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# PACIFIC BULLETIN

A Publication of the Pacific Concerns Resource Center,  
in Support of the Nuclear Free and Independent Pacific Movement  
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## PALAU VOTES DOWN U.S. NUKES

Clouded in controversy, the plebiscite on the Compact of Free Association was held on February 10 in Palau, with voters approving the Compact but rejecting the key nuclear provision. Palau's highly publicized Constitution provides that 75% of the voters must vote approval before any nuclear materials can enter the islands.

Three questions were asked on the ballot, and received the following votes:  
1(A) Compact - Yes 4,452; No 2,715.  
1(B) Nuclear Provision - Yes 3,717; No 3,309  
2 Independence 1,800; Closer Assn. 2,250.

Both the State Department and the Palau government acknowledge that the Compact cannot be implemented without the nuclear provision. The U.S. is adamant that it will not accept any limitations on its military activities in Palau. Soon after the vote, State Department officials said: "The Palauan authorities must now devise an acceptable method of reconciling their constitutional provisions to comply with the mandate of the Palauan electorate for free association with the United States..."

Palau's traditional leaders, however, led by High Chief Ibedul proclaimed on February 23 that "there can be no other conclusion but that the Compact of Free Association, in its present form, has been defeated by a vote of the people of Palau and is now dead."

### IRREGULARITIES CLOUD VOTE

Just 10 days prior to the February 10 vote, the Palau Supreme Court declared the ballot wording to be illegal -- language which the State Department devised and instructed Palau to put on the ballot. University of Santa Clara Law Professor Howard Anawalt said the illegal language would have indicated to "voters that a vote for approval of Section 314 (nuclear provision) is a vote

in favor of placing restrictions and conditions on radioactive, chemical and biological materials, when in fact it does the contrary," and would override the Palau Constitution's nuclear outright nuclear ban.

One person commented on the U.S. ballot wording that "the only way the U.S. could get a 75% vote in favor of the nuclear/military provision is to mislead the voters." This wording was thrown out by the Supreme Court and new ballots were printed with more accurate language.

Adding to the problem with the ballot, the day of the plebiscite Palau President Haruo Remeliik publicly announced that voters did not have to follow the law governing voting procedures. The law governing the plebiscite and the court ruling stated that people had to vote for both Questions A & B under Proposition One or the ballot would be declared invalid. Confusing an already muddled situation, Remeliik on February 10 declared: "If only question A of Proposition One is completed the ballot is VALID...If only Question B of Proposition One is completed, the ballot is VALID and will be counted..."

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# NFP WEEK CAMPAIGN REPORTS

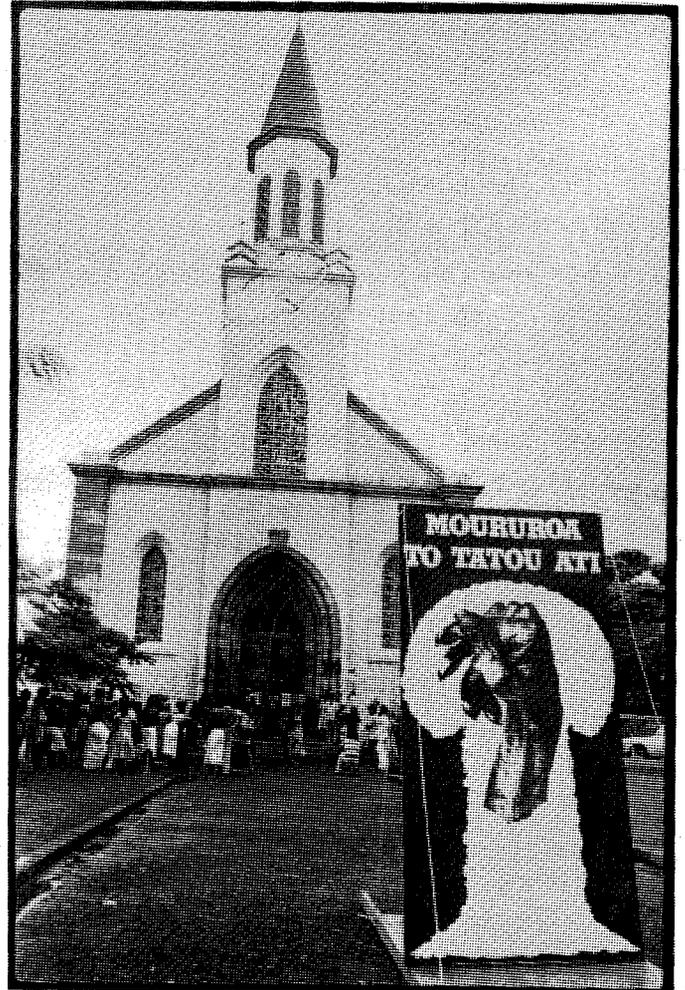
## NUCLEAR FREE PACIFIC WEEK ACTIVITIES...

The March 1, 1954 hydrogen bomb test at Bikini severely contaminated hundreds of Marshallese, American servicemen and Japanese fishermen with radioactive fallout. Bikini Day, as March 1 is known, symbolizes the nuclear devastation western nations have brought to the Pacific and the people's determination to declare the region nuclear-free.

IN TAHITI, March 1 has special significance because France continues its nuclear weapons testing in the face of growing health problems. Despite the people's dependence on the French military economy in Tahiti, about 500 turned out for a Bikini Day demonstration and marched through Papeete to the French High Commissioner's office. Delegations attempted to present two anti-nuclear testing petitions to the High Commissioner and the head of the local government, Gaston Flosse. But, as one observer noted, "they had been forwarded and gone into hiding." So the petitions were presented to other government officials.

IN FRANCE, a two year petition campaign against French testing and proposed Japanese nuclear waste dumping in the Pacific culminated with the presentation of more than 90,000 signatures to high level officials in the French Ministry of Foreign Affairs in Paris. Presenting the petitions to the French were Shorty O'Neil of the Aboriginal Land Council (based in London) and Roman Bedor of the Belau Pacific Center and also the PCRC's Micronesia representative. The petition campaign was initiated in 1981 by the Japanese citizens' group Jishu Koza.

IN JAPAN, on March 1 protests were taken to the Science & Technology Agency which is attempting to carry out ocean disposal of nuclear wastes. According to reports, the Japanese government officials were "shocked" by the London Dumping Convention's 2-year moratorium on waste dumping because they've relied on the LDC to support the scheme. The STA reiterated its plan to carry out the waste disposal.



Bikini Day Rally in Papeete, Tahiti 1981.



# NFP WEEK ...

## NUCLEAR FREE PACIFIC WEEK...

IN JAPAN, local Gensuikin and trade union branches organized rallies on March 1st throughout the country against the nuclearization of the Pacific. On March 5 in Takarazuka City 50 people gathered to view slides on the effects of nuclear tests in the Marshall Islands. The program was broadcast over three TV stations and reported in the Asahi, a major national paper.

