

**Written Statement of the Government of New Zealand**



WRITTEN STATEMENT BY THE GOVERNMENT OF NEW ZEALAND  
ON THE REQUEST FOR AN ADVISORY OPINION ON THE  
LEGALITY OF THE USE BY A STATE OF NUCLEAR WEAPONS  
IN ARMED CONFLICT

The New Zealand Government wishes to respond to the Order of the International Court of Justice of 13 September 1993, establishing the date by which submissions should be received on the request for an advisory opinion contained in World Health Assembly Resolution 46.40, transmitted to the Court by the Director-General of the World Health Organisation on 3 September 1993.

The New Zealand Government regards the issues raised by the request of the World Health Organisation for an advisory opinion as of the utmost seriousness. Were the Court to consider the substance of the matter, political and security considerations extending beyond the confines of the question would be involved.

One of those considerations would be the effect that a Court opinion might have on fundamental aspects of current disarmament efforts, including in particular the maintenance and strengthening of the nuclear non-proliferation regime and the current nuclear test ban negotiations.

In view of this the Court's decision whether or not to exercise its discretion to consider the question put to it will be a matter for the most careful judgment.

As a strong and active supporter of the disarmament process, especially as it relates to nuclear weapons, the New Zealand Government wishes to preserve the option of conveying further views should the Court decide to exercise its discretion by proceeding to consider the substance of the question put by the World Health Organisation.