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URGENT NEED FOR SUSPENSION OF NUCLEAR AND THERMONUCLEAR TESTS

Letter dated 24 September 1973 from the Permanent Representative of
New Zealand to the United Nations addressed to the Secretary-General

I have the honour, on the instructions of my Government, to enclose the text of a letter which the New Zealand Ambassador at The Hague has sent to the Registrar of the International Court of Justice.

I have the honour to request you to circulate the text of this letter and its enclosure as an official document of the General Assembly under the item entitled "Urgent need for suspension of nuclear and thermonuclear tests".

(Signed) M. J. C. TEMPLETON
Permanent Representative of New Zealand
to the United Nations

Letter dated 21 September 1972 from the New Zealand Ambassador at
The Hague to the Registrar of the International Court of Justice

I have been instructed by my Government to bring to the notice of the Court certain information relevant to the question of the observance of the Court's order of 22 June 1973 made following the request by New Zealand for interim measures of protection in the Nuclear Tests case (New Zealand v. France).

On 22 and 29 July 1973 the French Government exploded two small nuclear devices in the atmosphere above Mururoa. The New Zealand Government has reason to believe that three further nuclear devices were exploded above Mururoa on 19, 25 and 29 August 1973.

The New Zealand system of monitoring levels of radio-activity involves the taking of samples in New Zealand, the Cook Islands and Niue. Analysis of a number of recent samples has established conclusively the presence of radioactive fallout from the French nuclear devices exploded above Mururoa. It is accordingly the view of the New Zealand Government that there has been a clear breach by the French Government of the Court's order of 22 June 1973.

I have also been instructed to advise the Court, with reference to that portion of its order of 22 June 1973 referring to the taking of action of any kind which might aggravate or extend the dispute submitted to the Court, that on 4 July, by two decrees published in the Official Journal of the French Republic on 8 July, the French Government purported to create a "security zone" on the high seas around Mururoa to a distance of 60 nautical miles contiguous to the territorial sea. The decrees purported to suspend maritime navigation in that zone from 11 July 1973 until further notice. On 18 July and again on 15 August, New Zealand citizens on vessels which were not of French nationality and which were on the high seas in the vicinity of Mururoa, were apprehended by the French authorities and subsequently taken against their will to French territory and detained there for a period of days before being permitted to return to New Zealand.

My Government intends to bring the information in this letter to the attention of the Secretary-General of the United Nations.
