

## **WAIHOPAI 2003**

### **War Is Good For Business**

- **Bob Leonard**

As the old saying goes, "What if they gave a war and nobody came"? Fat chance. Let's face it, our species loves war. Certainly George W. Bush loves war because so far it has saved his bacon since he was selected President.

ABC gave a demonstration in Blenheim in January 2003 and, "thanks" to the then impending war on Iraq, it was an unprecedented success. Plenty of people came to demonstrate against the war in conservative and booming Blenheim. In years past our efforts to stir up the passions of Blenheimites over the issue of Waihopai have drawn limited support. That's understandable because Waihopai is not an easy topic to explain. Perhaps the most negative local reaction has been caused by the look of the place, rather than by what it does. The huge domes don't exactly blend into the bucolic viticultural landscape.

### **Biggest Protest In Blenheim For Many Years**

But this year was different. The course of events was pretty much as in past years, with the exception of the brilliant local turnout, of course, and a first-ever visit by representatives from our sibling group across the Tasman, the Australian Anti-Bases Campaign Coalition (AABCC). Seasoned (to put it mildly) activists Hannah Middleton and Denis Doherty flew over to Christchurch specially to join us for the weekend. Hannah spoke at the Blenheim festivities in Seymour Square and Denis regaled the masses out at the spy base later in the afternoon. And they camped with us at our now traditional site at the Pleiades Vineyard just down the road from the base.

Activities were held on Saturday, January 25<sup>th</sup>, beginning 11am at Seymour Square in beautiful weather (following a cold rainy night in camp). Our beginning speaker was Marlborough District Councillor, John Craighead. A large and enthusiastically anti-war crowd had assembled to hear John and join in the march that followed. Over 200 locals marched peacefully through the streets of downtown Blenheim for about 30 minutes carrying placards and banners. As far as we know this was the first peace march in Blenheim's history, and it was also a first in the long history of demonstrations against Waihopai to have a district councillor as a speaker.

We arrived back at the Square just before noon and heard two more speakers, Hannah from Sydney, and Mike Treen, the Alliance foreign policy spokesperson, from Auckland. The links between the spying at Waihopai and the operations of the American war machine, gearing up to pulverise Iraq, were made clear in the speeches. Waihopai is New Zealand's most important contribution to the US global intelligence system that underpins the waging of war. Australia plays a much larger role of course by hosting the giant spy base at Pine Gap and at Geraldton, Waihopai's sibling station in Western Australia.

ABC then hosted a sausage sizzle in Seymour Square, including the much-sought-after vegetarian variety that have become so incredibly popular at ABC events.

No day of protest would be complete without a visit to the base itself. We arrived, still with good numbers of supporters, at about 2 pm. We had received prior permission to proceed to the inner high security perimeter. We were met at the farm gate by Jeff Holmes, the Government Communications Security Bureau's new Officer in Charge of Waihopai, who reluctantly welcomed our promised peaceful protest. After due processing of our specially printed passports to enter the Undemocratic Republic of UKUSA \*, Uncle Sam (fresh off a Starlifter flight from Washington DC) escorted us to the base. Various speeches were made with the effervescent Murray Horton presiding. Denis Doherty from Sydney AABCC again described the intelligence and military links among the UKUSA partners, Australia, NZ and the US, that make Australasia a key component in the US system. \* *The UKUSA Agreement, which shares global electronic and signals intelligence among the Intelligence agencies of the US, UK, Canada, Australia and NZ. Ed.*

We were back at the farm gate by 3:30pm. After rest and a good meal at camp we had a debriefing session at the Community Centre in Blenheim and were then disappointed to find that we could not find a good late night cup of coffee in town.

The routine of breaking camp on Sunday was briefly interrupted by a friendly visit from two cops. In an unprecedented move that was undoubtedly designed to make us love the Police, they carted away our rubbish.

It was a great boost to our efforts and morale to have the Australian delegation with us this year. As a van driver on the long haul along the coast between Blenheim and Christchurch I've never had time pass so quickly with Denis

and Hannah spinning out tale after graphic tale of Aussie anti-bases demos to make your hair curl. Australian police are just not very nice guys apparently, especially in the Northern Territory where Pine Gap is located, and under a broiling outback sun. I was just ever so slightly embarrassed to have the Aussies find out just how pleasant it can be at a demo in Aotearoa. Of course it hasn't always been thus. There have been exciting times in the 15 years of actions of Waihopai, and plenty of arrests. You never know what we might get up to in 2004.

*Bob Leonard is being too modest in this report. He performed so many roles at this year's Waihopai protest that he could win an Olympic gold medal in the decathlon. There was his usual starring role as Uncle Sam, which he throws himself into with ferocious relish; he was a featured speaker and MC; he did a lot of media interviews (being driven mad in the process by one of those newfangled cellphones); he was our photographer; and he was the sole driver of our rental van, up and back, from Christchurch. All this, the day after he had a tooth pulled in emergency dental surgery and was told by his dentist to go nowhere and do nothing strenuous over the weekend! I shared a tent with Bob that weekend and witnessed how he suffered. Ed. (aka "the effervescent Murray Horton").*

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## **"BIG BALLS" A BIG SUCCESS**

- **Murray Horton**

Winston "Olly" Oliver has been the genial host for the Anti-Bases Campaign's last three protests against the Waihopai spybase. He and his wife Maggie own Pleiades Vineyard, in the Waihopai Valley and they have been happy for ABC to camp on their land. Previously we used to camp on the Wairau River bank (among other places) and getting from camp to the base was a major logistical exercise. Now it is a short walk. And Olly is proof that the Government Communications Security Bureau (GCSB), which runs Waihopai, hasn't been able to softsoap all the neighbours of the blot on the Marlborough landscape.

Now, Olly has gone one further. In late 2002, he produced a limited run of "Big Balls", named in honour of the biggest balls in the country. The label on the bottles made plain his disgust at the millions of taxpayers' dollars spent on the spybase every year. "What angers me is that we are now part of America's war machine but the Americans choose what we see. That is what gets up my nose" (*Marlborough Express*, 4/2/03; "A wine made from the grapes of wrath", Sophie Wilson). Olly was kind enough to supply Big Balls to the ABC committee at cost – some of my colleagues bought it as a souvenir, but I happily confess that I drank my two bottles. I'm usually not partial to reds but this was rather a nice drop. Apparently the spies agreed too – Olly was tickled pink that he sold at least two bottles to spybase staff.