IN AUSTRALIA, a four day protest picket in a downtown city mall in Sydney during NFP Week brought in hundreds of signatures on the anti-French testing and colonialism petition.

IN THE SOLOMONS, a well attended meeting focused discussion on the problems of nuclear powered submarines, independence movements and Pacific military buildup and featured a slide show on the Marshall Is. nuclear tests. As a follow up to the program, church and youth groups are scheduling the slide show.



IN HAWAII, citizens petitioned the Big Island County Council to enforce their nuclear-free zone declaration of 1981 by refusing nuclear vessels access to ports on the island. Additionally, a feature article in the local paper brought out nuclear and independence issues. In Honolulu the film "A Nuclear Free Pacific?" was shown with a speaker from Papua New Guinea talking to an interested audience about the urgency of Pacific people gaining control of their islands to stop future nuclear exploitation.



NFP demonstration in Vila, Vanuatu, 1982.

IN AOTEAROA, the Pacific Peoples Anti Nuclear Action Committee launched a three person speaking team into six Auckland secondary schools which have large Maori and Pacific Island student populations. 17 classes heard speakers focus on Hiroshima and Nagasaki, and provide an overview on how Pacific people are effected by uranium mining, military bases and nuclear testing. The programs have sparked requests for numerous speaking engagements in the future.

IN CANADA, on March 1 the Toronto Star with a circulation of 500,000 carried a feature article on the nuclear free Pacific movement by Setsuko Thurlow, a survivor of Hiroshima now in Canada.



### FRANCE PETITION CAMPAIGN

So many thanks for all the signatures you have already collected and sent to us. Encouraged by your response to date, we are enclosing another petition for your use. The warmth of your letters and notes cheers us each day as we feel your strong resistance to France's nuclear testing program at Moruroa and your support of independence for the Pacific's indigenous people, particularly in New Caledonia. To date, petitions have been returned from 13 countries. The petition has been translated into Japanese and is available through PCRC or Gensuikin, 4th Fl., Akimoto Bldg., 2-19 Tsukasa-cho, Kanda, Chiyoda-ku, Tokyo, Japan.

# Nuclear Free & Independent Pacific Conference/83

## AIMS OF NFIPC/1983

1. To further integrate the independence/indigenous lands movements and the movement for a nuclear free and demilitarized Pacific. To integrate the problem of nuclear weapons as the end product with the parts of the nuclear cycle that indigenous people are confronting: uranium mining by transnational corporations, nuclear testing, nuclear waste and nuclear power plants.
2. To report on campaigns since 1980, with special emphasis on assessing the political impact of each campaign. To discuss and debate strategic priorities for the next period.
3. To assess network support and communications and develop strategies for working in broader groupings, including so far uninvolved Pacific people and regional and international alignments.
4. To improve research and exchange of information on: transnational/civilian/military nuclear activity in the region; and on advantages for self-sufficiency and independence of renewable energy and alternative technologies.
5. To evaluate experiences since 1980 with production and use of resource materials and define needs of the future. To devise ways to improve distribution, including translations, and communications media.
6. To participate in assessment and development of PCRC structures, including Steering Committee role and function; role and function of offices; redefinition of network regions.

## COMMENTS ON THE AIMS

"The most important priority of those in struggle is to create solidarity and self-identity from the scattered and divided ruins of our lot. This can be achieved through the creation of self-consciousness, that is not just ethnic, but human and multi-cultural. Now, after this, there needs to be developed effective institutions of power -- real power -- to combat power.

"Finance is an essential tool, coupled with organization. Without these, much of our resolutions in conferences will gather dust and eventually get eaten up by those hardy creatures, the cockroaches, which are believed to possess ability to survive nuclear holocausts!

"We have to develop men and women of moral power to combat the power of the

evil minded and see to it that these men and women are in key positions of decision making..." --BMN, Papua New Guinea.

"I think we should have a good session on evaluating our political impact within each selected campaign. For example, when we hear campaign reports on Kwajalein, nuclear waste dumping, etc..., each report might include a section assessing how we actually influenced the power structure and how we failed to achieve our goals in some cases..."

"One area I would like to see addressed more thoroughly than it has been in the past is economic development for the Pacific arena...I feel if the economic issues fail to be addressed, we are overlooking some basic structural obstacles to the achievement of true independence for people in the Pacific..." --BT, Washington, D.C.

"I think that discussions on renewable energy and alternative technologies will be very important as so little information is known for the Pacific and technologies are still dubiously established. Some dispassionate scientific discussion in layman's terms is necessary. The Australian High Commissioner here said his government does not support nuclear free Pacific (only nuclear testing and dumping free) because burning fossil fuels 'will melt the poles.'

"Our youth groups here would like slide shows with commentaries in the vernacular languages for use in their own local meetings. Posters and photo displays available in sets for use in groups discussions at the local levels will also be very useful. Thus, item 5 of the Conference Aims will be very important."

--SS, Fiji

The following additions, refinements and changes were suggested by the February 5 Hawaii Consultation regarding the Aims of the Vanuatu Conference:

1. "Participants preparing for NFIPC need to understand that the conference

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COMMENTS ON THE AIMS...

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will take positions and develop support for movements of indigenous Pacific Islanders for independence, self-determination, sovereignty and land rights.

2. "There should be a statement, perhaps as a preface to the Aims, stating that the conference work will entail taking positions, anticipating trends and issues and developing future plans in addition to just reporting, assessing and evaluating ongoing work.

3. "There should be a separate Aim stating: To exchange information and perspectives to develop a policy toward use of resources of land and ocean, especially a policy relating to the Law of the Sea."

**STRUCTURE OF NFIPC/1983:**

- **Sunday, July 10-Wednesday July 13:** Opening day will feature the conference keynote address, introductions, and cultural activities. The following three days will feature speakers, panel discussions, and workshops to exchange and network on three major themes: (1) Political Independence in the Pacific; (2) Militarization and Nuclearization of the Pacific; (3) Economic Dependency and Development.
- **Thursday, July 14 (Bastille Day):** Free day with a march and rally protesting French colonialism and continued nuclear testing. Guests will be leaving after lunch and during the afternoon.
- **Friday, July 15-Wednesday, July 20:** Action planning sessions begin. The format will include plenary sessions, strategy workshops, audio-visual and cultural presentations.

CONFERENCE STRUCTURE

"Is there a possibility during the conference to explain the European situation and the strategy of the European peace movement? We could prepare a "show" and we will bring video and other materials if you agree." --GVO, Netherlands.

"It would be very useful if a network (Pacific-wide) of collecting stations is set up for collection of specific organisms at regular intervals to monitor radioactivity in the Pacific Ocean. I would hope that some marine biologists could become interested. We need more 'unbiased' facts to counter arguments for safety. Will there be a possibility of getting some biologists or science

students to meet and discuss this at the conference?

"Will it be possible to get the chairman of the U.N. Disarmament Committee to speak at the July Conference? It would be good to have a friend at the UN. The Steering Committee has worked very hard and worked out a well-thought out programme. I do hope your efforts will meet with great success." --SS, Fiji.

