



23 February 2009

Hon Georgina Te Heuheu
Minister for Disarmament and Arms Control
Parliament Buildings
Private Bag
Wellington

Tena koe Minister

I am writing on behalf of the members of the Public Advisory Committee for Disarmament and Arms Control (PACDAC), to extend our congratulations to you on your appointment as Minister for Disarmament and Arms control. We look forward to working with you.

This briefing paper provides you with an overview of the main issues the Committee has focussed on in the previous two years.

Background

PACDAC was established by the NZ Nuclear Free Zone, Disarmament and Arms Control Act 1987. According to that Act, the functions of the committee include:

- (a) To advise the Minister on such aspects of disarmament and arms control as it thinks fit;
- (b) To advise the Prime Minister on the implementation of the Act;
- (c) To publish from time to time public reports in relation to disarmament and arms control matters and on the implementation of the Act;
- (d) To make such recommendations as it thinks fit for the granting of money from such funds as may be established for the purpose of promoting greater public understanding of disarmament and arms control.

PACDAC makes recommendations for the allocation of grants from the Peace and Disarmament Education Trust (PADET) set up in 1988 and the Disarmament Education United Nations Implementation Fund (DEUNIF) set up in 2004. In addition to grants for peace and disarmament education projects, grants and scholarships for Masters and Doctoral study are made from PADET funds.

From time-to-time PACDAC identifies specific areas of research that it is particularly keen to support. In the past year, two areas of research have been identified as priorities:

- Opportunities for New Zealand to advance nuclear disarmament at the United Nations
- Small arms proliferation and gun violence especially in the Pacific and South East Asia.

PACDAC meets three times each year and is supported in its work by the Department of Internal Affairs and the International Security and Disarmament division of the Ministry of Foreign Affairs.

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In addition to the work outlined above, PACDAC has agreed to prepare an annual report to the Minister for Disarmament. It is intended that the annual report will canvass the advice provided to the Minister on arms control and disarmament issues under section 17.1(a) of the Act and to the Prime Minister on the implementation of the Act under Section 17.1(b). It is not intended that this report be tabled in parliament.

The current PACDAC members include:

Ms. Deborah Morris-Travers
Mr. Jim Veitch
Ms. Mary Wareham
Mr. David Capie
Rev'd Richard Randerson
Mr. Alyn Ware
Mr. Graham Fortune
Mr. Richard Northey

2007/08 Policy issues

In 2007/08 PACDAC provided policy advice to the Minister on the following issues:

1. 20th Anniversary of New Zealand's nuclear free legislation
2. De-alerting (operational status of nuclear weapons)
3. US/ India civil nuclear cooperation initiative
4. Nuclear weapons convention
5. Non-Proliferation Treaty and UN General Assembly disarmament initiatives
6. Depleted Uranium
7. The proposed treaty to ban Cluster Munitions
8. Disarmament Education
9. Peace Cities/ Mayors for Peace
10. Small Arms

A range of operational matters have also been discussed by PACDAC, including the investment policies for PADET and DEUNIF.

1. 20th Anniversary of New Zealand's nuclear free legislation

PACDAC members reported to the Minister on community events, including plans for:

- 3 month exhibition at Canterbury museum involving photos, films, banners, badges. It was hoped the exhibition would then move to the Auckland War Memorial Museum.
- "Breath of Peace" film by Claudia Pond-Eyley to be shown on TV and at film festivals.

PACDAC recommended that the anniversary be commemorated with an open debate in parliament and the adoption of a resolution on nuclear disarmament. This was implemented and the resolution was adopted without opposition

2. De-alerting (operational status of nuclear weapons)

PACDAC recommended to the government that it work with like-minded countries on submitting a UN resolution. This recommendation was implemented by the government in October 2007. PACDAC also made other recommendations on possibilities for advancing this issue in the international arena.

3. US/ India civil nuclear cooperation initiative

PACDAC expressed its concern to the Minister that the US/India civil nuclear technology deal could undermine the nuclear Non-Proliferation Treaty (NPT) by providing nuclear technology assistance and benefits to a country outside the NPT regime and not covered by International Atomic Energy Agency full-scope safeguards. The Minister reflected these concerns to the Nuclear Suppliers Group (NSG) in order to extract stronger non-proliferation requirements from India and the United States before the NSG would accept the deal.

4. Nuclear weapons convention

PACDAC briefed the Minister on developments regarding the Nuclear Weapons Convention including the UN resolution, Model Nuclear Weapons Convention which was revised in 2007 and circulated by the UN Secretary-General, NPT working paper on the NWC, and the increasing support from parliamentarians, former heads of State (including the Rt Hon Jim Bolger), Nobel Peace laureates and other civil society leaders. The revised Model NWC was launched in the New Zealand Parliament by a cross-party group of parliamentarians and tabled in parliament as part of the debate for the 20th anniversary of New Zealand's nuclear free legislation.

PACDAC raised the issue of NZ government support for a Nuclear Weapons Convention (NWC) with the Minister.