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## **WAIHOPAI PART OF US NETWORK SPYING ON UN**

- **Murray Horton**

Just when the build up to the US invasion and colonisation of Iraq was at its most frenzied, in the middle of the whole showdown between the Americans and the United Nations, came the revelation that American Intelligence was spying on the UN. The British newspaper, the *Observer*, published a leaked memo from Frank Koza, the head of the Regional Targets section of the US National Security Agency (NSA), the biggest US spy agency. The NSA is the major partner in the top secret UKUSA Agreement, which brings together the electronic intelligence gathering agencies of the US, UK, Canada, Australia and New Zealand. Their most notorious project is codenamed Echelon, which trawls billions of intercepted electronic communications for keywords (dictated by the Americans).

Koza's memo, dated January 31, 2003, "requested a 'surge' of surveillance activity against the diplomatic communications of UN Security Council (UNSC) members, such as Angola, Cameroon and Guinea. It also requested 'attention to non-UNSC members', specifically all 'UN-related and domestic communications' containing anything relating to the Security Council" (*Listener*, 22/3/03, "Spies Like Us", Nicky Hager). Nobody doubts that the US routinely spies on its allies and friends, but it is unusual to have it confirmed in writing.

Of course, this was all part of the numerous Intelligence scandals surrounding the Iraq War. President Bush has now

admitted that he shouldn't have claimed that Saddam Hussein was seeking to buy uranium from Niger (West Africa) when that was known to be false. Not only false, but an outright forgery. Tony Blair is in all sorts of strife regarding the calibre of intelligence that he used to justify Britain riding into Iraq on America's coat tails.

In this country, the revelation was seized upon by Green MP, Keith Locke, as proof that the Waihopai spybase is part of a global network which spies on fellow UN members. Coincidentally, it happened just as Parliament was putting the Government Communications Security Bureau Bill through its final stages (the GCSB had existed, by Executive fiat, since 1977, but had no legal status until 2003. You can read ABC's submission on this Bill at <http://www.converge.org.nz/abc/gcsbsub.html>)

Nicky Hager's *Listener* article said: "I've talked to GCSB staff whose daily job was scrolling through the intercepted communications of UN agencies based in Suva (Fiji), forwarding them to the NSA, CIA and other allied Intelligence agencies. That's right, they routinely spy on the UN". It's all part of the job of being the most junior sub-contractor of American Intelligence.

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## MILITANT PROTEST AT PINE GAP WARBASE

- Lindy Nolan & Murray Horton

*Lindy Nolan is a Sydney teacher and veteran political activist*

On May 12, 1996, US Ambassador to the UN, Madeleine Albright was asked on CBS's *60 Minutes*, "More than 500,000 Iraqi children are already dead as a direct result of the UN sanctions. Do you think the price is worth paying?" Albright replied: "It is a difficult question. But, yes, we think the price is worth it". Six months later she was appointed US Secretary of State.

In 2003, the US, aided by Australia, invaded and occupied Iraq. In reward for that, the US accorded it special "non-NATO ally" status (along with Egypt and now the Philippines). As far as Australia and the US are concerned, the ANZUS Treaty still exists (minus New Zealand, of course) and there is an extensive programme of exercises and exchanges between the two. The Australian military is fully integrated into its US Big Brother – Australian staff work at the US Central Command in Colorado and Pacific Command in Hawaii. In June 2003, it was announced that Australia is ready to allow the US military to conduct its own training operations within Australia, involving the permanent basing of military equipment there, along with the construction of infrastructure. The Government is prepared to expand facilities for US Navy ship crews to be rotated through Australian ports and to set up joint exercises with US forces. This substantial expansion in military cooperation could result in thousands more American troops training and "transiting" through Australia.

However, Australia's greatest contribution to American warmongering is not to be found in the troops and aircraft it sent to Iraq, but in the arid lands near Alice Springs.

### One Of The Most Important US Bases In The World

Pine Gap, a joint US-Australian facility, is one of the most important military bases in the world. According to the *Sydney Morning Herald's* defence correspondent, Craig Skehan, in 2002, it shifted its focus "to intelligence gathering in Iraq, including target identification...Well-placed sources say Pine Gap will also be able to directly transmit in Iraq during a conflict. This would include directing the firing of missiles and the dropping of bombs," wrote Skehan.

"Australia is already an integral part of US global strategy through the Pine Gap satellite listening station near Alice Springs, a Cold War-era installation that has gained new significance since the first Gulf War, terrorism and the fraught development of the missile shield. Since the 1991 war, Pine Gap has been expanded significantly. It has doubled its number of ground radars to 26 (*it has 14 radomes, compared to Waihopai's two. Ed.*), increased its staff and extended its role beyond collecting raw data to processing and analysing. This has immediate application for the present war. Since 2002, Pine Gap has placed increasing priority on Iraq, enabling it to locate, identify and target enemy missiles and installations for commanders in the field" (*New Zealand Herald, 22-23/3/03, "A Man Whose Future Is On The Line"*, Greg Ansley. The man in question is Australian Prime Minister, John Howard).

Pine Gap is able to detect any missile launches, not only making it critical to the missile defence systems of America's Middle Eastern allies, but also placing it at the heart of the developing Star Wars scheme. Star Wars, or National Missile Defense (NMD) Shield, is despite its name, an aggressive not a defensive system. It aims to make the USA safe from retaliation after a US nuclear first strike, and to enable the US to dominate space.

As part of the same doglike devotion to the US that saw him send Australian forces to wage war on Iraq, Howard has signed on for Australia to become part of President George Bush's "Son Of Star Wars" (NMD – the original Star Wars was mooted during the 1980-88 Presidency of Ronald Reagan), despite the opposition this has aroused in China and France, and from the Labor Party. Howard claims it is essential to defend Australia from attack from North Korean intercontinental ballistic missiles. "Now I am amazed that the Labor Party is against doing even that. I am just flabbergasted because we are dealing here with the defence of Australia" (*Press, 1/3/03; "Howard defends missile plan"*). New Zealand's Prime Minister, Helen Clark, joined those expressing concern about Howard's proposal, saying that "this whole approach undermines the international balance" (*Press, 1/3/03; "PM concerned about Aust missile-defence plan"*).

New radomes have been built at Pine Gap for the NMD satellites. They are connected to a new early warning system called the Space Based Infra-Red System (SBIRS). Bush has ordered the global system to be operational from 2004, despite the continued failure of tests to prove that it will ever actually work. In February 2003, the

Pentagon's Office of Operational Test and Evaluation concluded that the Missile Defense system "has yet to demonstrate significant operational capability" (annual report, quoted in *Australian Anti-Bases Campaign Coalition Bulletin*, April 2003). The other key Star Wars surveillance bases are in Britain (Fylingdales and Menwith Hill), Greenland (Thule) and Alaska (Clear).

