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Foreign and Commonwealth Office

London SW1A 2AH

21 November 1985

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Prime Minister

Dear Charles,

CDD

24/11

New Zealand High Commissioner's Call on the Prime Minister
on 22 November

I enclose briefing for the introductory call on the Prime Minister by the New Zealand High Commissioner, Mr Bryce Harland, on Friday 22 November, at 9.30 am, together with a personality note on Mr Harland.

Mr Harland took up his appointment on 1 October. The previous High Commissioner, Mr Joe Walding, died suddenly in June. Mr Harland is the first career diplomat to fill the post.

The brief concentrates on the ships visits problem. You will have seen a copy of Washington telno 3201 (copy enclosed) which sets out US thinking on how they propose to resolve the ships visits problem.

The Foreign Secretary, who has had a number of discussions with the New Zealanders (Deputy Prime Minister Palmer and High Commissioner Harland) aimed at finding a solution, has been wary about acting as an intermediary with the Americans until we were clearer as to whether they were themselves interested in a solution. Mr Shultz has now sent him a message suggesting that it would be helpful for us to weigh in with the New Zealanders; copy also enclosed.

Sir Geoffrey has been concerned that the American approach of "stick and carrot" was being so managed that it might well make the New Zealanders less willing to find a compromise - particularly if the "stick" element was too evident. The chances are not good that Mr Lange will be prepared to back off to the extent required by the Americans (ie the resumption of the full range of ships visits). We may need to say so to the Americans, perhaps in a reply to Shultz after the High Commissioner's call. But the Foreign Secretary believes that we should take the opportunity of Mr Harland's call to put pressure on the New Zealanders to face up to the need for them to move if a solution is to be found to this problem, and to consider very carefully the consequences of a further breakdown.

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This firm message might be tempered by an assurance of our willingness to continue the dialogue with the New Zealand Government once they let us have details of what they propose to include in their revised draft legislation. The enclosed brief reflects this line.

Yours ever,

Peter Ricketts

(P F Ricketts)
Private Secretary

C D Powell Esq
PS/10 Downing Street

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INTRODUCTORY CALL ON THE PRIME MINISTER BY THE NEW ZEALAND HIGH COMMISSIONER ON FRIDAY, 22 NOVEMBER, AT 9.30 AM

OBJECTIVES

1. To welcome the New Zealand High Commissioner and demonstrate importance we continue to attach to our special relationship.
2. To remind the New Zealanders of the importance we attach to their support in UNGA on Falklands.
3. On ship visits, to emphasise own difficulties with proposed New Zealand legislation; to urge New Zealand to speak urgently to Americans before taking any irrevocable steps.

ARGUMENTS

4. Tradition of close co-operation: reflects continued strength of kinship ties.
5. New Zealand support on Falklands a valued example. This year Argentines have promoted "soft" text. But no change of substance in position: they insist on negotiations on sovereignty (under euphemism); refuse to acknowledge Islanders' right of self-determination.
6. We are proposing amendments reaffirming self-determination. If accepted, can abstain on existing text as amended. If not, bound to vote against. Hope New Zealand will take same approach.
7. I have promised your Prime Minister continued support on Community access for New Zealand agricultural products.
8. Glad to provide explosives expert to help over New Zealand police enquiries into sinking of "Rainbow Warrior". Happy to see indications that New Zealand/ France are working to restore normal relations: important for New Zealand.



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9. Ship Visits: share US "neither confirm nor deny" policy. Naval visits not possible on basis of draft clauses we have seen.

10. Key to resolution of problem lies with Americans: know they are ready to talk to you. Not for us to mediate between ANZUS partners but US likely to insist on resumption of full range of visits. Ban on nuclear powered ships most damaging and likely to impede progress.

11. But our own interests also involved. Dislike proposed legislative approach. Not followed by others who do not want nuclear weapons on their territory. Hope New Zealand Government will consider very carefully whether legislation on ship visits cannot be dispensed with or radically modified to meet our concerns. Ready to talk further in light of your Government's reaction.

12. Failure to agree could damage Western security in Pacific, ANZUS and New Zealand. Other countries might follow New Zealand example making US and NATO operations more difficult. Only Soviet Union would gain. Is this what New Zealand wants?