**PARTICIPANT CRITERIA:** The criteria for all voting and non-voting participants follows:

- Have demonstrated a commitment to the *Peoples' Charter for a Nuclear Free [and Independent] Pacific*.
- Represent an organization(s).
- Be knowledgeable on own national situation.
- Commit themselves to be active around the goals of the *Peoples' Charter for a Nuclear Free [and Independent] Pacific* after the Conference.

AOTEAROA (N.Z.): The Pacific Peoples Anti-Nuclear Action Committee (PPANAC) will choose the three Maori participants. The February 19-20 meeting at Dunedin of Peace Movement N.Z. spent considerable time developing the following process for the selection of N.Z.'s three pakeha participants:

1. The PMNZ office will write to a broader collection of groups calling for nominations, asking that the nominating group confirm the availability of any nominee before putting the name forward; and including identifying information on their nominee.

2. The office will collect all nominations on a single list, with all information on the nominees.

3. This list will go to the Regional Representatives of PMNZ to take to groups in their regions for discussion and to list the first 5 choices in order of preference. This list will be sent to a convening regional representative (George Armstrong was selected).

4. The convening rep. will tally the nominations, counting 5 for each first preference, 4 for each second, etc., then consult with the other regional reps. concerning the list that results, to arrive at a consensus that takes into account diversity of representatives as well as tally total.

5. The convening rep. will then communicate the resulting recommendation to the PMNZ office, which will submit

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this list to the groups originally consulted.

6. Nominations for the position of the Australian/N.Z. Steering Committee Representative will be called for at the same time as nominations are called for delegates. The SC Rep. will be selected by the delegates at the conference.

AUSTRALIA: The July 1982 National Nuclear Free Pacific Activists Consultation, held in conjunction with the National Conference of the Australian Coalition for Disarmament and Peace (ACDP) and the Coalition for a Nuclear Free Australia (CNFA), appointed a ten member Working Group to initiate support for NFIPC/83 and to coordinate selection of Australian participants. The Federation of Land Councils has been invited to select the three Aboriginal participants.

The Working Group initiated a call for applicants to submit their desire and all relevant information about their involvement in the NFIP movement. The applications will be discussed at meetings of all interested groups in each of Australia's seven states, prior to selection by consensus of the member organizations of the ACDP and CNFA networks.

JAPAN: A working groups is being established through Gensuikin for participant selection.

HAWAII: During February and March, over 30 organizations have participated in two consultations held in Hawaii on NFIPC/83. Together they made these recommendations about participation:

1. The status of the five invited Pacific regional groups should be non voting participants, not voting participants.

2. We register concern that indigenous delegations from rim countries should have the option of voting separately from the delegates representing disarmament groups from country during NFIPC/83.

3. Hawaii's delegation should be increased to five, to include one kupuna. Of the four remaining participants, three should be kanaka maoli (part-Hawaiian) and one non-Hawaiian. The Hawaiian supporting organizations will choose the kupuna and

the three kanaka maoli participants. The Hawaiian and disarmament/solidarity supporting groups will jointly choose the non-Hawaiian participant.

4. Specific selection process and criteria for Hawaii's participants will be discussed during an April 1 meeting.

## Supporting Organizations

A major reason for the energies generated following NFPC/80 was the fact that 75 organizations were supportive of the conference aims and ready to work when the delegates returned home. With the expansion of the NFIP movement since 1980, and the challenges ahead, it is even more crucial in 1983 that even larger numbers of organizations support NFIPC/83.

We are seeking organizations which:

- \* Endorse the conference aims;
- \* Publicize and support the NFIPC/83;
- \* Commit their continuing support to the NFIP movement.

We ask that supporting organizations donate or help raise a minimum of US \$25 toward conference organizing costs. 50% of that amount will be allocated toward the region's fundraising efforts, particularly for participants' airfares.

Groups wishing to support NFIPC/83 should send their names (as they will be printed in conference publicity packets) and their contributions to the most appropriate of the following organizing centers:

In Australia (checks payable to NFP Organizing Fund)  
NFP Coordinating Committee  
c/o AICD, Box A 243  
Sydney South, NSW 2000

In USA,  
US NFP Network  
942 Market St., Rm 711  
San Francisco, CA. 94102

In Aotearoa (New Zealand)  
Peace Movement New Zealand  
P.O. Box 5087  
Dunedin, N.Z.

In Japan  
Gensuikin (or PCRC)  
4th fl, Akimoto Bldg.  
2-19 Tsukasa-cho, Kanda  
Chiyoda-ku, Tokyo

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# New Strategies for the Protection of the Pacific Report on the London Dumping Convention

by

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The Seventh Consultative Meeting of the London Dumping Convention, held February 14-18, 1983, was an historic gathering in several respects. The Pacific initiative to ban radioactive waste dumping in the oceans, led by Nauru and Kiribati, generated unprecedented interest in the proceedings. The meeting was by far the largest, best attended, most publicized and decisive meeting in the eleven year history of this international treaty organization. The critical developments were three:

- The member nations voted by a 75% margin in favor of a resolution placing a two year moratorium on all nuclear waste dumping at sea;
- The Nauru/Kiribati amendment to ban radioactive waste dumping at sea drew substantial support and was tabled for a two-year scientific study, thus sustaining the pressure on the nuclear dumping nations;
- Perhaps most significant in the long term, the Contracting Parties agreed to decide by next year whether subseabed **emplacement** of high-level nuclear wastes, as planned by the U.S. and other nuclear nations, is defined as **dumping** and is therefore prohibited under the existing LDC.

The actions of the LDC carry significant international and national implications for existing and planned radioactive dumping programs by the U.S., Japan and the U.K. The actions taken by the Seventh Consultative Meeting of the London Dumping Convention also point the way clearly toward specific strategies—local, national, and international—that can now be pursued to preserve the health of the world's oceans and people who depend on them. In the remainder of this paper I will expand upon each of the three major LDC developments outlined above, and discuss some of the consequences and possible strategy implications of each.

## The Moratorium

The amendment proposed by Nauru and Kiribati was instrumental in encouraging Spain to introduce a draft resolution calling for an immediate moratorium on all nuclear waste dumping at sea. Owing to a systematic, well-coordinated strategy effort by the "sympathetic nations," this resolution carried by a 19 to 6 margin with 5 abstentions. Nations voting in favor included the Pacific alliance—Nauru, Kiribati, Papua New Guinea, the Philippines and New Zealand; the Nordic block—Sweden, Denmark, Finland, Norway and Iceland; the Spanish-speaking nations—Spain, Portugal, Mexico, Argentina and Chile; and Canada, Ireland, Morocco and Nigeria. Panama intended also to support the measure but its delegate had to depart before the vote was taken.

