



## PRIME MINISTER

FOR MEDIA

MONDAY, 7 JUNE 1982

### VICTORIAN GOVERNMENT THREAT TO BAN NUCLEAR SHIPS

I regret deeply the unilateral statement by the Premier of Victoria that his Government proposes to enact legislation to seek to ban nuclear powered vessels or vessels with nuclear armaments from Victorian ports. This could have grave and far-reaching implications for Australia's defence and its relationships with its allies.

I regret also the fact that the Premier of Victoria saw fit to make a public announcement on this matter before completing consultation with the Commonwealth Government on it. I am therefore taking the unusual step of releasing the correspondence which has taken place between the Premier of Victoria and me on the subject.

I am advised that the Commonwealth has the ultimate constitutional power. I am therefore seeking urgent advice as to whether legislation may be necessary to put that beyond any doubt, to ensure that the Government is able to carry out its constitutional responsibilities for the defence of Australia.

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PREMIER OF VICTORIA  
DEPARTMENT OF THE PREMIER  
1 TREASURY PLACE  
MELBOURNE, VIC. 3002.

916/10/1

27 MAY 1982

Dear Mr. Fraser,

Visits to Victoria by Nuclear Powered  
and Nuclear Armed Warships

I have been advised that until early in 1980 it had been the practice in the case of proposed visits to Victoria by nuclear powered warships for the Prime Minister to write to my predecessors as Premier seeking their concurrence. Since February, 1980, arrangements for routine visits to Victoria by nuclear powered warships have been handled at departmental level.

I am writing to give you early notice of my Government's policy that it will not permit visits of nuclear powered or nuclear armed vessels to Victorian ports.

This policy, which was part of the platform on which my Government was elected, will apply without qualification.

I look forward to your co-operation in assisting us in the maintenance of compliance with this policy. It would be appreciated if your Government could advise relevant foreign Governments, as appropriate, of my Government's policy in order to avoid misunderstanding. In each case of a proposed visit to Victoria by a naval vessel of a country controlling tactical nuclear weapons, it would also be appreciated if you could obtain from the relevant foreign government an assurance that no nuclear weapons are carried.

Yours sincerely,

  
JOHN CAIN  
Premier

The Rt Hon. J.M. Fraser, C.H., M.P.  
Prime Minister of the Commonwealth  
of Australia  
CANBERRA ACT 2600



PRIME MINISTER

CANBERRA

3 June 1982

My dear Premier,

I refer to your letter of 27 May 1982 about visits to Victoria by nuclear-powered and nuclear-armed warships. I feel that there are some aspects of this matter which the Victorian Government may wish to consider before finally settling on a policy.

In 1976, after a review of environmental factors, involving close consultation with all States, and having regard to international experience with nuclear-powered warships, the Commonwealth Government announced the resumption of visits by nuclear-powered warships to Australian ports. Since then there have been forty-four such visits. In every instance comprehensive radiation monitoring was undertaken by the Australian Atomic Energy Commission in conjunction with State Authorities. There have been no incidents causing concern on health or environmental grounds.

There has been a continuing involvement between State and Commonwealth officials in the development and refinement of arrangements to apply to visits of nuclear-powered warships.

I note that two visits were made to Hobart while Labor was in Government in Tasmania, namely, the USS ENTERPRISE in late 1976 and the USS TRUXTON, a nuclear-powered guided-missile destroyer, as recently as 8 to 13 May this year.

Nuclear-powered warships will continue to be an important component of the capability of the Navy of our major alliance partner, the United States. Denial of access to Australian ports by these vessels would not accord with the ANZUS relationship. I shall expand on that, later.