TACTICAL ARGUMENTS

13. New Zealand Government's proposed date (mid-December) for tabling legislation gives little time for serious consideration. Can date not be put back? Willingness to do this will affect own judgement of New Zealand seriousness in seeking way out. Once legislation tabled, and public, more difficult to negotiate.

14. Domestic opinion in New Zealand should not override its wider interests.

HIS OBJECTIVES

Ship visits

15. To persuade us that legislation is best way to bring about resumption of ship visits; that latest proposed text (not yet seen)

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takes account of our concerns and puts onus on New Zealand to make up own mind about ships' acceptability.

16. To obtain our support by claiming that Americans have been intransigent.

YOUR RESPONSE

17. We, like Americans, do not like idea of legislation by a friend and ally.

18. Could not live with legislation which presented us with choice between deceiving you or making our "neither confirm nor deny" policy meaningless.

19. Problem mainly one for New Zealand to solve with US.

BACKGROUND

Falklands

20. New Zealand has voted against Argentine resolutions since 1982, but has shown signs of wanting to switch to abstention.

New Zealand/EC

21. Under current arrangements, quotas agreed for butter imports to EC until end-1986. Quotas for 1987 and 1988 remain to be negotiated.

22. Imports of New Zealand sheepmeat regulated by voluntary restraint arrangement until 1988. UK is New Zealand's largest and most reliable customer.

"Rainbow Warrior"

23. The "Rainbow Warrior" was blown up in Auckland Harbour on 10 May: one crew member died. On 4 November, two French agents on trial in New Zealand pleaded guilty to manslaughter. Sentencing due 22 November: they are expected to be imprisoned in New Zealand, but

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deported after a decent interval.

24. The UK provided an underwater explosives expert to help New Zealand police enquiries.

Ship Visits

25. In August, the New Zealand Government announced its intention to introduce anti-nuclear legislation, including clauses regulating ship visits, by end year.

26. Deputy Prime Minister, Mr Palmer, visited Washington and London in late September with draft of clauses on ship visits: Shultz refused to discuss legislation.

27. Harland apparently briefed to encourage UK to break deadlock: Foreign Secretary agreed attempt should be made.

28. FCO official sounded State Department on 12 November. He was informed that proposals for further discussions were being put to Shultz, on condition that New Zealand confirmed agreement to access of same classes of ship as before. Understand Shultz has now agreed. Gap with New Zealand still wide. Aggravated by apparent intention to include ban on nuclear powered ships, now 50% of US Navy.

29. Mr Lange has promised to provide a copy of complete draft of legislation to UK, US and Australia within next ten days.

30. An RN Task Group is planned for 1986 to Far East and Pacific. A visit to New Zealand at present ruled out, but programme flexible enough to permit visit if change in New Zealand policy allows. New Zealand Government informed.

South Pacific Department
Foreign and Commonwealth Office
November 1985

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HARLAND, William Bryce

Born 1931

Graduate of Victoria University of Wellington with an MA in history and of Fletcher School of Law and Diplomacy, Tufts, USA.

Joined New Zealand MFA in 1953. Third Secretary, Singapore, 1956; Bangkok, 1957; Second Secretary, New York, 1959. Became Head of the South Pacific and Antarctic Division, MFA, in 1962 and Assistant Head, External Aid Division, in 1964. Served as Counsellor in Washington (1965-69). Head, Research Division, MFA, in 1969; Head, Asian Affairs division (1970). In 1973 he went as Ambassador to Peking. In 1977 he returned to the MFA as Assistant Secretary and Director of External Aid. From 1982-85 served as the Permanent Representative, New Zealand Permanent Mission to the UN in New York.

Able, ambitious and a businesslike colleague, who in his last post went out of his way to seek British views.

Married, with one son by his present marriage. Two sons from a previous marriage.

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INFO PRIORITY WELLINGTON, CANBERRA, MODUR (F R SEC(D)(C))
YOUR TELNO 1926: NEW ZEALAND SHIP VISITS

SUMMARY

1. US NOW ON A MORE ACTIVIST STICK/CARROT POLICY: READY TO OPEN A DIALOGUE ON WHAT LEGISLATIVE FORMULAE MIGHT BE ACCEPTABLE, BUT DETERMINED TO WARN THAT FAILURE TO FIND ACCEPTABLE FORMULAE WOULD HAVE SERIOUS CONSEQUENCES. A SHULTZ MESSAGE TO LONDON ENVISAGED.