As of March 2002, Pine Gap had 876 personnel (428 Americans and 448 Australians). The joint facility receives intelligence information from three satellites over the Indian Ocean, which will soon be joined by a satellite over Indonesia. It provides detailed intelligence information on the Middle East, the Pacific and Asia. Pine Gap locks Australia firmly into the US military machine. Australian prime ministers have for 30 years refused to say what happens at Pine Gap. This includes Labor's Gough Whitlam who was sacked, in 1975, the day before he was to answer a question on notice in Parliament about one of Pine Gap's then key operatives, the US Central Intelligence Agency's Richard Stallings. What a testimony to Australia's lack of genuine independence that such a facility has existed for so long.

## **Ferals, An Angry Emu, And A Flying Saucer**

In early October 2002, 500 people converged on Pine Gap to oppose this war base. 100 locals joined them. A few travelled from Spain and the USA in solidarity. Protest buses came from Sydney, Melbourne, Brisbane, Darwin, Adelaide and Perth. It was hot, it was dusty and the police had set up their roadblock nearly two kilometres from the gate. The base, as always, was well hidden.

Little kids and octogenarians made that walk on Saturday and Sunday. There were ferals\* and teachers, accountants and pensioners. Rows of cut-out Darth Vaders outflanked the police, dangerous in white. Cheerleaders, replete with pom-poms chorused their support for war led by the good ole' Stars and Stripes. \*I asked Lindy to define this previously unknown species of Australian. Her reply: "I don't know any other word for ferals except ferals. I guess they're hippies with a harder edge". Ed. And a man on the back of an out-of-control emu\* charged police lines. \* I asked Lindy to clarify this. "As for the emu, it was actually a man, much like the old music hall skits, with his legs forming the emu's legs and a pair of pretend legs riding off the pretend emu body. I can only say it made the protesters laugh hysterically and the police freak as he charged, trying to get the emu under control. He was a very clever actor!". Ed. Paramilitary drills, guttural "Move! Move!" were met with irony and high spirits.

Some were thumped and thrown and pinched on pressure points as they sat or danced to block the change of shift, others as they simply walked down the road. Some who tried to be arrested, gently pushing Gandhi-like against the police's thick leather gloves were left, others were DNA-tested and charged with weapons offences – for having paint bombs! Five of the Western Australian crew managed to photograph the white domes of the base after an overnight, overland walk, only to be caught on the way out. Another mob worked round the clock building a flying saucer, which, set alight, formed part of the dance party blockade. The police destroyed it, and badly damaged the van to which it was attached.

What held such a diverse group together? Many things: commitments to peace and Australian sovereignty and revulsion that we should be dragged into yet another war to defend US economic interests. For this writer it was also a desire for genuine Australian independence, something we are clearly yet to win.

*The protest was organised by the Australian Anti-Bases Campaign Coalition, Box A899, Sydney South, NSW 1235, Australia, [aabcc@zipworld.com.au](mailto:aabcc@zipworld.com.au) Extensive details about Pine Gap can be found on its Website [www.anti-bases.org](http://www.anti-bases.org) There is a longstanding New Zealand connection to Pine Gap. US Air Force aircraft carry vital supplies en route to Pine Gap via the USAF base at Christchurch Airport (under the umbrella of it being an Antarctic logistics support base). Thus Christchurch Airport, or Harewood, is a vital cog in the chain of US military and spy bases throughout the Asia Pacific region. The Pine Gap connection is one of the main reasons that the Anti-Bases Campaign calls for the demilitarisation of Christchurch Airport. For details on Harewood, visit the Other Bases page of our Website [http://www.converge.org.nz/abc/other\\_bases.html](http://www.converge.org.nz/abc/other_bases.html)*

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## TERRORISM SUPPRESSION ACT PASSED

- Murray Horton

Previous issues of *PR* have reported on the progress of the Terrorism Suppression Bill (which started life, in 2001, as the Terrorism [Bombings and Financing] Bill) and on the campaign against it. Rather than go over all that again, your best bet is to read those previous issues online at <http://www.converge.org.nz/abc/pr26covr.html> and/or check out the excellent Webpage on the subject at [www.arena.org.nz](http://www.arena.org.nz), which includes several expert analyses. Bob Leonard and myself presented ABC's submission when the Foreign Affairs, Defence and Trade Select Committee conducted hearings in Christchurch, back in February 2002 (see *PR* 26). You can read ABC's submission at <http://www.converge.org.nz/abc/abcterr.htm>

The Bill was reported back in March 2002 – unchanged. The only dissension came from Green MP, Keith Locke, who consistently opposed it all the way through. Keith is a member of that Select Committee but his colleagues refused him permission to table a minority report on the Bill (both it and his accompanying press statement can be found at the NZ Terrorism Bill Webpage, on the ARENA Website).

It disappeared for the next few months and did not feature at all in the July general election. Then, voila, it reappeared in October 2002, with the Government taking Urgency to get it rammed through its final stages in the House. It was duly passed by 106-9, i.e with only the Greens voting against it. Keith Locke continued to argue that it undermined individual liberties and threatened lawful protests. For his trouble, he was roundly abused by both Labour and National, who disputed that the existing Crimes Act was sufficient for the purpose.

However, compared to the openly fascist type of anti-terrorist laws enacted in both the US and Australia, New Zealand's piece of post-September 11 legislative hysteria is not so bad (speaking comparatively). It criminalises terrorist acts using explosives and the financing of terrorist acts (National has complained that membership per se in designated terrorist organisations is not illegal; Helen Clark says that it criminalises "participation", which is the same thing). It defines a "terrorist act" as conduct intended to induce terror; it must constitute serious disruption which threatens human life.

One major concern had been that New Zealanders supporting liberation movements overseas (which more often than not have to resort to armed struggle - East Timor is the most recent example) would be swept up in the scope of this anti-terrorist law. The law as passed allows Kiwis to make donations to such foreign groups if they intend them to be used for humanitarian aid. The Act has no powers of arrest or detention (unlike the vicious Patriot Act in the US, which has swept thousands up in a dragnet of secret imprisonment without charge), nor does it give powers to NZ Intelligence agencies to behave in the Gestapo fashion demonstrated by their Australian counterparts (who terrorised Australia's Indonesian community after the October 2002 Bali bombings). Kicking in doors, smashing windows, and arresting people remains the province of the Police. The new Australian laws are a major step towards transforming the likes of the Australian Security Intelligence Organisation (ASIO) from spies into a fully-fledged secret police (see the article on the ASIO powers, elsewhere in this issue). Under the New Zealand Act, alleged terrorists must be tried in the normal way (no holding people without charge, no secret trials or military tribunals); the Prime Minister has the power to designate people or organisations as terrorists, but is obliged to consult with both the Attorney General and Minister of Foreign Affairs before doing so.