Nations voting against the moratorium were the U.S., the U.K., Japan, the Netherlands, Switzerland and South Africa. The U.S. delegation, headed by then Deputy Director John Hernandez of the Environmental Protection Agency (EPA), took a position in opposition to the moratorium despite the recent U.S. legislation establishing a similar domestic moratorium—a contradiction that the U.S. has yet to explain satisfactorily. The reason for the U.K. stand is clear; they are the world's largest oceanic radioactive waste dumper, have abandoned research into land based alternatives for nuclear waste storage, and have big plans for ocean dumping in the future. Japan likewise presumably dissented owing to its planned ocean dumping program. The Netherlands negative vote came against a backdrop of intense parliamentary debate in The Hague during the LDC meeting, and despite termination of its own small dumping program within a year. The explanation offered by the Dutch delegation was that a satisfactory land site had not been located, and hence a small dumping operation might be required next summer. As in the case of the U.S., however, it is not clear how this dissenting vote accords with recent Dutch national policy decisions to end dumping. Switzerland too maintains a small dumping operation, presumably accounting for its dissenting vote, but it is under increasing political pressure at home to revert to land storage. The reasons for South Africa's dissenting vote were not given, but as a coastal state with a developing nuclear program the implications seem clear. Abstaining votes including the U.S.S.R., France, the Federal Republic of Germany, Brazil and Greece.

The significance of this moratorium vote is manifold. First, this marks the first time that this Convention has decided a substantive issue by voting. The member nations prefer to decide issues by consensus, since the Convention is a voluntary, legally non-binding treaty instrument. But on this issue consensus was impossible, and voting became unavoidable under the LDC's Rules of Procedure.



Second, the vote marks an important change in the dynamics of the Convention. In the past the U.K. and the U.S. have dominated the proceedings. Such domination will not end overnight, but the present vote shows that determined, committed coalitions can prevail.

Third, the vote has caused nations to clearly declare their position on the dumping issue, and thus starkly revealed both the intentions and the isolation of the dumping nations—notably the U.K. and the U.S. This in turn enables opponents of dumping to more effectively target their energies.

Fourth, and of most immediate import, the moratorium is an important tool with which to work internally within the dumping nations.

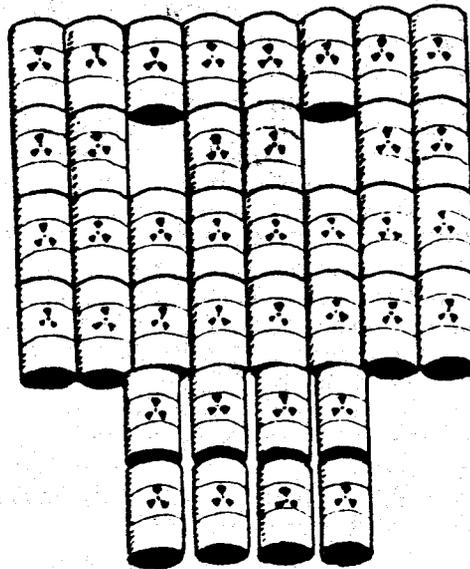
Fifth, the vote clearly identifies the LDC not as a rubber stamp organization for the dumping nations, but rather as an organization that is genuinely committed to the health of the marine environment.

The moratorium itself—and the sentiment it represents—is of immense strategic import in ending nuclear waste dumping at sea. While the moratorium is not legally binding—indeed, the dissenting nations all declared their intent to ignore it immediately following the vote—the moratorium can now be cited as definitive evidence of genuine and deep reservations regarding nuclear dumping at sea. The nations of the world have spoken, and the clear message is that radioactive waste dumping at sea has not been proven safe. This message can now be carried to the governments of the dumping nations, where the struggle to end dumping must ultimately be won. In the U.S., for example, the EPA has repeatedly relied upon the LDC to legitimize its dumping plans. Now opponents to dumping can rely upon the LDC moratorium to resist such dumping plans. Within Japan there is strong opposition to the proposed low-level radioactive dumping program within the public, fishers' associations, scientific groups, environmental and activist organizations. With the moratorium as leverage, these groups may now be able to translate their opposition into the political sphere.

Within the Pacific region, the moratorium is a powerful reaffirmation of Pacific Island concerns. The moratorium is based formally upon scientific questions. Its acceptance by the overwhelming majority of the world's nations lends broad authority to the Pacific position. This message needs to be broadcast far and wide throughout the Pacific to reaffirm again and again the strong anti-dumping stance adopted by Pacific Island people and their governments. And with the moratorium in hand, Pacific Island governments can challenge the proposed Japanese dumping program with new strength.

Even the U.S.S.R. might be persuaded to heed the message. Within international arenas the U.S.S.R. normally sides with Third World nations. By abstaining from the LDC moratorium vote, the U.S.S.R. lost a major opportunity to lend its usual moral support to developing nations. Perhaps the U.S.S.R. will adjust its position before the next, and pivotal Ninth, Consultative Meeting.

In summary, the moratorium vote has forced the hand of all Contracting Parties. The vote enables opponents of dumping to explore why the dissenting and abstaining nations felt obliged to adopt their positions, and to persuade them to alter their stance. The moratorium furnishes the necessary and sufficient political leverage to succeed in this effort.

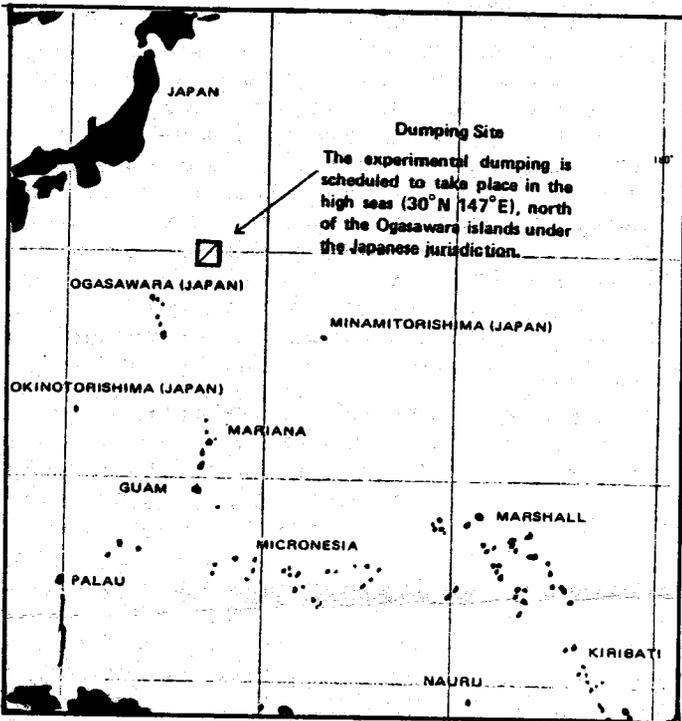


#### The Nauru/Kiribati Amendment

The amendment proposed by Nauru and Kiribati provided the essential impetus for the moratorium. But the amendment itself has by no means been forgotten. On the contrary, in their regular meetings at the Seventh Consultative Meeting, the "sympathetic nations" agreed for strategic reasons to defer the amendment to scientific review. This deferral has the effect of shifting the pressure to the dumping nations, since the moratorium will remain in place pending the outcome of the scientific review. But deferral also carries two major risks.

