allowed to fly into New Zealand bases and to operate out of these bases. For example, the US and New Zealand actively cooperate and support each other with various programs in Antarctica—called *Operation Deep Freeze*. The US C-130 Hercules, C-141 Starlifters and C-5 Galaxy aircraft are used to support the summer rotation of American Scientists and support staff between Christchurch (New Zealand) and the American Bases on Antarctica. The point is that there has been a 42-year collaboration. Moreover, Senior US military people have flown their military

aircraft into New Zealand military bases as a matter of routine when conducting official visits.

New Zealand allows basing and military aircraft transit support, but the US does not reciprocate this arrangement. Reciprocation of base/port support, as the second move towards improving the military relationship, would bring equality of policy and allow limited but crucial military interaction, albeit at a very rudimentary level. It would also be seen as a quid pro quo for New Zealand allowing both aircraft and ship access to its facilities.

New Zealand Forces Exercise With US Forces

New Zealand's participation in large military exercises with the US is the third step in the process. New Zealand has, in fact, been barred from large military exercises involving the US for more than a decade. Thus any resumption of exercises between the two nations will be a significant event. The goal of exercising would be standardization of coalition equipment, ammunition, doctrine, and communications procedures as a major means for eliminating the problems of interoperability. Initially there is some benefit in having such exercises conducted outside New Zealand waters, for the following reasons:

This would not trigger a “neither confirm nor deny” confrontation, would benefit the New Zealand Defence Forces, and provide some degree of assurance to the Australian and United States military that the New Zealand military could exercise together (taking the place of ANZUS exercises), ...⁷

Moreover, by conducting exercises afar from New Zealand the US could utilize whatever military platforms it desired.

New Zealand needs to exercise with the US for several very important reasons. New Zealand continues to provide forces to UN operations because it strongly believes in

being a good international citizen. Moreover, New Zealand is prepared to play its part in global collective security efforts, particularly to co-operate in peace keeping and peace support operations in the region and beyond. But with the imposed isolation, the New Zealand Defence Force (NZDF) cannot be considered “operationally ready.”

Large exercises are designed to identify potential problems in coordination and at the same time build confidence in joint and combined operations. Allied interoperability demands early attention to education, training, and clarification of doctrine.⁸ Combined training exercises have always played a vital role in creating a spirit of cooperation and increasing the awareness of all personnel that allies have particular needs and mindsets. The goal is to have allied or coalition nations familiar with US systems, procedures, tactics and techniques, so they can participate in a coalition operation at need. New Zealand is severely lacking in large exercise experience—1984 was the last time New Zealand exercised with the US—which has affected the NZDF’s operational readiness.

Notwithstanding the above, apart from coalition or UN peace keeping operations New Zealand does participate in operations with the US. These interactions should make involvement in a US-lead exercise a relatively acceptable proposition to both parties. For example New Zealand has contributed a frigate, on two occasions for three months at a time, to the Maritime Interception Force (MIF) operating in the Persian Gulf. Also a P3 Orion detachment has recently operated with NAVCENT (5th Fleet) in the Persian Gulf for three months this last September. As the Prime Minister noted, “the present prohibition against US and New Zealand Naval Vessels exercising together is now even more difficult to explain.”⁹ Introducing exercises will remove this conundrum.

Visits and Exercises Are Regularized

Once the results of the US ship visits, access to military facilities and subsequent exercises have “tested the waters” on both sides of the Pacific, regularization of these events should occur. This experience should lead to further steps to broaden the scope of the military relationship. Military exercises within New Zealand waters for example. This would require a further series of compromises to make it a workable and acceptable event. Most importantly, the New Zealand people need to see that change has occurred (i.e., the US-NZ military relationship has warmed), understand why the change has occurred, and be willing to accept further interaction. US ship visits and exercising with the US must be seen as normal events before further progress on amending the anti-nuclear policy should be publicly debated.

A Defense Cooperation Agreement Is Framed

With regular US-NZ military interaction the next step would be to formalize the relationship in a defense cooperation agreement. This would be useful for two reasons. First; a new agreement by its implication would signal a new and improved relationship between the two countries. It would end the ANZUS Treaty, discard the baggage of the Cold War era, and put to rest the last 14 years of high emotion over the fissured relationship. Second, an agreement would help define the scope of the defense relationship, and any limits, by outlining a plan of military events/activities of mutual benefit to both parties. It would also be useful to formally define how the defense relationship could be further progressed—and the future compromises that might be required by both sides.