### **A Bad Law, But Not As Bad As It Could Have Been**

So, the Terrorism Suppression Act is a bad law, but not as bad as it could have been (thanks to a concerted campaign against it) and definitely not as bad as the comparable laws in other countries. Of course, the murderous Bali bombings, which killed three New Zealanders, happened only a couple of days after the Act was passed and immediately the Opposition parties started complaining that the new Act does not go far enough to protect New Zealand from terrorism (and the consensus is that it wouldn't make any difference to such an attack – expect further repressive laws to give us more "protection". The more excitable correspondents to the newspapers blamed it all on the Government's decision to scrap the RNZAF Skyhawks!).

The Act was first invoked in November 2002, when the Government designated the Indonesian-based Jammah Islamiyah (JI) as a terrorist organisation (this is the group held responsible for the Bali bombings). What this means is that it is now an offence to be involved with JI, to collect funds, recruit members or make property or financial services available to it. Assets and funds can be seized and members imprisoned for up to 14 years. In February 2003, six more individuals and organisations were added to the Government's list of terrorists, under the Act. They were all linked to either JI or Osama bin Laden's al Qaeda, the group held responsible for the September 11, 2001, atrocities in the US.

Of course, this Act did not arise from a vacuum. *PR* readers need no reminding that there has been a whole swag of repressive new laws in the past few years, giving greater spying powers to Intelligence agencies and the Police. There have been a couple of amendments to the Security Intelligence Service (SIS) Act; the Government Communications Security Bureau (GCSB - which runs the Waihopai spybase) has been given legal status (it has existed since 1977!) and expanded electronic spying powers; the Crimes Amendment Number 6 Act has given increased electronic spying powers to the Police and the SIS and GCSB. All of these have been detailed in *PR* over the past few years. Since the September 11, 2001, attacks the Government has given an extra \$30 million over three years to the Intelligence agencies, the Police and others, such as Customs and airport security agencies. Police liaison officers have been posted to London and Washington and a counter-terrorism intelligence unit has been established within the Police; new procedures are proposed for Customs and Immigration to “screen” incoming passengers before they leave their country of departure; new terrorist offences have been created of attacking the food chain and New Zealand’s biosecurity. And on and on it goes.

To put it in fashionspeak, terrorism has become the new black. Simply invoking its name is sufficient excuse to abrogate all sorts of individual and community rights. It follows in the long dreary tradition of other great bogeymen down the ages – Communism, Satanic ritual child abuse, witchcraft, etc., etc. Dreadful crimes have been committed and those responsible need to be caught and punished. There is no evidence whatsoever that laws such as these play any role in either prevention or cure.

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## TELECOMMUNICATIONS INTERCEPTION BILL

- Bob Leonard

The new Telecommunications (Interception Capability) Bill 2003 is one of a suite of new legislative initiatives hastily cobbled together to quell terrorism via the massive erosion of personal privacy. The Anti-Bases Campaign has made submissions on the lot and continues to report on them in *Peace Researcher*. And Green MP Keith Locke has continued his invaluable contributions in this vital area with potent and meaty speeches in Parliament every time one of these Bills raises its ugly head.

Below is a summary of important points about this Bill that were raised by Keith. We include them here because our submission (below) is more narrowly focused.

- The Telecommunications Bill (2003) is a companion bill to the section in the Crimes Amendment Bill (No. 6) that gives the Security Intelligence Service (SIS) and Government Communications Security Bureau (GCSB) the power to intercept emails. See ABC's submission on the Crimes Amendment Bill, No. 6 at <http://www.converge.org.nz/abc/subswain.html>
- This Bill implements the Crimes Amendment Bill, requiring telecommunications operators to have all their systems intercept capable (at the service of the spies and Police).
- It is driven by what agencies in other countries (namely the US, UK and Australia) are doing, and what they would like (read "order") us to do.
- The big downside of these Bills is twofold: gross invasion of privacy and the potential for misuse of these intrusive powers by Government agencies, i.e., spies and the Police.
- The powers are particularly dangerous for the two Intelligence agencies because they have so little accountability to the public or Parliament.
- Because of the ease of interception it will be tempting for Intelligence agencies to abuse their powers and intercept the communications of people like Aziz Choudry - that is, political dissenters. The Choudry case has been reported in detail in past issues of *PR*. It is summarised on the ABC Website at <http://www.converge.org.nz/abc/choudry.htm>
- There are problems using e-mail intercepts in court evidence, in that e-mails can be much more easily doctored, in an untraceable way, compared to paper documents or voice intercepts.
- We now have on our statute books the Terrorism Suppression Act, where someone can be designated a terrorist on the basis of "classified information", perhaps from electronic intercepts, which the accused person is never allowed to see at any subsequent stage in court appeals.
- There is a warrant system in the Bill, but it has problems. There is no proper audit system for the warrants and there is no system for telling people subsequently that they have had their e-mails intercepted, and there is no proper system particularly for the SIS, to destroy the evidence that has been collected on people when it is no longer required.

### ABC Submission On The Telecommunications (Interception Capability) Bill

#### Introductory Statement:

The Anti-Bases Campaign has opposed the Government Communications Security Bureau (GCSB) and its Waihopai station actively since 1988, shortly after the construction of the base was announced. This submission deals with the provisions of a Bill that facilitates interceptions. But it should be read in the context of our total opposition to the very existence of the GCSB, its secretive intrusions into personal privacy and its close ties to the international Intelligence community under the UKUSA Agreement (*which shares global electronic and signals intelligence among the Intelligence agencies of the US, UK, Canada, Australia and NZ.Ed.*).

The Anti-Bases Campaign is clear on the fact that the Telecommunications Bill under consideration deals with telecommunications service providers and thus may not have great relevance to our main concerns about the activities of the GCSB and of its signals intelligence (SIGINT) interception facilities at Waihopai in particular. We are also aware of legal constraints on the GCSB to matters ostensibly having to do only with foreign intelligence. But we do have considerable concerns about the Bill.