First, it could be taken to indicate that the sea dumping of nuclear wastes is primarily a scientific issue. In reality sea dumping raises equally important economic, political and social questions. Indeed, the central question for many is a moral one. Is it fair for the nuclear nations to retain the perceived benefits of nuclear energy while exporting the costs? Within the narrow context of the Nauru/Kiribati amendment, however, the Rules of Procedure of the LDC restrict the review to the scientific realm. These rules state that amendments to the Annexes, which is what Nauru and Kiribati have in effect proposed, can be entertained only on scientific and technical grounds. The broader, non-scientific concerns will have indirect impact on the eventual disposition of the amendment.

The second danger with deferral is the risk that the scientific review might be manipulated by the superpowers. In this case the review might conclude that dumping nuclear wastes at sea is perfectly acceptable. Two factors however offer the opportunity to avoid this outcome. First, the terms of reference of the scientific review have been decided by the same Contracting Parties that passed the moratorium.



These terms of reference require the reviews to focus **not** on harm done by past dumping, which is impossible to prove in absence of adequate data. Instead, the review must focus on the **safety** of sea dumping, which is also impossible to prove given the present state of the art of marine and radiological sciences.

In the event that radioactive waste dumping at sea cannot be proved safe, Contracting Parties are not likely to sanction its continuance. The terms of reference for the scientific review effectively would appear to place the burden of proof on the nations that dump, rather than those that suffer from the dumping.

The second factor in favor of a fair review is the composition of the scientific review group. The International Atomic Energy Agency (IAEA), traditionally considered the competent international authority on radiological matters by the LDC, is in this case relegated to the role of organizing and furnishing information to the reviewers. The IAEA's charter obliges it to promote and accelerate peaceful uses of the atom, and it has traditionally sympathized with the dumping nations. Thus the restriction of its role in the present review is welcome. Also asked to furnish information are Contracting Parties themselves, and "relevant organizations," including presumably informed environmental organizations. The members of the scientific review group are to be nominated by these same Contracting Parties and organizations, not the IAEA. Therefore, although the U.S., U.K. and Japan will do their best to influence the review, the process has the potential to remain open, fair and unbiased. Whether this promise is realized depends upon the perseverance and commitment of all participants, including Pacific Island nations.

In this regard it is critical to ensure that full and unbiased information is placed before the review group; that the appropriately openminded and critical scientists participate in the review process; that the review is free from conflict of interests; and that the terms of reference for the review remain focussed on whether dumping of radioactive wastes at sea can be proven safe. Specific Pacific strategies can be envisioned to accomplish these goals; thus, Pacific Island

nations that are not presently Contracting Parties to the LDC can accede to the Convention; Pacific Island nations that are Contracting Parties can nominate appropriate scientists to the review group and provide appropriate scientific information for study by the review group; organizations of all kinds can assist in these processes; and above all, strong grassroots pressure on the governments can inform leaders that their people continue to care about these issues that so strongly impact on their health, happiness and future.

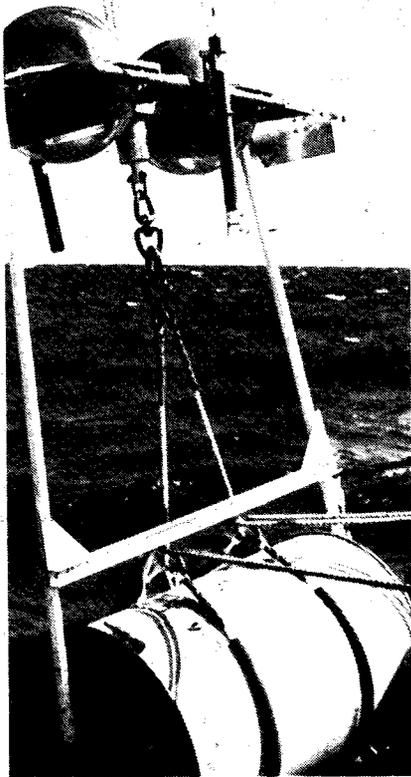
### The Subseabed Issue

The Seventh Consultative Meeting of the LDC focussed the bulk of its attention on the moratorium and the Nauru/Kiribati amendment. But near the end of the meeting, several nations (Norway, Spain, the Federal Republic of Germany and the Netherlands) raised an issue of even greater long-term importance, namely the subseabed emplacement of high level radioactive wastes. The subseabed emplacement program would involve placing into the ocean environment billions of curies of long-lived radioactive wastes, and would thus dwarf all existing or proposed low-level dumping programs.

The U.S. has spent about five million dollars annually studying this option for the past several years. Other nuclear nations, including Japan and the U.K., have followed this lead by developing their own subseabed research programs. The Nuclear Energy Agency (NEA) of the OECD, which has repeatedly claimed that dumping is safe and could be greatly expanded, has organized a coalition of several nations into the Subseabed Working Group to develop the prospects further. The prime subseabed study site in the Pacific is in exactly the same region as the proposed Japanese low level dumpsite, i.e., immediately north of the Northern Marianas. U.S. research vessels have studied this site extensively, and a spokesperson for the program has said that this area of the sea could hold all the world's high-level radioactive wastes, now and in the future. Also under consideration are three Atlantic sites, one in the mid-North Atlantic, one off the coast of Africa, and one near the Caribbean.

The subseabed emplacement program threatens vastly greater long-term harm to Pacific, African and Caribbean peoples than any present radioactive waste dumping programs. Thus any mention of the subseabed emplacement program within the context of the LDC is extremely significant. The Nordic nations pointed out that the applicability of the LDC to subseabed emplacement programs has not been established, inasmuch as the equivalence of "dumping" and "emplacement" has not been legally determined. They therefore proposed the formation of a panel composed of legal and technical specialists which would meet intersessionally to settle the issue and report to the Eighth Consultative meeting (February 1984).

If this panel finds that "emplacement" is conceptually distinct from "dumping", then subseabed emplacement will lie outside the authority of the LDC and be subject to no regulation under existing international law. In this case there would be no way to **legally** impede these dangerous schemes. In contrast, if the panel finds that "emplacement" and "dumping" are indistinguishable, then all subseabed emplacement schemes would be fully regulated by the LDC. Annex I to the LDC currently forbids high-level waste dumping at sea. Therefore, before subseabed emplacement could occur legally, the Annexes to the LDC would have to



be amended to accept subseabed emplacement of high level wastes. This in turn would require a two-thirds majority vote, which in today's LDC climate is unthinkable. Therefore, the decision of the legal panel is crucial to the future of subseabed emplacement.