DETAIL

2. IN HOLMES' ABSENCE (IN GENEVA) WE DELIVERED DAUNT'S MESSAGE TO MCNAMARA (DEPUTY DIRECTOR, POL-NIL), AND WENT OVER THE GROUND WITH HIM.

3. SHULTZ HAS APPROVED THE PROPOSALS WHICH HOLMES MENTIONED TO DAUNT ON 12 NOVEMBER. THE DIALOGUE ABOUT POSSIBLE SOLUTIONS WILL START WHEN WOLFOVITZ (AND MCNAMARA) SEE AMBASSADOR ROWLING ON 22 NOVEMBER. THE PROPOSED WOLFOVITZ BROADCAST INTERVIEWS WILL ALSO GO AHEAD. WE STRESSED YOUR HOPE THAT NOTHING BE SAID IN PUBLIC ABOUT THE CONSEQUENCES OF FAILURE TO FIND A SOLUTION:

MCNAMARA WAS HOWEVER CLEAR THAT THIS WAS AN ESSENTIAL PART OF THE SHULTZ-APPROVED STRATEGY. THE NEW

ZEALAND GOVERNMENT CONTINUED TO MAINTAIN IN PUBLIC THAT THE SHIP VISITS ISSUE WAS NOT SERIOUS, AND DID NOT THREATEN THE RELATIONSHIP WITH THE UNITED STATES: THE ADMINISTRATION HAD NO WISH TO THROW DOWN THE GAUNTLET, BUT THOUGHT IT IMPORTANT TO SET THE RECORD STRAIGHT IN PUBLIC, POINTING OUT THAT THERE WOULD BE SERIOUS LONG-TERM DIFFICULTIES IF NO SOLUTION COULD BE CONTRIVED.

4. SHULTZ HAS ALSO APPROVED THE IDEA OF A MESSAGE TO YOU URGING COORDINATED US/UK APPROACHES TO THE NZG BEFORE THEIR DRAFT LEGISLATION IS TABLED. MCNAMARA (PLEASE PROTECT) SHOWED US THE DRAFT, WHICH IS LIKELY TO BE TRANSMITTED TO GENEVA, FOR APPROVAL BY SHULTZ, BY 20 NOVEMBER. HAVING REFERRED TO PAST US/UK CONSULTATIONS ON THE SHIP VISITS ISSUE, IT SUGGESTS THAT, SINCE US AND UK VIEWS ARE QUOTE COINCIDENT UNQUOTE, AND TIME SHORT, NOW MIGHT BE A PROPITIOUS MOMENT FOR YOU TO WEIGH IN AGAIN WITH THE NZG ABOUT THE UK'S CONCERNS. HMG'S INFLUENCE MIGHT BE DECISIVE IN WELLINGTON, GIVEN THE SPECIAL UK/NZ RELATIONSHIP: AND NZG REACTIONS TO THE UK MIGHT BE QUOTE LESS AUTOMATIC AND NEGATIVE UNQUOTE THAN TO THE US. YOU MIGHT EXPLAIN WHY BOTH THE US AND THE UK HAVE TO BE VERY FIRM ON THE ISSUE OF NORD. THE MESSAGE CONCLUDES BY SUGGESTING THAT US AND UK APPROACHES BE SEPARATE BUT COORDINATED.