5. Non-Proliferation Treaty and UN General Assembly disarmament initiatives

PACDAC regularly updated the Minister on developments relating to the Non-Proliferation Treaty including government and NGO initiatives at the 2007 and 2008 NPT Preparatory Committees, and related initiatives including the Middle Powers Initiative Article VI Forum meetings and the New Agenda Coalition NGO group.

6. Depleted Uranium

On numerous occasions, PACDAC spoke to the Minister about depleted uranium and sought an update on the government's position.

PACDAC recommended to the Ministry of Foreign Affairs that it examine the new Belgian legislative precedent of a ban on depleted uranium munitions and armour with a view to the NZ parliament following suit; and recommends that Ministry of Foreign Affairs refer this to the relevant parliamentary committee for due consideration and report back to parliament.

7. Cluster Munitions

PACDAC recommended that New Zealand support the negotiation of a new International Humanitarian Law (the Cluster Munitions Treaty) to:

- (a) Effect a comprehensive ban on cluster munitions, and
- (b) Address the humanitarian impacts of cluster munitions.

To secure this goal, the Committee recommended that New Zealand actively participate in the Oslo Process to ban Cluster Munitions launched by the Oslo Declaration in February 2007.

PACDAC sought regular updates on the status of the Oslo Process including New Zealand's participation in the series of meetings held in 2007 and 2008 to create the treaty. PACDAC sought regular updates on the government's preparations to host the Wellington Conference on Cluster Munitions on 18-22 February 2008 to build political support for the proposed ban treaty. To ensure the broadest possible support for the Conference, the Committee urged MFAT to engage other government bodies (NZAID, NZDF), to cooperate with civil society actors represented by the umbrella Cluster Munition Coalition and its domestic wing, and to actively include Pacific countries in the Oslo Process including the Wellington Conference.

The Committee commended the government for taking leadership as a member of the Core Group that steered the Oslo Process towards its successful conclusion, particularly the negotiation of the Convention on Cluster Munitions in Dublin, Ireland from 19-31 May 2008 and the treaty's signing conference in Oslo, Norway on 2-4 December 2008. PACDAC strongly supported the work on this issue that was undertaken by Ambassador Don Mackay, Charlotte Darlow, and other officials. PACDAC urged the Minister to secure high-level support to the cluster munition treaty objective with his counterparts in Australia and elsewhere.

8. Disarmament Education

PACDAC has regularly sought an update from government on the UN study on disarmament and non-proliferation education, and has reported to the government on developments that could be useful to New Zealand's reporting to the UN on implementation of the recommendations in the study. PACDAC wished to keep this to the fore and proposed to talk directly with the relevant departments (Education, Defence, Foreign Affairs, Youth, Justice, Social Welfare, Police...).

PACDAC supported in principle (though not financially) the establishment of the Centre for Peace and Conflict Studies at Otago University, and recommended to the government that the fullest support possible be given to the centre.

9. Peace Cities/ Mayors for Peace

The Minister was regularly updated on developments to increase numbers of Peace Cities and on the program of Mayors for Peace including their promotion of a Nuclear Weapons Convention, the Cities should not be Targets project and the Hiroshima/Nagasaki Protocol.

10. Small Arms

PACDAC considered the status of international and regional efforts to tackle the proliferation and misuse of small arms and light weapons. It urged MFAT to support the launch of negotiations of an Arms Trade Treaty, sought information on the status of the Group of Experts deliberations in 2008 on this topic, and considered other efforts to tackle small arms through the 2001 UN Programme of Action.

It was noted that research into the problem of small arms in the Pacific including that by David Capie was increasingly dated. PACDAC Discussed with the Minister the potential to commission work to update David Capie's work. The Committee supported efforts to consider the proliferation and impact of small arms in the Pacific, particularly in Papua New Guinea.

Operational matters

Investment Policies

At its September 2007 meeting, the Committee asked whether PADET or DEUNIF investments by the Department of Internal Affairs are guided by ethical or other social responsibility criteria. A new member noted that funds have been invested in companies with dubious environmental credentials and other concerns. The Department of Internal Affairs clarified that while the funds are subject to ratings reviews and other considerations, they were not currently guided by any other ethical criteria for investments by the Department of Internal Affairs.

PACDAC has noted the need for favourable consideration to be given to investment opportunities that are positive (i.e. not just negative screening) when investment strategies are reviewed in 2008. The Committee has also noted the need for a comprehensive approach by the government to all its investments, such as the New Zealand Superannuation Fund.

As a result the Department of Internal Affairs adopted policy with respect to the PADET, DEUNIF and Pacific Conservation Funds to not invest in companies involved in weapons production, tobacco or pornography.

Conclusion

Minister, we again extend our congratulations to you on your appointment to the disarmament portfolio. New Zealand has an important role to play in ensuring progress is made globally on disarmament issues. We look forward to meeting with you in 2009 and working with you during your term as Minister.

Yours sincerely


Hon Deborah Morris-Travers
Acting Chair of PACDAC