According to the decision reached at the Seventh Consultative Meeting, the subseabed panel will be composed of legal and technical specialists nominated by Contracting Parties themselves. Therefore, as in the case of the foregoing scientific review, the decision process could in principle be open, fair and unbiased. To achieve this end, however, will require substantial focussed effort by the concerned nations. We can be certain that the U.S., the U.K., and Japan will devote substantial resources toward influencing this decision; and it is in the interest of opposed nations to work equally hard. The present advantage would appear to be with those opposed to subseabed emplacement, since Article III the LDC clearly defines "dumping" as "any deliberate disposal at sea of wastes or other matter from vessels, aircraft, platforms, or other manmade structures at sea." Such definition would appear to encompass subseabed emplacement from barges, ships, planes, or underwater devices. But translation of this apparent semantic advantage into a positive decision by the legal panel will require tenacity.

What can be done to ensure a positive outcome? First, it is essential that nations opposed to subseabed emplacement be fully informed as to the significance of the legal panel's decision. Second, those who do not belong to the LDC can join. Third, Contracting Parties to the LDC must nominate sympathetic specialists, instruct them clearly and insure their participation in the legal panel. Fourth, it is the

responsibility of these nations to ensure that the decision process remains open, fair and unbiased. As always, grassroots, environmental and activist organizations have crucial roles to play. They can bring the issue to public awareness through educational and political actions; aid sympathetic governments by helping to identify appropriate specialists and information; and monitor the activities of the legal panel to ensure that the decision process remains just. Otherwise it is possible that the outcome will be controlled by the powerful nuclear nations—the U.S., U.K. and Japan—and a golden opportunity to impede high-level radioactive waste dumping at sea will have been lost.

**Conclusions**

The actions taken by the Seventh Consultative Meeting of the London Dumping Convention indicate that the LDC is a sympathetic and effective international forum within which to pursue Pacific concerns. The LDC actions present powerful tools for pressing Pacific interests at local, national and international levels. These actions, however heartening, are only a beginning in a struggle that will last as long as nuclear energy and nuclear weapons exist. Pacific people, governments and their friends must prepare for a protracted struggle. Preserving the Pacific Ocean in its pure state is not a matter that will be decided within a single arena or at a single meeting, but rather must become a way of life sustainable for literally generations.

The Seventh Consultative Meeting of the LDC represents a dramatic turn in this process, but at this juncture we are well advised to note its limitations as well. Above all, the LDC is a voluntary international treaty organization. International law is inherently weak at present, and none of the LDC decisions are legally binding on any member state. Lasting changes in the policies of nuclear nations toward the seas must ultimately be based on changes in attitudes **within the nuclear nations and their governments**. This year's meeting of the LDC indeed furnishes valuable tools with which to effect such change. But the importance of these tools will be judged in large part by how skillfully and vigorously they are used in the crucial years ahead.



# Stop The "Celebrations"

On February 6, 1840, the British and the Maori tribal chiefs of Aotearoa signed the Treaty of Waitangi, to guarantee the Maori people certain inalienable rights in return for the right of the British Crown to purchase Maori land. Although the Waitangi Treaty was signed in good faith by the Maori chiefs, it was only a matter of time before they would experience the true motives of the British.

Historically, the British were never able to defeat the Maori in warfare, as they people's warring tactics were far superior to the British. Thus a treaty was strategically the best answer for the British to proceed with their eventual colonization of the Maori. It was a mere four years following the signing of the Treaty of Waitangi that the Maori began to protest against the British in their nation of Aotearoa. The protesting has not ceased. Each February 6, while the British government in Aotearoa celebrates the signing of the Treaty of Waitangi, the young people of Aotearoa demonstrate against this "fraud."

Like the Maori, the Hawaiian people have experienced similar oppression by the white colonizers in the form of the American government. In 1981, Soli Niheu representing the Protect Kaho'olawe 'Ohana participated in the Waitangi Day Protest as a sign of Hawaii peoples' solidarity with their Maori "cousins." This year I had the fortunate experience of being selected to do the same. What follows is an account of the Waitangi Day Protests.

The Waitangi Day Protest March began February 1 with an overnight camp at Bastion Point. This campout included both Maori and pakeha supporters who strategized for the intense and rigid five days to follow. The next day, with banners and flags unfurling in the wind and under the surveillance of the police the 200 mile march to Waitangi began.

Part of the government's preparations for the "celebrations" included insuring that the Maori demonstrators would be curtailed from reaching their destination at Waitangi and accomplishing their purpose of stopping the celebrations. The police could be seen everywhere along the March, numbering anywhere from 50 to 400.

The demonstrators under the leadership of the Waitangi Action Committee maintained a high level of discipline, never faltering from their goal of stopping the celebrations. On the other hand, the police intimidated the demonstrators with constant surveillance, heckling, attempting to run marchers and joggers off the road and on one occasion placing a headless dummy dressed like and labeled "protestor" on the side of the road in the path of the joggers. The protestors, however, did not allow themselves to respond to any provocation, knowing that any attempt to do so would be justification for arrest.

On the final day of the March, from Pahia to Waitangi, the highway was lined with hundreds of people. Chanting and singing protest songs in unison, the 300 to 400 strong protestors continued on with heads held high and spirits strong. They finally reached the gates of the lower Marae at Waitangi. Approaching their destination, they were flanked on both sides by the police. Now more daring than previous days, they came out with a show of authority, ready to justify the hundreds of hours and thousands of dollars exhausted, to arrest the so called "violent" protestors.

At the gates of the lower Marae, the protestors were met by a barrier of more police who prevented them from being welcomed on the Marae by the elders in traditional Maori fashion. Discipline, leadership and commitment eventually paid off for the protestors. The police, in frustration and anger, attempted to drive a truck head on into the group of protestors hoping to frighten them into dispersing. Much angered at this show of violence on the part of the police, the elders invited the protestors onto the Marae and spent over four hours in talks with the group, thus allowing them to come to a deeper understanding of the "fraud" of the Treaty of Waitangi.

Because of being detained by the elders on the lower Marae, the march to the Parade Grounds, where the official government celebrations were being held, did not proceed.

Ninety-nine pakeha supporters of the Waitangi Day protest were arrested

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## Moruroa Buffeted by Storms

French Polynesia has been hit with its third hurricane in a matter of months after going 80 years without one. Similar heavy storms in 1981 caused large scale ocean pollution at the Moruroa nuclear test site because radioactive materials stored on the islands were swept into the sea.

The French have not released any information about damage to Moruroa, but it has been learned that the islands of Tureia and Temetangi, to the north and south of Moruroa, have suffered great devastation.

Dr. Richard A. Cardines, a public health consultant for the government in Tahiti, said, according to the Advertiser: "There are several scientific expeditions in the area studying that question. They've found many odd environmental conditions that may be related.

"Currents have changed directions; water temperature in French Polynesia is two degrees higher than normal; volcanic dust has altered ultraviolet radiation, and there is a massive draught in Australia. Scientists are seeking an understanding of it all..."

After 100 nuclear weapons tests in the fragile environments of Moruroa and Fangataufa Atolls -- 41 atmospheric and the others underground -- one question whether some of these environmental disturbances are related to massive destruction of the ecology in Polynesia.