Such a defense agreement should also be of limited duration, so that both parties have ample opportunity to redefine the relationship as circumstances dictate. An initial five-year term should be considered with an opportunity to renew the agreement for a follow on five-year period.

No doubt, New Zealand's anti-nuclear policy will have to change—eventually. This will be the true test of conviction for New Zealand. The 1992 study on the safety and environmental aspects of nuclear-powered ships that should have convinced the New Zealand public that nuclear-powered vessels were safe did not do so. “The propulsion issue has deep roots, ...that propulsion is a subsisting issue, and hopes for a resolution arising out of an abating of New Zealand concerns are slim.”¹⁰

Nonetheless, the US will probably expect New Zealand to remove the prohibition on nuclear propulsion from its anti-nuclear legislation. However, this may depend on the success of the scenarios described above, and whether the US chooses to send, or not send, a nuclear-powered vessel to test the relationship.

In sum, the New Zealand and US Governments can make progress to improve the military relationship within current policy but both parties must be willing to make compromises to ensure a longer term solution. New Zealand may have to amend its nuclear-powered policy for example, or the US may have to accept the machinations of a small, insignificant nation at the bottom of the South Pacific Ocean.

Notes

¹ William J. Clinton. “*A National Security Strategy for a New Century.*” The White House, October 1998, Preface, p iii.

² Michael Richardson. “Nuclear Propulsion Still a Hurdle,” *Asia-Pacific Defence Reporter*, October-November 1992, p 36.

³ This was a fleeting 15 minute meeting held in Washington, DC. _____. *New Zealand News*, Executive News Service, Ltd, Wellington. Monday 18 January 1999, p1.

Notes

⁴ Robert G. Sutter. "Crisis in US-New Zealand Relations: Issues for Congress." *Report No 85-92 F*, CRS The Library of Congress. Feb 26, 1985, p 9.

⁵ James B. Bolger, The Right Honourable. "A View From the Top – My Seven Years as Prime Minister," Viking, Penguin Books (NZ) Ltd, October 1998, p 150.

⁶ _____. "Despatches." *New Zealand Defence Quarterly*, Number Sixteen, Autumn 1997, p 38.

⁷ Edgar J. Smith, Jr. "ANZUS: In or Out of Trouble?" Unpublished paper, Columbia University, May 1997, p 42.

⁸ B. Franklin Cooling and John A. Hixson. "Lessons of Allied Interoperability: A Portent for the Future?" Strategic Studies Institute US Army War College, Carlisle Barracks, Pennsylvania, 10 August 1978, p 9.

⁹ James B. Bolger, The Right Honourable. "A View From the Top – My Seven Years as Prime Minister," Viking, Penguin Books (NZ) Ltd, October 1998, p 156.

¹⁰ Edgar J. Smith, Jr. "ANZUS: In or Out of Trouble?" Unpublished paper, Columbia University, May 1997, p 32.

Chapter 5

Conclusion

A lot of water has gone under the bridge since 1986 and in my view it is time to take the next step forward in our security relationship... so that the forces of our respective democracies are better prepared to work together with others of like mind to maintain the peace.

—James Bolger¹

More than a decade has passed since cracks first started to show in the NZ-US relationship, and perhaps the abyss will be impossible to bridge for a good many years to come. On one hand, New Zealand has neither the will nor public support to change the anti-nuclear legislation. On the other hand, the US sees no need to change its policy towards New Zealand as its interests in the area and in the nation have not changed. Moreover, the US wants New Zealand to create a condition to make a policy change acceptable to them. To bridge the differences—slight as they are—appears to be more effort than each nation is willing to do.

In essence, the issue comes down to only one point, that New Zealand was denying US ships port access. Specifically, New Zealand legislation mandates that nuclear armed or powered craft are prohibited entry into New Zealand. Unfortunately this was, and still is, interpreted as an ally imposing special conditions on the security relationship. The US reacted by suspending the ANZUS Alliance, curtailing all military interactions and reducing political contact to a very low level. Thus, exercises between NZDF operational

units and US forces have not occurred since 1986. This was the US policy from 1986 to 1990.