We object to legislation that provides for the technical means for Intelligence agencies effectively to hack into computers. We object to the forced involvement of private telecommunications services in spying on the communications of New Zealanders. The satellite interception capabilities of the Waihopai base already allow virtually complete and unaccountable interception of emails, faxes, telephone calls, and data transfers transmitted by satellite. No warrant system can possibly operate to protect against privacy violations at Waihopai. And we have no



confidence that privacy will be protected, either by warrants or “other lawful interception authority” under the provisions of the Telecommunications Bill.

Privacy is to be protected by so-called “lawful authorisation”. This reassurance is baseless. The GCSB, whether spying via satellite interception or computer hacking, is exempted from a key Information Privacy Principle in the Privacy Act. The GCSB is exempted from the 4<sup>th</sup> Principle which reads in part: “Personal information shall not be collected by an agency by *unlawful means*...” (emphasis added). How can any citizen of New Zealand have confidence in the control and oversight of an agency that is effectively exempted from acting lawfully?

Privacy is to be protected by excluding “telecommunications that are not authorised to be intercepted”. But the GCSB is authorised to intercept “foreign communications” without any clear and unambiguous definition of “foreign” in any relevant Act, including the GCSB Act (2001) and the Crimes Amendment (No. 6) Act (2002) (including its Supplementary Order Paper exempting the GCSB from anti-computer-hacking provisions in the Act). What does “foreign” mean in the context of GCSB spying? If you ask the director of the GCSB under the Official Information Act, as ABC has done, he will refuse to answer in the name of national security. It is all too obvious that the reason for this deviousness is that a New Zealander in New Zealand is very likely to be on one end of a so-called foreign communication and be swept into the computer hacking or SIGINT interception net.

There is a pitiful attempt in the Bill (Section 14) to protect third parties: “Duty to minimise impact of interception on third parties. Every person who, under interception warrant or any other lawful interception authority, intercepts or assists in the interception of a telecommunication must take all practicable steps that are reasonable in the circumstances to minimise the likelihood of intercepting telecommunications that are not authorised to be intercepted under the warrant or authority”. That wording is so weak and unenforceable it is hard to believe it is serious. It is yet another illustration that protecting privacy while opening the floodgates of interception is impossible. In the name of fighting terrorism and crime, privacy protections are lost in all but name.

And for what good reason are our privacy protections being progressively eroded and our private communications being opened to Intelligence agencies with no effective oversight or accountability? No convincing case has yet been made by Government as to why so much new intrusive power must be vested in the police and Intelligence agencies. The Anti-Bases Campaign believes that the Telecommunications (Interception Capability) Bill, and the several recent pieces of legislation related to it, are overreactions to the terrorist events of September 11, 2001 in the United States and are not driven by genuine and supportable law enforcement needs in New Zealand.

Our submission has focused on the GCSB. But our concerns apply to the Security Intelligence Service and the Police as well. The ABC believes that increased powers of surveillance and interception would further erode the fundamental rights of all New Zealanders to engage in research, education and non-violent protest whether or not the Government agrees with them. Exercising these democratic rights must not lead to increased intrusions into privacy based on official suspicions of terrorist or criminal intent. Terrorist and criminals will find it easy to evade the prying eyes and ears of the spies and Police. Innocent private citizens will not.

The Anti-Bases Campaign believes this Bill is without merit and should not be passed out of Committee.

## **Beyond The Scrutiny Of Select Committees**

As ABC’s submitter I was able to testify before the Law and Order Select Committee via video-link between Christchurch and Wellington on 7 May 2003. The Committee was chaired by Labour’s Martin Gallagher who gave me a chance to briefly summarise our concerns about the Bill before questions from the members. Since ABC sees little merit in this sort of Bill, questions are usually few. But Labour’s Georgina Beyer wondered if we were at all concerned about the spread of terrorism and cited the October 2002 Bali bombing as an example. I assured her of our great concern about terrorism. But the severe erosion of human rights and personal privacy engendered by so called anti-terrorism laws being passed willy nilly in many Western states is serving the goals of terrorists while failing to stop terrorism. The ubiquitous Keith Locke was present and gave me further opportunity to explain just how useless but dangerous we believe this Bill to be. I emphasised how important it is that a Select Committee has a chance to consider this type of legislation and exert some influence over its content. Once passed into law the increased powers of the spies are well and truly beyond the scrutiny of Select Committees.

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## COUNTER-TERRORISM BILL “Without Lawful Authority”

- Bob Leonard

You might think that the art of Bill writing is highly evolved. But the following excerpt from the Counter-Terrorism Bill (2003) should, on careful reading, give you pause:

“Section 13C **Offences involving physical protection of nuclear material**

(1) A person commits an offence who, -

“(a) **without lawful authority**, receives, possesses, uses, transfers, alters, disposes of, or disperses nuclear material, knowing it is nuclear material, and –

“(i) that causes death, injury, or disease to any person or substantial damage to property; or

“(ii) with intent to cause, or being reckless as to whether it causes death, injury, or disease to any person or substantial damage to property....” (emphasis added)

Just what do the words “without lawful authority” mean here? To ABC it means that “**with** lawful authority” it would not be an offence to use nuclear material (including nuclear weapons) to cause death and destruction, in New Zealand or anywhere else for that matter. Is this a bit of careless writing? Or is the wording quoted above meant to allow the use of nuclear weapons as long as they are legally authorised?

Our submission to the Foreign Affairs, Defence and Trade Select Committee (see below) did not make that point directly. But I did make the point with considerable emphasis in telephone testimony before the committee on 22 May 2003. In response to a question from Labour MP Tim Barnett I asked the Committee to strike the words “without lawful authority” from the Bill. It will be interesting to see if the phrase persists.

ABC had asked to testify before the Committee on the Bill. Six members were present to hear supporting testimony: United Future’s Leader, Peter Dunne in the chair, Labour’s Martin Gallagher and Tim Barnett, the Greens’ Keith Locke, the Progressive Coalition’s Matt Robson and National’s Lockwood Smith. Keith Locke was concerned about the development of small tactical nuclear weapons that increase the likelihood of battlefield use and crossing the nuclear weapons threshold. Of course that led to my response that such weapons could easily be carried through New Zealand on US Air Force C141B Starlifters transiting Christchurch under the “neither confirm nor deny policy” (*exactly the same policy that has seen US Navy ships refusing to visit New Zealand since the 1980s. Ed.*).

We think this Bill may actually have positive elements in it, unlike most provisions in the other terrorism-related bills that followed the events of September 11, 2001. If it becomes law, which seems highly likely, it may actually provide some badly needed leverage for questioning the so-called Channel Flights by US Air Force cargo aircraft at Christchurch Airport. A little background on that issue is provided following the text of our submission.