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as they attempted to reach the Parade Grounds. This demonstration was part of the strategy planned and commitment made by these people to show their support in exposing the fraud of the Treaty.

This intense demonstration of a people committed to righting the wrongs of generations, culminated at sunset, with progress made in gaining additional support from the Maori community who have an increasing awareness of the fraudulent celebrations. Yet, the Maori people do not stop here. The restlessness in these people will not cease until they have had their sovereign rights recognized by the British government, and the celebrations have been stopped.

## NEW CALEDONIA: Tension Mounts

Two people have been killed and several wounded during violent incidents in New Caledonia during the first 10 days of 1983.

The first two violent incidents occurred on January 7, when a group of 60 angry Melanesians invaded the military police station at Tuoho on the East Coast, smashing vehicles, furniture and windows. The incident occurred after the gendarmes had been called to a street disturbance.

Three days later, two military police were killed and six people wounded during a clash with Melanesian villagers after the French High Commissioner ordered the release of a white sawmill owner's blockaded equipment. The equipment had been held by the Melanesians for two months in protest against the pollution of their water supply by the sawmills.

Twenty one months ago the French Socialist Government inherited the New Caledonia problem: an Independence Front which represents 80% of the Melanesians (43% of the population) demands the right to self-determination and sovereignty.

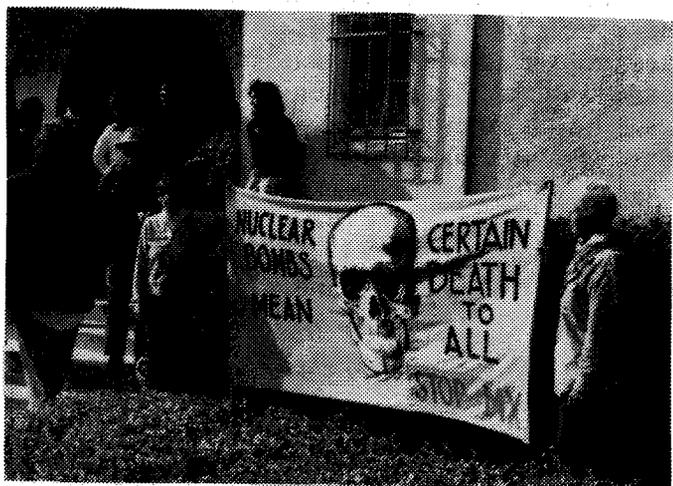
Yeiwene Yeiwene, leader of the Independence Front, feels that the idea of independence is gaining acceptance with all races. "Most people would prefer discussion than catastrophe," he says. "What we insist upon is our rights as the legitimate people of New Caledonia...The only way for France to unblock the situation is by declaring their intention.

"If it's towards independence they should say so so that people can decide their future."

(Adapted from the National Times, Feb. 6, '83)

As an indigenous woman sent from Hawaii to support our "cousins" in Aotearoa, I feel I must make a final statement of support. These people are highly disciplined and committed to their cause and to maintaining their language and culture despite the many adversities that confront them. We can learn from the way in which they make no apologies for or to the system and the white population whose ancestors have colonized them and forced them into the predicament they are in today. continued on page 13

## Conference Resources: Video Production



### Missile Test Action

For more than 20 years, the Vandenberg Air Force Base in California has been firing missiles into Kwajalein's lagoon in quiet obscurity

Beginning in January, however, a strong American campaign focused on stopping nuclear first strike development has set its sites on shutting down future missile tests from Vandenberg. On January 23, about 1,500 people gathered at Vandenberg for the first rally. The next day about 200 people were arrested as they non-violently blockaded the gates to the Air Force Base.

The action at Vandenberg has been greatly inspired by the Kwajalein people's occupation of the Kwajalein Missile Range during 1982. Called "Operation Homecoming", the protest involved more than 1,000 Marshallese landowners and lasted about 4 months.

Although the U.S. Congress in December 1982 rejected funds for the MX development, it did so because of problems with the missile basing mode not because of broadbased opposition to the MX system. Thus, MX testing could begin in the near future. But even if the MX is never fired, the pin-point accuracy of numerous other missiles needed for a first strike continues to be developed at Vandenberg and Kwajalein. A major rally will happen at Vandenberg on March 20, as part of the ongoing campaign to stop the missile tests. For further information, Livermore Action Group, 3126 Shattuck Ave., Berkeley, CA. 94705.

"A Nuclear Free Pacific?", the 28-minute videocassette of the NFPC/80, has become a well used resource. In 1980 the video producers raised the necessary funds and donated tremendous energy and time toward the project. In 1983 and beyond, there is an even wider NFIP movement audience that would benefit from a similar film of NFIP/83. We want to produce this resource, yet we cannot afford the costs involved.

We are therefore soliciting Statements of Interest from video production groups who have the skills, the experience with the NFIP movement and its aims, and the ability to raise the funds necessary for the project. No small task! In addition to such a statement, we ask that groups applying send to PCRC one or two samples of their video work. All applications are due at PCRC by April 30, 1983, and sooner if possible. We anticipate the group chosen will need such a commitment in order to undertake and complete their own fundraising efforts.

#### Media at NFIPC...

Media are welcome to cover the Conference, yet space permits the admission of only 10 media representatives. Participation of media at the conference will be limited to the opening four days although some interviews may be scheduled later. NFIPC/83 is a working conference of activists whose action planning sessions are limited to authorized participants only. Media representatives intending to cover NFIPC/83 should write to PCRC by May 1 for their credentials.

THANK YOU! for all the new subscriptions to Pacific Bulletin. With postage and printing costs going up, THIS COULD BE YOUR LAST ISSUE if you haven't subscribed yet. Send in your sub, so you won't miss the next issue. Coupon on page 15.

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"KA WHAWHAI TONOU MATOU AKE! AKE!  
AKE!

by Ku'umeaaloha

# PALAU VOTE ...

continued from page 1

The entire absentee vote (approx. 1/5 of the votes) has been called into question. An outstanding problem with the absentee vote was that the majority of votes were collected in cardboard boxes or even less secure containers for shipment to Palau. Palauan Senators Johnson Toribiong and Moses Uludong charged this "constitutes a lapse of security and an invitation to fraud which may have occurred." An initial law suit seeking invalidation of the absentee ballots was dismissed without prejudice, and is being re-filed according to sources in Palau.

## UNITED STATES INVOLVEMENT

Throughout the preparation for the plebiscite, State and Interior Department representatives claimed the plebiscite, the ballot wording and the education were strictly Palauan initiatives.

To prevent any postponement of the Feb. 10 plebiscite, despite Palauan citizen requests for delay, and to insure U.N. observation, U.S. representatives to the United Nations used outright deception of the international community.

But when the Palau National Congress on November 9 approved wording for the ballot, according to Public Law 1-43 governing the plebiscite, American Ambassador Fred Zeder cabled President Remeliek on November 11 instructing him to change the wording used. According to the Palau Supreme Court decision, Palau "Ambassador Salii has testified that the wording in Republic of Palau Law No. 1-43 was rejected outright by the United States and it was insisted that the wording incorporated in the cable of November 11, 1982 be placed on the ballot. This wording was subsequently ruled illegal because it was misleading.