The removal of all nuclear weapons from US surface naval vessels in 1991 provided an opportunity to repair the NZ-US rift. However, New Zealand could not accept at face value that no nuclear weapons would be carried, and curiously the US could not simply confirm the fact. Yet in 1985 the US did just that when it officially overruled the “neither confirm nor deny” policy by confirming that B-52 strategic bombers entering Australia for exercises were not armed with nuclear weapons. So the precedent has been set. Moreover, the United Kingdom saw a workable solution, was very pragmatic, and reinstated New Zealand port visits for their naval vessels in 1995. New Zealand is still willing to welcome US warships that are not nuclear powered (over 70% of the fleet) and are not carrying nuclear weapons. Yet the impasse continues.

Over the last 10 years the US has had a very active policy of nuclear arms reduction through the START Treaties. New Zealand has been similarly active in pursuing its non-proliferation objectives, though by a slightly different means. It appears unreasonable that the US continues to advocate a punitive policy against New Zealand for taking a firm stand on the same issue. Indeed, the climate should be rife for change.

Many of the reasons the US was concerned over New Zealand’s nuclear policy have now disappeared. New Zealand’s voice on anti-nuclear issues is no longer important, the Cold War a distant memory, and the US the sole superpower. But despite these dramatic changes no review of the US-NZ situation has been conducted. No doubt the question of suspension terms and their relationship to foreign policy fell into the bureaucratic no-man’s-land that lay between the services, the State Department, and other interested

agencies and individuals. US military officials also hesitated to intrude upon prerogatives deemed the possession of civilian policymakers. Consequently, until the US moves away from the policies lingering from the “post-Cold War world,” New Zealand seems to be condemned to the ruling made in that era.

Some progress was again made in February 1994. Secretary of State Warren Christopher stated that the US would restore senior level contacts between officials, but that security cooperation would remain extant. Unfortunately, this was the best “compromise” the US could produce, with this policy prevailing to this day.

Despite difficulties, New Zealand has remained engaged in global matters through trade, international forums, and peacekeeping operations. In the recent past, New Zealand had a seat on the UN Security Council, highlighting New Zealand’s contribution to world peace. Moreover, the NZ-US political relationship is strong and getting stronger, economic ties are increasing in value, and although there are numerous military links, they are tenuous and limited in scope. Notwithstanding, the US has imbued New Zealand as “a most favored nation” status for trade, as a “major non-NATO ally” for arms exports, as a coalition “partner” in defense operations, and as a “valued member” of the UN for world security. The one anomaly remains—lack of security cooperation through exercising. In short, there seems to be neither rhyme nor reason for the continuance of the ANZUS rift.

The contradictions in the US-New Zealand defense situation are numerous. The US trains NZDF personnel; the military meet regularly at multilateral defense forums²; senior military officers meet and visit regularly; military platforms (i.e. F-16), equipment, and spares are provided at favorable cost; some filtered intelligence is provided, the military

conduct coalition operations (including the MIF) and peacekeeping tasks together; and New Zealand provides aircraft basing and transit rights. However, New Zealand forces are not allowed to use any US military installation for transit (nor for any other reason) nor exercise together. After 14 years and increased military interaction, the ANZUS rift remains a puzzling anomaly.

Ironically, the post Cold War environment is not benign. Although the US touts a policy of strengthening security relationships, this has been, and continues to be, a very selective process. Contacts for New Zealand training, exchanges, doctrine and similar military purposes have been enormously constrained. Yet militarily the US is now more likely than ever to rely on coalition operations to give legitimacy to US actions. Although New Zealand has retained its place in important multilateral defense forums, New Zealand has lost the opportunity for distinct NZ-US discussions, training and exercising.

New Zealand, like its other UN partners, has soldiers, sailors, and airmen taking part in more major multinational operations than ever before: from Bosnia to Bougainville.

Peace operations like these are complex, joint service and multinational—and frequently conducted in near-war conditions. New Zealand needs to resolve its military rift with the US in order to improve the training and preparedness of our servicemen and women for future such operations.³

Most recently, New Zealand was called upon, twice, to fight alongside US forces in a US-led coalition in the Gulf. It is ironic that actual coalition operations are acceptable to the US but exercising with New Zealand forces is not. This sentiment is echoed by ex-Prime Minister Bolger:

It was difficult for New Zealanders to understand how it was acceptable for NZ forces to fight alongside the US, but not acceptable to exercise together in times of peace.⁴

This is not a call for the reinstatement of the ANZUS Alliance, though that would be an all too obvious a step. Rather it is a call for practical measures to be undertaken by both countries, so that New Zealand can continue to be a reliable coalition partner for the years to come. The lack of exercises, training opportunities and the expeditionary posture of the US may make New Zealand a military liability rather than a welcomed coalition partner. As one New Zealand senior military officer noted, “extending the policy of cooperative engagement to include exercises with New Zealand forces would go a long way in meeting this goal.”⁵ The New Zealand Ambassador in Washington DC agrees:

