

Join Statement on Crown Minerals Bill Amendment 2013.

In defence of the right to peaceful protest at sea

This proposed new law is an assault on the honourable Kiwi values of having a say and being able to stand up for our country.

Simon Bridges' new law is a sledgehammer designed to attack peaceful protest at sea. It is being bundled through Parliament without proper scrutiny despite its significant constitutional, democratic and human rights implications.

New Zealanders have a rich history of protesting at sea. It is a part of who we are. The boats that set sail to stop French nuclear testing led to a proud legacy that defines us, and our country.

The proposed amendments breach international law, and attack our democratic freedoms.

That's why we, the below signed, strongly oppose Simon Bridges' proposed amendment to the Crown Minerals Bill.

Greenpeace
George Armstrong, Founder Peace Squadron
Rt. Hon. Geoffrey Palmer QC
Peter Williams QC
Rikirangi Gage, Te Whānau-ā-Apanui
Sir Ngatata Love
Dame Anne Salmond
Jeanette Fitzsimons
Bryan Gould, Former Chancellor of Waikato University
WWF-New Zealand
Forest and Bird,
ECO
Coal Action Network Aotearoa
Coromandel Watchdog
Peace Movement Aotearoa,
NZ Council of Trade Unions, Helen Kelly
Sustainability Council, Simon Terry
Amnesty International NZ
350.Aotearoa

Context to the statement on the Crown Minerals Bill Amendment 2013.

"Your mission is an honourable one – to be silent witnesses with the power to bring alive the conscience of the world."

– Prime Minister Norm Kirk to the crew of HMNZS Otago on their voyage to oppose French Nuclear testing at Moruroa in 1973.

On Easter Sunday 31 March 2013 the Minister of Energy and Resources Simon Bridges publically announced proposed amendments to the Crown Minerals (Permitting and Crown Land) Bill, including new offences applicable in the exclusive economic zone.

The penalties are harsh, up to \$50,000 for an individual, up to 12 months imprisonment and up to 100,000 for a body corporate. It enables the Navy or a police officer to nominate assistants who can stop and detain a ship entering an exclusion zone, remove a person from an exclusion zone and all these parties carry next to no criminal or civil liabilities for anything that happens as a result.

There was no prior public warning of these new laws and they are to be passed within days of their announcement without select committee scrutiny and without any other public consultation or process.

They have substantial implications for the right to peaceful protest in the waters of New Zealand's exclusive economic zone (200 miles), including risks to principles enshrined in international human rights and the New Zealand Bill of Rights. They breach international law and rights of navigation, as well as free speech, that New Zealand has signed up to.

There is no need for these laws. There are existing domestic and international laws that covers unlawful and unsafe activities at sea which nevertheless do not hinder the beneficial tradition and right to seaborne protest such as has characterised public campaigns to make New Zealand nuclear free and oppose commercial whaling.

Prime Minister Jim Bolger (National Government) supported the virtue of these rights in 1995 when he was considering sending the Navy boat 'Tui' in support of a protest flotilla against French nuclear testing.

"It is not going there to ram anyone. We are not declaring war. It will be there to provide support to individual New Zealanders who want to express their abhorrence at the thought of a return to nuclear testing in the Pacific by sailing their yachts and taking themselves and friends or whomever with them."