5. STATE THINK THAT HARLAND (AND MR O'LEARY) ARE RIGHT TO SUGGEST THAT THE NZG'S COMMITMENT TO INTRODUCE LEGISLATION BY MID-DECEMBER IS FIRM. BUT THEY HAVE THE IMPRESSION THAT THE DRAFT LEGISLATION WILL BE SOMETHING OF AN OMNIBUS TEXT, WITH PROVISIONS RANGING FROM A BAN ON NUCLEAR WASTE DUMPING TO THE PACIFIC WAFZ PROPOSAL. GIVEN THAT SUCH A TEXT WOULD CONTAIN A NUMBER OF ELEMENTS WHICH WOULD APPEAL LARGE'S POTENTIAL CRITICS ON THE LEFT, STATE HOPE THAT THE PROVISIONS ON PORT VISITS

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MIGHT BE RE-DRAFTED SO AS TO BE CONSISTENT WITH RESPECTING THE US/UK NCND POLICY. WHAT STATE ARE QUITE UNCLEAR ABOUT IS WHETHER LANGE (LIKE HARLAND) WANTS TO BUILD BRIDGES IN THIS WAY. THEY BELIEVE HE HAS BEEN SLIPPERY AND SELF-CONTRADICTIONARY ALL ALONG, AND THEY WERE DISTURBED BY REUTERS REPORTS ON 18 NOVEMBER OF ANOTHER PUBLIC STATEMENT IN WHICH, WHILE INDICATING THAT THE DRAFT LEGISLATION WOULD BE SHOWN TO THE US, UK AND AUSTRALIANS IN ADVANCE, HE APPARENTLY MADE IT PLAIN THAT IT WOULD DEFINITELY SETTLE THE PORT VISITS ISSUE, AND ON THE NZG'S TERMS.

6. HOLMES WILL TRAVEL FROM GENEVA TO CANBERRA FOR REGULAR TALKS WITH THE AUSTRALIANS ON 25/26 NOVEMBER. HE IS LIKELY, INTER ALIA, TO URGE THEM TO WARN THE NEW ZEALANDERS OF THE MAJOR PROBLEMS LIKELY TO ENSUE IN THE US/NZ DEFENCE RELATIONSHIP IF THE LEGISLATION GOES AHEAD IN TERMS WHICH DO NOT MEET US DESIDERATA.

COMMENT

7. SHULTZ'S ACCEPTANCE OF OFFICIALS ADVICE MEANS THAT THE ADMINISTRATION ARE NOW FIRMLY ON A CARROT AND STICK POLICY. THE CARROT IS THAT THEY ARE PREPARED (ON 22 NOVEMBER) TO INDICATE TO THE NEW ZEALANDERS THEIR READINESS TO COUNTENANCE A LEGISLATIVE SOLUTION, AND DETAILED DISCUSSIONS ABOUT IT, PROVIDED THAT THE NZG IN TURN INDICATES WILLINGNESS TO ALLOW SHIP VISITS TO RESUME ON THE OLD PATTERN. THE STICK, WHICH THEY CLEARLY WILL NOT DROP, IS THE WOLFOWITZ BROADCASTS, TOGETHER WITH FIRM PRIVATE MESSAGES THAT NO SOLUTION INCOMPATIBLE WITH NCND WILL BE ENTERTAINED HERE. THEY HOPE FOR SIMILAR PRIVATE MESSAGES TO WELLINGTON FROM LONDON: AND WOULD OBVIOUSLY BE VERY PLEASED IF THE PROCESS WERE TO START WHEN THE PRIME MINISTER SEES HARLAND ON 22 NOVEMBER.

8. THE CHANCES OF ANY FURTHER SIGNIFICANT DEVELOPMENTS HERE BEFORE THEN ARE LOW: BUT WE SHALL OF COURSE REPORT IF WE DETECT ANY.

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No. 10 DOWNING STREET

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Dear Geoffrey,

During our regular consultations, you and I as well as our staffs have regularly discussed the difficulty both our countries would have should the Lange Government legislate restrictions on port access for our warships.

Since our views are coincident on this issue and since we understand the Lange Government plans to introduce port access legislation before Parliament adjourns December 12, I believe it would be a propitious moment for you to convey your concerns once again to the GNZ. I believe there will be little possibility for successful resolution of this issue without an understanding on the part of the GNZ that it must restore normal port access. In this regard, HMG's influence could be decisive. Your relationship with New Zealand is a very special one. The Kiwis pay close attention to your views. It would be useful if you could explain to the GNZ why both of our governments must be very firm in our NCND policy. I believe separate but coordinated approaches at this time by our governments expressing similar concerns may improve prospects for success, and hope you share this view.

Sincerely,

/s/

George P. Shultz

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