More than six weeks later, on December 20, in a successful effort to insure U.N. observation and legitimize the plebiscite, the U.S. representative to the U.N. Trusteeship Council told that body: "...The United States is not conducting the plebiscite; the Government of Palau is conducting it. Naturally, we had discussions with the Palauans about the language of the ballot, but that language, in the last analysis, is theirs; they

are the ones who are deciding how to put the matter to their people...The second question on the ballot was phrased according to their wishes and since they are the constitutionally elected Government we shall have to accept it as is."

The ballot wording was not chosen by the Palauans, it was dictated by the U.S. State Department. Had two Palauan Senators not successfully taken the issue to the Palau Supreme Court, the Palauans would have been faced with a "completely misleading statement" on the ballot, said international law expert Roger Clark.



Photo by Lynn Learned-Sims

## PALAUANS OPPOSE MILITARY USE

Palauans have consistently refused to give their approval to the U.S. military, and the latest vote -- well short of the legally required 75% to change the Constitution's nuclear ban -- is no exception. When U.S. plans for use of 30% of Palau's limited land area were announced in 1972, traditional and elected leaders immediately went on record against it. In three separate referenda in 1979 and 1980 -- necessitated by U.S. insistence that the Compact and the Constitution were "incompatible" -- the Palauans voted overwhelmingly (margins of 92%, 70% and 78%) in favor of their nuclear free Constitution.

In its November 11, 1982 cable, the State Department recognized the validity of the Palau Constitution's unique nuclear provision by instructing the Palau government to include the separate question on the nuclear issue stating the need for 75% approval. Now that the nuclear provision did not get the legally required vote to pass, any U.S. or Palau government attempt to bring the Constitution into "conformity" with the Compact would be an affront to the principle of democracy.

# RESOURCES AVAILABLE FROM PCRC

260. Japanese Overseas Investment & Developing Countries, by Jun Nishikawa. Reprinted from Waseda Economic Papers, 1981. An academically oriented booklet focusing on Japanese corporate investment overseas; multinationals; and the conflicts caused by Japanese multinational corporations. 24 p. - \$2.50.
261. Development Planning for Micronesia, by George Kent. Historical view of the mal-development of Micronesia and the current need for internal development planning by the people. Reprint from Political Science (NZ), July, 1982. 25 pages - \$2.50.
262. East Timor. Speech by Senator Gordon McIntosh (Australia) to the Fourth Committee on Decolonization of the U.N. General Assembly. As a consequence of the Indonesian invasion of East Timor, wide spread poverty and malnutrition exist. The tragic denial of human rights points to an urgent need for independence of the Timorese people. 14 pages - \$1.50.
263. A New Awakening for Change in the Pacific, by Rex Rumakiek. An overview examining the movements for change in values, politics and economics in the Pacific region. 4 pages - 50¢.
264. Background Paper on Trident and the Militarization of the Indian Ocean, by Robert Aldridge. Discusses the need for Trident submarine forward bases in the western Pacific and Indian Ocean. Details the takeover of Diego Garcia and its development into a major forward base for the U.S. and its importance to Trident. With references. 10 pages - \$1.
265. The Uprooted "Ilwa" of the Indian Ocean. Leaflet of the campaign for dismantling of the American military base on Diego Garcia and the struggle for a nuclear free Indian Ocean. 1,800 Ilwa people were living and working there before their expulsion. 4 pages - 50¢.
266. Scheme of Dreamers or Practical Politics? The Nuclear Free Pacific Movement, by Dave Williams. A brief look at key nuclear issues in the Pacific and the types of action taken in different Pacific islands to make the Pacific nuclear-free. 5 pages - 50¢.
267. The Health Hazards of Video Display Terminals, by Rosalie Bertell, Ph.D. Reprint from Environmental Health Review, March 1982. Deals simply and clearly with physical nature of electromagnetic radiation and human biological response to it. 4 pages - 50¢.

Prices noted above just cover reproduction and airmail postage costs. Order with coupon below.

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In Vanuatu (and South Pacific)  
 Vanuatu Pacific Community Center  
 Box 807  
 Vila, Vanuatu

Everywhere Else (including Micro-  
 nesia, Canada, Europe, etc.):  
 PCRC  
 P.O. Box 27692  
 Honolulu, Hawaii 96827

## **ACTION CALENDAR**

- MARCH 18-27 Vandenberg Air Force Base in California will be the site for legal rally on March 20, with other activities during the week to protest America's developing first strike nuclear weapons policy. See story on page 13.
- MARCH 21 USS Enterprise visits Japan for 1st time in 15 years. Armed with nuclear weapons, it encountered strong opposition in 1968. Protests are planned.
- MARCH 27 Palm Sunday will feature several major Marches for Disarmament, especially in Australia (Sydney, Melbourne, Adelaide) and Honolulu. Contact: Australians for N-Disarmament, Sydney Coordinating Committee 267-7384 or 267-6741; Christians Against Nuclear Arms, Honolulu (808)668-1603.
- APRIL 1 Deadline to submit request for guest status at NFIPC/83 to PCRC and/or regional Steering Committee member.
- APRIL 3-12 Drs. Helen and Bill Caldicott visit New Zealand through sponsorship of N.Z. Branch of International Physicians for the Prevention of Nuclear War and Foundation for Peace Studies. For more information: Dr. Ian Prior, Epidemiology Unit, Wellington Hospital or Peace Movement New Zealand, Dunedin (024) 773-362.
- APRIL 4 Socialist International Conference begins in Sydney, hosted by Australian Labor Party. AICD and other groups have called for major demonstrations against French government's nuclear testing policies, particularly since Socialist victory in 1981. For further information: AICD, Sydney 264-6846.
- APRIL 6-20 Rex Rumakiek, Vanuatu Pacific Community Center staff and West Papua leader, will tour N.Z. For speaking engagement itinerary contact any CORSO office, or CORSO, Box 9716, Wellington, N.Z.
- APRIL 24-26 National protest in Canberra, Australia at the U.S. and French Embassies against U.S. militarization of the Pacific and French nuclear testing and for independence. For more information: Michael Hamel-Green, Melbourne 383-1431.
- MAY 1 Deadline for completion of NFIPC/83 participant selection processes.
- MAY 9-14 Second European Nuclear Disarmament (END) Conference in Berlin. 3,000 participants are expected. Register with END Convention office, 2 ietenstr.1, 1000 Berlin 30, Germany. (Tel. 261-13-92)
- MAY 23-29 Peace With Justice Week, sponsored by USA National Council of Churches. Check your local Council of Churches for activities, concluding with Peace Sabbath on May 29.
- MAY 30-31 Australian National University Special Public Affairs Symposium on "The Consequences of Nuclear War For Australia and Its Region" in Canberra. Contact Ms. Judy Pearce, 062-494580.