

Greenpeace

Since 1972, the Canadian owned vessel Greenpeace III and French naval ships have been involved in two separate incidents within the zone de sécurité around Mururoa Atoll. In June, 1972, the Greenpeace III was in collision with a French naval vessel on the high seas beyond French territorial waters. In August, 1973, French seamen boarded the Greenpeace III, subdued its crew and sequestered it in Mururoa itself.

Greenpeace III (1972)

This matter is a complex one, both in law and as to the facts. Mr. McTaggart, the owner and skipper, alleges that his boat, the Greenpeace III, was rammed by a French naval vessel and that this was due to the fault of the French. On the other hand, the French authorities have since stated that the collision was Mr. McTaggart's fault and they have denied responsibility for it. The fact that the incident occurred on the high seas, beyond any national jurisdiction, and that it took place within an area of the high seas that the French had announced was to be closed because of nuclear testing activities, has created additional legal complications, both in terms of domestic and international law.

The Canadian authorities had been made aware of Mr. McTaggart's trip to the zone before his departure from New Zealand and we have been in almost constant contact with him or his lawyers since the accident. It will be recalled that in September, 1973, the Secretary of State for External Affairs, the Honourable Mitchell Sharp, issued a statement in which he set out the Canadian Government's view on the Greenpeace incident:

"Mr. McTaggart is a private Canadian citizen with a legitimate grievance against the French Government, one who is at a distinct disadvantage because he cannot effectively pursue his claim without the Canadian Government providing, as at present, moral and diplomatic support to this end.