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Turning now to the carriage of nuclear armaments by warships, Nuclear Weapon States have a long-standing policy of not disclosing whether or not nuclear armaments are carried in a particular warship, whether it is nuclear-powered or conventionally-powered. This policy was accepted by Mr. Whitlam. He explained the distinction between nuclear-powered warships and nuclear-armed warships and the rationale underlying the policy of Nuclear Weapon States in regard to the latter in the following words:

"... I should make it plain that there is regrettably in the public mind a great deal of confusion about nuclear ships. There is a difference between nuclear armed ships and nuclear powered ships. Nuclear armed ships - presumably only nuclear armed naval ships - have come to Australia for very many years. They have come from several powers. Successive governments have accepted that naval ships these days are quite likely to be nuclear armed. It is impossible to expect the navies of other countries to specify for public consumption which of their ships are nuclear armed and which are not so that any country which is host to those ships may require that only those which are non nuclear armed can come to the ports. If that information and that requirement are imposed it becomes a matter of public knowledge which of the ships in any particular navy are nuclear armed and which may not be."

(House of Representatives Hansard 4 June 1976 page 3041)

Mr. Whitlam's arguments were then, and remain now, impeccable. It is simply not possible to obtain from the Government of a Nuclear Weapon State an assurance that no nuclear weapons are carried in a particular warship. To do so would identify to potential enemies, over time, which warships are nuclear-armed and which are not. This would have implications not only for the security of our allies' forces but also for the effectiveness of deterrence.

Australia must be a reliable partner to the United States, because of our ANZUS obligations, and to the United Kingdom because of our traditional links. In the discharge of our responsibilities Australia must be able, at the very least, to provide ports and port facilities for the replenishment and servicing of warships of those and other friendly nations.

Implementation of the policy set out in your letter would have the effect of excluding from Victorian ports all warships of the Navies of the United States, the United Kingdom and France. In the last eight years there have been over 500 visits to Australian ports by warships of our nuclear-capable friends and allies. You will see, from these numbers, that prohibition of entry by these vessels would cause serious damage to our relationships with those countries.

The Commonwealth has the ultimate power and responsibility in relation to the entry of warships to Australian ports. However, I recognise the importance of co-operation and harmony with the State Government concerned. I therefore ask you to look again at your policy in the light of the foregoing. I look forward to a resolution of policy matters between us.

I understand that you have raised no objection to the forthcoming visit of USS HECTOR, scheduled for 4 to 8 June. I am pleased to hear that, but I am obliged to note that it is not possible to obtain an assurance from the US Government that this vessel is not carrying nuclear armaments.

Yours sincerely,

(Malcolm Fraser)

The Honourable J. Cain, M.L.A.,  
Premier of Victoria,  
MELBOURNE. VIC. 3000

COPY OF MR CAIN'S TELETYPE TO THE  
PRIME MINISTER OF 3 JUNE 1982

Dear Mr Fraser,

I have received your letter of 3rd June, 1982 about the policy of the Victorian Government of not permitting visits to Victoria by ships which are nuclear-armed or nuclear-powered.

I note the Commonwealth's policy of not seeking assurance from the U.S. Government that its naval vessels are not carrying nuclear armaments.

In this particular case, I do not intend to raise objections about the visit of the U.S.S. Hector which from published sources is manifestly an elderly, non-combatant, auxiliary ship which would not carry nuclear weapons. I understand that its armament is restricted to four machine guns and that its function is to provide a capability to repair other vessels.

You have raised a number of points which I have had put to study in the context of Victoria's declared policy on this subject. I welcome your desire which I share to resolve the policy matters between us in a spirit of co-operation and harmony.

Yours sincerely,

John Cain  
Premier



PRIME MINISTER

CANBERRA

4 June 1982

My dear Premier,

Thank you for your teleprinter message of 3 June.

I am writing to ensure that there is no misunderstanding between us. There can be no grounds for assuming that USS HECTOR is not carrying nuclear armaments. Part of her role could be the carriage of nuclear weapons of various kinds for resupply to other vessels of the US Navy.

I note that the second paragraph of your teleprinter message reflects a misunderstanding. It is the policy of the United States Government and Navy to neither confirm nor deny that their warships are carrying nuclear weapons. The Commonwealth Government accepts that policy as revelation of which warships are, and which are not, carrying nuclear armaments would disadvantage our Ally and weaken deterrence.

Yours sincerely,

(Malcolm Fraser)

The Honourable J. Cain, M.L.A.,  
Premier of Victoria,  
MELBOURNE. VIC. 3002