New Zealand: Sham inquiry established into spying revelations

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7 April 2015

The government's Inspector-General of Intelligence and Security Cheryl Gwyn announced on March 26 that she would investigate complaints made by the Green Party and others "over alleged interception of communications of New Zealanders working or travelling in the South Pacific by the Government Communications Security Bureau (GCSB)."

The aim of the inquiry is to contain the damage to the government and the political establishment more broadly from revelations of the GCSB's illegal and anti-democratic activities.

Documents from the US National Security Agency (NSA) leaked by whistleblower Edward Snowden last month revealed that the GCSB carries out mass surveillance on several Pacific island nations. The agency records virtually all telephone calls, emails and other Internet data in the region and shares the data with the other members of the Five Eyes alliance: the spy agencies of the US, Canada, Britain and Australia. This inevitably includes spying on New Zealand citizens and residents—which was illegal prior to a widely opposed amendment in 2013.

Other leaked documents show that the GCSB spies on several Asian countries, including China. The documents made clear that the NSA highly values the intelligence gathered by the GCSB on its behalf, including in "areas and countries ... difficult for the US to access."

Another leak on March 23 revealed that in 2013 the GCSB used the NSA's powerful XKeyscore search tool to spy on the communications of candidates for the job of director-general of the World Trade Organisation (WTO). Trade Minister Tim Groser was competing for the position, which was eventually secured by Brazilian diplomat Roberto Azevedo. The leak prompted Brazil's foreign ministry to demand an explanation from the New Zealand ambassador.

The National Party government has refused to comment on any of the leaks other than repeatedly stating that the GCSB acts within the law—despite substantial evidence to the contrary.

The Snowden revelations shatter the government's claims that the GCSB is needed to protect New Zealanders from terrorism and other threats. The documents demonstrate that the agency's role is to advance New Zealand's neo-colonial interests in the Pacific and elsewhere, while contributing to US imperialism's operations—including the Obama administration's strategic "pivot" to Asia, aimed at militarily encircling China and reducing Beijing's influence in the Asia-Pacific region.

Inspector-General Gwyn's inquiry is intended to whitewash the GCSB. Gwyn stated that she will audit the agency's activities and "provide as much information to the public on my findings as I can, withholding only that information that cannot be disclosed without endangering national security."

This means anything can be concealed. The government has repeatedly cited "national security" as the pretext for refusing to comment on the GCSB's activities—including whether it uses the mass surveillance tool XKeyscore and what information it shares with the Five Eyes. Last month GCSB acting director Una Jagose refused to publicly answer questions from MPs about whether the agency carries out mass surveillance in the Pacific, declaring that there was a "need for secrecy" about its operations.

Prime Minister John Key told the media on March 26 that he was "not fearful in the slightest" about the Inspector-General's inquiry. He added that it was "a good thing it's happening" and it would counter the supposedly "one-sided view" presented by the media

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about the leaked documents.

The opposition Labour and Green parties closed ranks with National to endorse the inquiry. In a statement, Greens co-leader Russel Norman welcomed Gwyn's "reassuring" announcement, adding, "These are very serious allegations and they do need to be looked at by an independent body."

Labour leader Andrew Little told Newstalk ZB that if Gwyn found that New Zealanders' privacy had been invaded "and it shouldn't have been, then we're going to have to look at what [is] needed to insure that New Zealanders' privacy interests are properly protected." Labour has called for an additional investigation of the alleged spying on WTO candidates.

In reality, Gwyn is anything but an "independent" agent: her office is an integral part of the government's surveillance apparatus. She was appointed in April 2014 by the Administrator of the Government, acting on behalf of Governor-General Sir Jerry Mateparae, to oversee the GCSB and the domestic spy agency, the Security Intelligence Service. Before becoming Governor-General in 2011, Mateparae worked briefly as director of the GCSB, and before that as chief of the Defence Force.

Parliament's Security and Intelligence Committee, which included Key, Norman and then-Labour leader David Cunliffe, was consulted on Gwyn's appointment.

Gwyn has already intervened to cover up the GCSB's activities. Last year, just three days before the September 20 general election, she issued a brief statement declaring that she had "not identified any indiscriminate interception of New Zealanders' data in my work to date."

This followed the release of documents by Snowden on September 15 outlining how the GCSB and NSA had tapped the Southern Cross undersea cable, which carries the vast majority of Internet traffic between New Zealand and the rest of the world. Snowden wrote that he frequently came across the private communications of New Zealanders when he worked as a contractor for the NSA.

Sir Bruce Ferguson, who was director of the GCSB from 2006 to 2011, admitted to Radio NZ on March 6 that the agency engages in "mass collection" of data throughout the Pacific, including that of New Zealand citizens. Prime Minister Key did not deny this.

The endorsement of Gwyn's sham inquiry by Labour and the Greens exposes the hollowness of the opposition's limited criticisms of the GCSB, which apply only to its surveillance of New Zealand citizens, not the mass spying in conjunction with the NSA on the world's population. Prior to the September 20 election Labour promised only a vaguely defined "review" of the spy agency.

The 1984–1990 Labour government opened the GCSB's Waihopai signals interception base, which now spies on the Pacific. The 1999–2008 Labour government, which was backed by the Greens, increased the GCSB's staff and resources and passed legislation establishing the GCSB as a separate government department. It sent soldiers and GCSB agents to Afghanistan to assist the US-led war. According to investigative journalist Nicky Hager's book *Other People's Wars*, GCSB agents helped to identify targets for US bombing missions.

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