New Zealand is not seeking to go back to the defence position we enjoyed with the United States before the legislation banning nuclear weapons was passed. Rather we seek to reach a common sense agreement on how, when and where our respective defence forces can train and exercise with the United States and other like-minded countries.⁶

A suggested, practical scenario for improving the military relationship is by no means difficult, but would require compromise on both sides. Change must begin with cooperative military measures short of nuclear policy alteration, but with the clear understanding that policy will have to change eventually. Nonetheless, small but significant change is possible under present policy. Such a scenario could be as follows: (1) a US non-nuclear powered ship is invited to visit New Zealand ports; (2) New Zealand military aircraft/ships are granted use of US military installations for transit support; (3) New Zealand forces exercise with US forces outside New Zealand waters; (4) visits and exercises are regularized; and (5) a Defense Cooperation Agreement is framed. Under this scenario, as the US has already made significant attempts at normalizing the defense relationship, the first step in improving the military relationship is best initiated by New Zealand.

The key to change is also in the hands of the US President and his advisors. Until senior US policy makers decide to change their outdated policy towards New Zealand, there will continue to be “unfinished business” between the two former allies. The fault for continuation of the impasse lies partly with New Zealand to be sure. It can be argued, however, that perpetuation of the deadlock owes more to the United States than to New Zealand’s policy. The US position seems unnecessarily rigid, an “all or nothing” stance. But regardless of past disagreements, the time has come to end the standoff.

More critically, while it can be argued that the first move is entirely up to the United States—it suspended relations, it dominates world politics, it won the cold war, and it can end the ANZUS rift—*New Zealand is best placed to make the first move, by inviting the US to send a warship to visit a New Zealand port.* Ultimately, it will be a matter for future governments to grapple with, but most importantly the President and Prime Minister can start the process today. This is the politics of the matter.

Notes

¹ James B. Bolger, The Right Honourable. “*A View From the Top – My Seven Years as Prime Minister*,” Viking, Penguin Books (NZ) Ltd, October 1998, p 159.

² Alan Burnett. “*The ANZUS Documents, Canberra:*” The Australian National University, 1991, p 8. These forums include ABCA, ASCC, AUSCANNZUKUS, CCEB, JWID and TTCP. This entails at least 75 meetings annually.

³ R.T. Jackson. “Our Readers Say... Rift Still Hurts.” A letter to the editor. *New Zealand Defence Quarterly*, Winter 1998, p 38.

⁴ James B. Bolger, The Right Honourable. “*A View From the Top – My Seven Years as Prime Minister*,” Viking, Penguin Books (NZ) Ltd, October 1998, p 149.

⁵ Richard J. Newlands, AFC, Wing Commander. “*Establishing a Rational New Zealand/United States Defense Relationship*,” AWC, Maxwell AFB, 13 May 1994, p 19.

⁶ James B. Bolger, The Right Honourable. “*A View From the Top – My Seven Years as Prime Minister*,” Viking, Penguin Books (NZ) Ltd, October 1998, p 159.

Appendix A

Text of the ANZUS Treaty

Security Treaty between Australia, New Zealand, and the United States of America, signed 1 September 1951.

The parties to this Treaty,¹

Reaffirming their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and Governments, and desiring to strengthen the fabric of peace in the Pacific Area,

Noting that the United States already has arrangements pursuant to which its armed forces are stationed in the Philippines, and has armed forces and administrative responsibilities in the Ryukyus, and upon the coming into force of the Japanese Peace Treaty may also station armed forces in and about Japan to assist in the preservation of peace and security in the Japan area,

Recognizing that Australia and New Zealand as members of the British Commonwealth of Nations have military obligations outside as well as within the Pacific Area,

Desiring to declare publicly and formally their sense of unity, so that no potential aggressor could be under the illusion that any of them stand alone in the Pacific Area, and

Desiring further to co-ordinate their efforts for collective defense for the preservation of peace and security pending the development of a more comprehensive system of regional security in the Pacific Area,

Therefore declare and agree as follows:

Article I

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

Article II

In order more effectively to achieve the objectives of this Treaty the Parties separately and jointly by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack.

Article III

The Parties will consult together whenever in the opinion of any of them the territorial integrity, political independence or security of any of the Parties is threatened in the Pacific.

