

New Zealand media bury fresh Snowden revelations

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19 March 2014

New revelations by whistleblower Edward Snowden, further exposing the New Zealand government's involvement in the global spying activities of the US National Security Agency (NSA) have been buried by the country's political and media establishment.

Testifying to the European Parliament's civil liberties committee on March 7, the former NSA contractor reiterated charges that the "rights of billions of innocents" are being unlawfully breached through mass surveillance carried out by the NSA and other spy agencies, including Britain's Government Communications Headquarters (GCHQ).

Snowden said New Zealand, Germany, Denmark and Sweden had been pressured by the NSA to change their laws to facilitate its operations. Each government received instructions from the NSA, sometimes under the guise of the US Department of Defense and other bodies, on how to degrade the legal protections against bugging communications systems and erode basic democratic rights.

It is nearly two weeks since Snowden's charges were made. Only two brief reports have surfaced in New Zealand's media, one on Radio NZ's "Checkpoint" program, the second in the *New Zealand Herald*, both on March 11.

Prime Minister John Key flatly refused to comment on the allegations. His office issued a dismissive press release saying that Key, who is also the minister in charge of security services, expected there would be more allegations from Snowden in coming months and he couldn't "respond to them all." The opposition Labour party said nothing, nor did the Maori nationalist Mana Party.

This response to Snowden's incriminating charges underscores the fact that there is no commitment to core democratic rights anywhere in New Zealand's

ruling elite.

Snowden said lawyers from NSA's Foreign Affairs Division (FAD) continually search internationally for loopholes in targeted countries' laws and constitutional protections. Any weaknesses found are manipulated "to justify indiscriminate, dragnet surveillance operations."

The rights of ordinary people are being stripped away, Snowden declared. "Systems of intrusive mass surveillance are being constructed in secret within otherwise liberal states, often without the full awareness of the public." The systematic use of "vague laws" was an intentional strategy to circumvent public opposition.

According to Snowden, once a FAD "legal guidance" operation successfully subverts or helps repeal legal restrictions against mass surveillance, the NSA encourages partner states to perform "access operations." Through such operations, agencies gain access to the bulk communications of all major telecommunications providers in their jurisdictions, normally beginning with those that handle the greatest volume of communications.

Sometimes the NSA provides consultation, technology or the physical hardware for partners to "ingest" massive amounts of data in a manner that allows processing, soon providing access to "everything."

Memorandum agreements between NSA and its foreign partners typically enable the NSA to monitor its partner's citizens without informing the partner, and provide the partner with the excuse of "plausible deniability."

With a patchwork of such international agreements, data can be collected from any individual because everyone becomes a "foreigner" in some jurisdiction. Each government can assert—as Key does—that its

agency does “not break the law” by carrying out indiscriminate spying on its own nationals. Material uploaded to NSA databases can then be accessed by any authorised intelligence agency, making a mockery of supposed national protections.

The UK’s main telecoms—Verizon, British Telecommunications, Vodafone, Global Crossing, Level 3, Viatel and Interoute—all cooperate with the GCHQ, even “beyond what is legally required.” It is then easy for the British intelligence services to make those communications available to the NSA, even without explicitly sharing them.

The NZ intelligence agencies came under scrutiny in 2012 when it emerged that the Government Communications Security Bureau (GCSB) illegally spied on Internet entrepreneur Kim Dotcom on behalf of the US Justice Department. Key’s National government then pushed through legislation, over the objections of a majority of the population, giving the GCSB, officially an “external” security agency, vastly expanded powers to conduct domestic spying and intercept information sent and received in New Zealand.

A spokesman for the cyber-rights group Tech Liberty, Thomas Beagle, told the *New Zealand Herald* last week that the new laws appeared surprisingly quickly. “It was like someone had it sitting in a drawer ready to go,” he commented. “Who is really writing these laws?” The question is entirely legitimate.

The *Dominion Post* revealed in January 2013 that NSA director, General Keith Alexander, visited New Zealand as often as four times a year. The regular visits were so top secret that Key refused to identify Alexander, even after his US army jet was observed parked at Wellington airport.

The only politician interviewed on Snowden’s allegations was Green Party co-leader Russell Norman, who spoke to Radio NZ’s “Checkpoint.” Norman sits alongside Labour leader David Cunliffe on the five-member parliamentary Security and Intelligence Committee that nominally oversees the activities of the security agencies. The presence of both “opposition” leaders on this committee, which is chaired by the prime minister and has a government majority, itself shows the complicity of Labour and the Greens in the secret state apparatus.

Norman made it plain that the committee exercises no

powers over the country’s spies, and makes no attempt to do so. He claimed that the committee was constrained by its “limited powers” as a special statutory committee, not a regular standing committee of parliament. Norman also insisted that he was prevented by law from divulging any of the committee’s proceedings. In any case, he added, the committee could not demand any information from the intelligence services.

Naturally, Norman declared the committee powerless to independently investigate any of Snowden’s claims. In other words, like the rest of the committee and the political establishment, the Greens are participating in the cover up of Snowden’s damning revelations.

The author also recommends:

Spy legislation pushed through New Zealand parliament

[2 September 2013]



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