### **Anti-Bases Campaign’s Submission On The Counter-Terrorism Bill**

-  
We would like to call to the attention of the Committee an aspect of the Counter-Terrorism Bill that is of particular relevance to our concerns about the American military presence at Christchurch International Airport.

We believe this Bill is relevant to the potential for American military cargo aircraft, particularly in time of international crisis, to carry nuclear materials (including nuclear weapons) through Christchurch Airport in transit to United States military/intelligence bases in Australia and beyond. The aircraft are primarily C-141B Starlifters and C-5B Galaxies which carry the “neither confirm nor deny” (NCND) nuclear weapons policy.

With reference to the Bill, the relevant sections are: Section 11(1), which makes reference to the “Nuclear Material Convention”, Section 13C “Offences involving physical protection of nuclear material, and Schedule 2A, which is the text of the “Convention on the Physical Protection of Nuclear Material”.

Within the text of the Nuclear Material Convention we call your attention to the statement in the Preamble, “Recognizing the importance of effective physical protection of nuclear material used for military purposes...”, Article 1c on “international nuclear transport”, and Article 4(5) which states, *inter alia*, “The State Party...shall identify and inform in advance States which the nuclear material is expected to transit...whose airports or seaports it is expected to enter”.

Article 4(5) appears to be of particular relevance to the transit of American military cargo aircraft through New

Zealand under the NCND nuclear weapons policy. Starlifters and Galaxies are the primary mode of air transport of nuclear weaponry from the United States to its military bases overseas. There are many such bases and nuclear weapons are known to be stored at some of those bases (we are not alleging that such storage exists at Christchurch Airport).

We strongly support New Zealand's implementing in our law, via the relevant provisions of the Counter-Terrorism Bill, the requirements of the Nuclear Material Convention to which we are a signatory. We consider that an important requirement of that Convention is that New Zealand be informed of any passage of nuclear material, including nuclear weapons, through our territory. We are a nuclear-weapons-free nation, protected by the Nuclear Free Zone Act of 1987. The Prime Minister must be "satisfied that the foreign military aircraft will not be carrying any nuclear explosive device when it lands in New Zealand" (Section 10(2) of the 1987 Act).

We request the Select Committee to incorporate appropriate wording in the Counter-Terrorism Bill to make clear that aircraft transiting New Zealand under the NCND nuclear weapons policy would be in violation of provisions of New Zealand law and would contravene the letter and intent of the Nuclear Materials Convention. We would be happy to suggest relevant insertions to the Bill for these purposes.

We are also prepared to supply documentation in support of statements in this submission, including extensive flight data (provided by the Ministry of Foreign Affairs and Trade) that makes a clear distinction between dedicated Antarctic support missions of American aircraft and the military-intelligence flights that transit Christchurch Airport in support of foreign American bases, including Pine Gap in Australia.

Note: In oral testimony I did not make specific suggestions for wording to be incorporated into the Bill as offered in our submission. At the time it seemed highly unlikely that any specific reference to the Channel Flights by American aircraft would stand a chance of being added to the Bill. Nevertheless, we are still considering the option.

## **Background To The Issues**

In 1987 Parliament passed the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act. This simple act of sovereign independence so incensed our ANZUS\* partner and Big Brother, the United States of America, that they chose to cease all military ship visits to our harbours, whether or not they were nuclear-armed, or -capable, or -powered. In other words, it wasn't the Act itself that did the "damage", it was the sentiment behind it. New Zealanders firmly rejected things nuclear as they relate to war and power, and they still do. But there was a deliberate loophole written into the Act that the Americans were very happy to accept, if in fact they didn't write it themselves. *\*ANZUS – the 1951 military treaty between the US, Australia and New Zealand that governed New Zealand's defence and foreign policy until the "ANZUS Row" of the 1980s, when NZ went nuclear free, and was summarily kicked out of ANZUS. That remains the status quo today. Ed.*

Section 10 of the Nuclear Free Act is titled "Landing in New Zealand" and applies to foreign military aircraft. Subsection (2) reads: "The Prime Minister may only grant approval to the landing in New Zealand by any foreign military aircraft if the Prime Minister is satisfied that the foreign military aircraft will not be carrying any nuclear explosive device when it lands in New Zealand".

And here is the loophole: Subsection (3) reads: " Any such approval may relate to a category or class of foreign military aircraft, including foreign military aircraft that are being used to provide logistic support for a research programme in Antarctica, and may be given for such period as is specified in the approval".

Whether or not you consider Subsection (3) to be necessary at all, in a strictly legal sense, there is no question it was inserted to placate the Americans who use Christchurch International Airport as a support base for its Antarctic Research Program, Operation Deep Freeze. It seems reasonable, even to the hotheads in the Anti-Bases Campaign, that it is unlikely the US Air Force would be carrying nuclear warheads to and from Antarctica. Even if the "enemy" does have its own bases there, it would seem a bit heavy-handed to vapourise a research facility on the ice.

So what's the problem? The problem is the military/intelligence flights that we keep harping on in *Peace Researcher* in almost every issue.

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## AUSTRALIA

### Vicious New Law Turns ASIO Into A Secret Police Agency

- Murray Horton

*ASIO. Australian Security Intelligence Organisation, equivalent to the NZ Security Intelligence Service (SIS).*

PR 26 carried a detailed report about the proposed new draconian powers for ASIO. Rather than rehash it all again, read it online at <http://www.converge.org.nz/abc/pr26-62.htm> First introduced in March 2002, the Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill was defeated in mid 2002, by a combination of Government backbenchers and Opposition parties. But it was reintroduced, in amended form, in August 2002.

“The Bill was draconian and indefensible. It would have allowed people to be held indefinitely and questioned without a lawyer, denied the right to avoid self-incrimination, and permitted detention and questioning of children. The Government has now agreed to extensive changes. People held would be able to get legal representation from an approved security-cleared panel; the holding period would be limited to a week; self-incrimination is being removed; and the age of questioning for children raised to 14” (*Age*, 2/11/02; “ASIO walking a tightrope”).

The Liberal government was thwarted again, in December 2002. After a marathon sitting of Parliament, of more than 30 hours, the Senate (for the second time) sent the Bill back to the Lower House insisting that the Government accept its 35 amendments. Labor, the Democrats, Greens and One Nation combined to stop its passage. Labor didn't want to defeat the Bill or have it chucked out – it simply wanted to water it down a bit. For example, Labor was happy to accept detention without charge for two or three days. The Prime Minister, John Howard, took great umbrage at this, rejecting it as unworkable and withdrew the entire Bill. He wanted it to go through in exactly the original form or not at all.