Article IV

Each Party recognizes that an armed attack in the Pacific Area on any of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

Article V

For the purpose of Article IV, an armed attack on any of the Parties is deemed to include an armed attack on the metropolitan territory of any of the Parties, or on the island territories under its jurisdiction in the Pacific or on its armed forces, public vessels or aircraft in the Pacific.

Article VI

This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security.

Article VII

The Parties hereby establish a Council, consisting of their Foreign Ministers or their Deputies, to consider matters concerning the implementation of this Treaty. The Council should be so organized as to be able to meet at any time.

Article VIII

Pending the development of a more comprehensive system of regional security in the Pacific Area and the development by the United Nations of more effective means to maintain international peace and security, the Council, established by Article VII, is authorized to maintain a consultative relationship with the States, Regional Organizations, Associations of States or other authorities in the Pacific Area in a position to further the purposes of this Treaty and to contribute to the security of that Area.

Article IX

This Treaty shall be ratified by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of Australia, which will notify each of the other signatories of such deposit. The Treaty shall enter into force as soon as the ratifications of the signatories have been deposited.

Article X

This Treaty shall remain in force indefinitely. Any Party may cease to be a member of the Council established by Article VII one year after notice has been given to the Government of Australia, which will inform the Governments of the other Parties of the deposit of such notice.

Article XI

This Treaty in the English language shall be deposited in the archives of the Government of Australia. Duty certified copies thereof will be transmitted by that government to the Governments of each of the other signatories.

Done at the city of San Francisco this first day of September, 1951.

For Australia

Percy C. Spender

For New Zealand

Carl A. Berendsen

For the United States of America

Dean Acheson

John Foster Dulles

Alexander Wiley

John J. Sparkman

[The ANZUS Treaty came into force on 29 April 1952.]

Notes

¹ Steve Hoadley. “*The New Zealand Foreign Affairs Handbook*.” Oxford University Press, New Zealand 1989, pp 101-103. This is a copy from the original text held by the Ministry of Foreign Affairs, *New Zealand Foreign Policy Statement and Documents* 1943-1957, Wellington: Government Printer, 1972.

Appendix B

Text of the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987¹

New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act, passed 4 June 1987 (excerpts).

Section 4. New Zealand Nuclear Free Zone – There is hereby established the New Zealand Nuclear Free Zone, which shall comprise:

- (a) All of the land, territory, and inland waters within the territorial limits of New Zealand; and
- (b) The Internal waters of New Zealand, and
- (c) The territorial sea of New Zealand; and
- (d) The airspace above.

Section 5. Prohibition on acquisition of nuclear explosive devices – [paraphrase]:No New Zealander may manufacture, acquire, possess, or have control over any nuclear explosive device or assist any other person to do so inside the New Zealand Nuclear Free Zone, and no servant or agent of the Crown may do so even outside the Zone.

Section 6. Prohibition on stationing of nuclear explosive devices – No person shall emplant, emplace, transport on land or inland waters, stockpile, store, install, or deploy any nuclear explosive device in the New Zealand Nuclear Free Zone.

Section 7. Prohibition on testing of nuclear explosive devices – No person shall test any nuclear explosive device in the New Zealand Nuclear Free Zone.

Section 8. Prohibition of biological weapons – No person shall manufacture, station, acquire, possess, or have control over any biological weapon in the New Zealand Nuclear Free Zone.

Section 9. 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.

Section 10. Landing in New Zealand – [Section 9 as applied to aircraft, but provision is made for blanket clearance:] (3) Approval [by the prime Minister] may relate to a category or class of foreign military aircraft, including foreign military aircraft that are being used to provide logistic support for a research programme in Antarctica, and may be given for such period as is specified in the approval.

Section 11. Visits by nuclear powered ships – Entry into the internal waters of New Zealand by any ship whose propulsion is wholly or partly dependent on nuclear power is prohibited.

Section 12. Passage through territorial sea and straits – Nothing in this Act shall apply to or be interpreted as limiting the freedom of –

- (a) Any ship exercising the right of innocent passage (in accordance with international law) through the territorial sea of New Zealand; or
- (b) Any ship or aircraft exercising the right of transit passage (in accordance with international law) through or over any strait used for international navigation; or
- (c) Any ship or aircraft in distress.