The Federation of Community Legal Centres welcomed the deadlock: “Both the Government's and Labor's version of the Bill are dangerous and unsupportable. They both allow for the detention of citizens not suspected of any charge... No other Western country has gone down this route. While the UK and US have introduced preventive detention, it is restricted to terrorist suspects, not innocent people who are merely alleged to have information about a matter of interest to Intelligence agencies. Friends and neighbours, lawyers and journalists could all be detained under these laws for over 24 hours on the basis of a suspicion that they possess information about someone ASIO is interested in” (press release, 13/12/02; “Parliament's failure a win for democracy”).

Howard was not about to give up. In May 2003, the Bill was reintroduced to the Senate. Greens Senator, Bob Brown, said: “The potential for these powers to be misused is too great. It would be too easy in the future for the term ‘terrorist’ to be extended to any groups in Australia which the Government of the day did not like” (*Guardian*, 28/5/03; “ASIO Bill returns to Senate”).

The Government made some “concessions” – such as, a sunset clause allowing for a review of ASIO's powers after three years; the age at which people can be detained was lifted from 14 to 16; and an arrested person can immediately see a lawyer. This time around Labor voted in favour of the Bill, because the party had been torn apart by its own leadership battle, was doing disastrously in the polls, and didn't want to fight a threatened election on “security issues”.

The *Guardian* provides a useful summary of the new powers. “The proposed new laws will effectively turn ASIO into a secret police. ASIO will gain the power to detain people without charge for up to seven days. It removes the right to silence for people under questioning. Refusal to answer questions could lead to five years in prison and access to a lawyer is limited. All lawyers must receive a security clearance before they could represent clients detained under this Bill. ASIO would move from spy agency to secret police. For the first time in Australia we would have our own legally ‘disappeared’ people — detained by a security agency without knowledge of family and friends or lawyer. In such circumstances the door would be opened to torture. The use of such powers would not be restricted to those suspected of terrorism, but applied to anyone (including journalists, human rights workers and activists) whom ASIO merely thought might have information regarding a ‘terrorist activity’”.

This new law has some very nasty implications. The Federation of Community Legal Centres pointed out that it can allow for the indefinite detention of people through rolling seven day warrants. There is no limit to the number of warrants that ASIO could get in relation to one person, and information gained during one seven day interrogation period could be the justification for issuing another warrant against that person. The *Press* headline (27/6/03) put it most succinctly: “Unlimited power of arrest for ASIO”.

## Bali Bombs Aftermath: Kicking Down Muslim Doors In Australia

Australians have already had a taste of ASIO as a fully fledged secret police force (something which has no precedent in New Zealand or in most other Western countries). This was occasioned by the October 2002 Bali bombings, which killed 202 people, including 88 Australian holidaymakers (and three New Zealanders), and which basically finished the idyllic view of that Indonesian island as an earthly paradise. As far as the Howard government was concerned, this was Australia's September 11. It had not actually happened on Australian soil (let alone any Australian equivalent of those 2001 American targets – the Sydney Harbour Bridge and Opera House remain unscathed) but Bali had been regarded as a sort of safe Australian outpost in Asia, that teeming continent whose existence has greatly troubled the sleep of Australians for as long as anyone can remember.

The atrocity was blamed on the Indonesian-based Jammah Islamiah (JI) group, which was alleged to have ties with Osama bin Laden's al Qaeda. In the three decades of the genocidal Suharto dictatorship, Australia had studiously involved any involvement in investigating the numberless atrocities committed in that country, let alone condemned them. Even when Australian TV journalists were tortured and murdered during the 1975 Indonesian invasion of East Timor, Australia said and did nothing.

But Bali 2002 was different. "The Asians are attacking us" was the visceral reaction. It became the second most seminal event thus far in 21<sup>st</sup> Century Australian history. The first was the shabby 2001 *Tampa* affair, which Howard used to win that year's "unwinnable" election (see *Listener*, 31/5/03; "Victory At Sea: A new book examines in damning detail the *Tampa* refugee crisis and how John Howard used it to win an election", Finlay MacDonald. The book is "Dark Victory", by David Marr and Marian Wilkinson, Allen & Unwin). *PR* 26 detailed the involvement of the Australian Defence Signals Directorate in the *Tampa* Affair, when it was caught out spying on Australians in Australia (which the spies' spin doctors assure us never happens).

The Aussies flew their own cops and investigators to Bali, behaving very much as if it was an Australian territory, and heaved their Indonesian counterparts to pull finger. The Indonesian cops proved uncharacteristically efficient and rounded up the bombers and their accomplices, bringing them swiftly to trial on capital charges (the Australasian media tended to not highlight the fact that the greatest number of those killed and maimed were fellow Indonesians). Abu Bakar Bashir, the alleged spiritual head of JI, was arrested on separate capital charges. Basically the crime was solved very quickly and those responsible have been brought to trial and punishment. It was a model not even entertained by the US after September 11. War is so much more satisfying.

But John Howard wanted more and he wanted it to be seen happening by the Australian public, in Australia. He let the dogs off the leash for some very public muscle flexing. In October 2002 heavily armed Federal cops and ASIO agents, toting both sub-machineguns and sledgehammers, raided 15 homes of Indonesian Australian Muslim families in Sydney, Melbourne and Perth, smashing down doors in the process. Their targets were people with supposed links to JI (now banned in both Australia and New Zealand as a terrorist organisation). Basically it turned out to be people who had simply attended lectures by Bashir on his 11 visits to Australia in the 1990s. Howard defended these Ramboesque raids: "There were reasons for these raids, and I defend 100% what ASIO has done. I find it amazing that people could seriously question the national need for this to happen" (*Press*, 2/11/02; "Rambo' raids defended"). They represented the first time that ASIO agents had taken part in such raids, functioning as an armed and aggressive secret police agency.

Things were viewed differently on this side of the Tasman. The *New Zealand Herald* editorialised (2-3/11/02; "Liberty must balance security needs"): "In the first instance there was an alarming element of the publicity stunt about these late-night and early-morning raids. In the second, they represented an overreaction, no matter how deeply the Australian psyche had been wounded by the murderous events in Bali. Most importantly of all, they encouraged racial bigotry. New Zealand has no reason to tread the same road, no matter how keen the Prime Minister is to stand shoulder to shoulder with Australia in justifying the raids...".