[Subsequent sections specify penalties for offences under the Act; amend related acts appropriately; set up the Public Advisory Committee on Disarmament and Arms control; and adopt in law the following treaties:

- The South Pacific Nuclear Free Zone Treaty of 1985,
- The Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water of 1963,
- The Treaty on Non-Proliferation of Nuclear Weapons of 1968,
- The Treaty on Non-Proliferation of Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed of 1971, and
- The Convention on Prohibition of Development, Production, and Stockpiling of Biological Weapons of 1972.]

Notes

¹ Steve Hoadley. “*The New Zealand Foreign Affairs Handbook*.” Oxford University Press, New Zealand 1989, pp 100-101. This is a copy from the original text held by the Ministry of Foreign Affairs, Wellington: Government Printer, 1987.

Appendix C

Senior US Military Dignitaries That Visited New Zealand 1994 –1998

The following list shows the senior US Military dignitaries that have visited New Zealand over recent years:¹

April 1994	Admiral Charles R. Larson, USCINCPAC, met defence officials in Wellington New Zealand. ²
19 - 23 Aug 1995	Admiral R. C. Macke, USCINCPAC.
6 - 7 Nov 1995	Lieutenant General R. L. Ord, USCINCPAC Army.
14 - 15 Feb 1996	Admiral R. L. Zlatoper, CINPACFLEET.
March 1996	Mr Warner, Assistant Secretary of Defense.
25 - 27 May 1997	General J. G. Lorber, USCINCPAC.
22 - 27 Sep 1997	Mr Bauerlein, Deputy Under Secretary Air Force.
2 - 4 Nov 1997	Mr Talbot, Deputy Secretary of State. Mr Lodal, Principal Deputy Under Secretary of Defense and Policy.
15 - 16 Jan 1998	US Congressional Visit.
2 - 4 Apr 1998	General Micheal E. Ryan, Chief of Staff, USAF.
6 - 8 May 1998	General R. B. Meyers, CINCPAC Air Force.
7 - 8 May 98	Lieutenant General W. Steele, CINCPAC Army.
23 - 26 Sep 98	Admiral J. W. Prueher, USCINCPAC.

Notes

¹ List supplied by DCOORD, RNZAF Air Staff, October 1998.

² ADM Charles R. Larson's visit in 1994 marked the resumption of visits by senior US military officers.

Glossary

ABCA	America, British, Canada, Australia
Adm	Admiral
AEF	Air Expeditionary Force
AFB	Air Force Base
ANZUS Treaty	Australia, New Zealand and United States Treaty
APEC	Asia-Pacific Economic Cooperation
ASCC	Air Standardisation Coordinating Committee
ASEAN	Association of Southeast Asian Nations
AUSCANNZUKUS	Australia, Canada, New Zealand, United Kingdom, United States
CCEB	Combined Communications Electronics Board
CDF	Chief of Defence Force
CINCPAC	Commander in Chief, Pacific
CONUS	Continental United States
DoD	Department of Defense
FPDA	Five Power Defence Arrangement
GATT	General Agreement on Tariff and trade
GDP	Gross Domestic Product
Gen	General (military rank)
INF	Intermediate Nuclear Forces Treaty
JFC	Joint Force Commander
JWID	Joint Warrior Interoperability Demonstrations
LNO	Liaison Officer
MIF	Maritime Interception Force
MOOTW	Military Operations Other Than War
MTW	Major Theater of War (replaced MRC - Major Regional Contingency)
NAFTA	North American Free Trade Agreement
NATO	North Atlantic Treaty Organization

NAVCENT	Naval Forces, United States Central Command
NZ	New Zealand
NZDF	New Zealand Defence Force
PM	Prime Minister
RN	Royal Navy
RNZAF	Royal New Zealand Air Force
START	Strategic Arms Reduction Treaty
T-AGOS	Towed Array General Oceanographic Surveillance (Ship)
UN	United Nations
US	United States
USAF	United States Air Force
USCENTCOM	United States Central Command
USCINCPAC	Commander in Chief, United States Pacific Command
USN	United States Navy
USS	United States Ship
USSR	Union of Soviet Socialist Republics
WTO	World Trade Organization
WWII	World War Two

Definitions:

Coalition. An ad hoc arrangement between two or more nations for common action.

Alliance. (DOD) An alliance is the result of formal agreements (i.e., treaties) between two or more nations for broad, long-term objectives which further the common interests of the members.

Multinational Operations. (DOD) A collective term to describe military actions conducted by forces of two or more nations, typically organized within the structure of a coalition or alliance.

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