So, what was the outcome? In Perth, one Australian convert to Islam was arrested for plotting to blow up Israeli diplomatic posts in Australia. One other suspect escaped by fleeing the country. But all in all, the raids were a feel good, look tough publicity stunt. The *Sydney Morning Herald* (22/4/03; "Spooked by ASIO, Indonesians turn inwards") reported: "Not one charge has been laid in Sydney since the post-Bali raids on six Indonesian families, but 255 Indonesians have been locked up since (*in Immigration Department swoops. Ed.*), and the community feels under siege... And, very quietly, and without fanfare, ASIO has been returning hundreds of items seized in the (Sydney) raids... And a few weeks ago, in what the families consider an act of exoneration, ASIO returned computer discs, documents and mobile phones and videos seized in the raids. About 150 items were signed back to the owners... They included videos of lectures given by the Muslim cleric Abu Bakar Bashir, JI's alleged spiritual leader...".

So basically, it was all for show. And, more sinisterly, to get the Australian media and public used to the sight of ASIO agents acting as guntoting political cops. That is becoming the status quo – in June 2003, ASIO agents raided the homes of ten Iranian families in Sydney, Melbourne and Brisbane, seizing computers and documents. The material was returned and no charges were laid. All this, while the transnational media corporations are promoting ASIO as doing a fine job in protecting Australia from “terrorism”. Inexorably, ASIO is being transformed into a secret police agency.

## **Bali: A Long History Of Terrorism**

The October 2002 Bali bombings suddenly focused the attention of Western governments and media on that island – because a large number of young white people (including three New Zealanders) were killed or injured in an attack on a bar (from which Indonesians were basically excluded, except if they worked there). There was a lot of ill-informed emotive stuff uttered about "terrorism comes to Paradise, the loss of innocence", etc. etc. Oh really. Paradise, my arse. Terrorism, massive State terrorism, came to Bali nearly 40 years ago. It was brought by the genocide that accompanied Suharto's seizure of power in 1965-66; the victims were Balinese; it was actively aided and abetted by the West, specifically the US Central Intelligence Agency, and there has never been any rush of Western leaders, media or forensic police investigators to that crime scene. It was all done in the name of "anti-Communism" and nobody has ever been charged, let alone punished, for one of the 20<sup>th</sup> Century's greatest crimes against humanity, a series of massacres that murdered several hundred thousand Indonesians across the whole archipelago. To quote from *PR 25* (Special Issue, March 2002; "Ghosts of a Genocide: The CIA, Suharto and Terrorist Culture", Dennis Small <http://www.converge.org.nz/abc/pr25intr.htm>

"On Bali an estimated 80,000 people, or roughly 5% of the population, were killed. 'The populations of whole villages were executed, the victims either shot with automatic weapons or hacked to death with knives and machetes. Some of the killers were said to have drunk the blood of their victims or to have gloated over the numbers of people they had put to death' ('The Dark Side of Paradise: Political Violence in Bali' by Geoffrey Robinson, Cornell University Press, 1995, p1). In chapter 11 of his profound, in-depth study on Bali, Robinson goes into some detail as to extent and nature of US involvement in the massacres. His overall assessment is that: 'Even if it is not possible to establish definitively the extent of US complicity, it can be demonstrated that US policy contributed substantially to the seizure of power by the military under Suharto and to the massacre that ensued' (ibid. p282). As he emphasises, at least as early as 1957, US policy initiatives had been deliberately exploiting and encouraging 'internal political cleavages in Indonesia with the intention of bringing down the established government' (ibid.).

"On Bali, it was the arrival of the military with death lists and logistical support that mobilised the slaughter on a large scale. There was an orchestrated propaganda campaign to both instigate and legitimate the killings of those defined as the enemy. The Western-created myth of exotic Bali as a marvellously peaceful island so appropriate as a tourist Mecca masks a violent tradition, and Bali's part in the 1965-66 genocide was actually not quite the aberration it might seem". Other reports put the Balinese death toll as even higher: "On Bali, between 100,000 and 200,000 people are estimated to have died. 'In Java, we had to egg them on to kill Communists; in Bali we had to restrain them', an Indonesian general commented" (*Press*, 19/10/02; "'The violent world has trampled over paradise'", Christopher Moore).

When will the "international community" be demanding justice and punishment for those terrorist crimes on Bali, let alone the rivers of blood spilled everywhere in Indonesia (and Indonesian colonies such as East Timor and West Papua) throughout the ghastly Suharto dictatorship? And those rivers of blood continue to flow in Indonesia to this day, from Aceh in the west to West Papua in the west. But no young white Westerners are being blown to bits or horribly burned in the process, so it becomes the "domestic business" of Indonesia. The hypocrisy, both past and present, is sickening.

# THE INVASION OF IRAQ – AND HOW THE MEDIA WAR WAS WON AND LOST

## Half Truths And Media Spin: Whom Do You Believe?

- David Robie

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Recently a revealing book was published in the United States and, as far as I know, it was never reviewed, or barely mentioned, in the New Zealand media. But its message was a salutary lesson for us here, half a globe away from the Anglo-American invasion of Iraq. Robert W McChesney and John Nichols have argued for an honest debate over a total rethink of policy for media if it is to continue to have an effective role in democracy, if it is to remain a genuine Fourth Estate. Their book, entitled, "Our Media, Not Theirs: The Democratic Struggle Against Corporate Media", presents a persuasive case for building a mass movement that seeks to replace *their* [corporate] *media* with a media that serves ordinary citizens — *our media*.<sup>1</sup> According to McChesney and Nichols, the Constitutional founders guaranteed freedom of the press because they knew democracy needed "rich and diverse sources of information and ideas".<sup>2</sup> Essentially, the authors were arguing that the multinational media corporations were too powerful and should not be allowed to dictate to governments the limits placed on competition in the broadcast and print media sectors.

"People know the media are betraying their public trust. Whether it's what's on TV — the exploitation, the commercialism — or the news and public service programming that isn't on the TV, people know that what they're getting is not what they want or need".<sup>3</sup>

Elsewhere in the book, Noam Chomsky reminds us about how Tom Paine two centuries ago issued a call to "recover rights" that had been lost to "conquest and tyranny", thereby opening "a new era to the human race". Chomsky renewed the challenge to carry forward the endless struggle for freedom and justice.<sup>4</sup> Unfortunately few seem to have heeded that challenge, least of all some 500 journalists who chose to be "embedded" with the military, or as most cynics describe it, in bed with the military during (the March/April 2003) invasion of Iraq.

Some 2,000 journalists covered the war in an unprecedented voyeuristic view of a one sided destruction of a nation in what was an illegal war. Some estimates put the number of Australian journalists on the ground covering the war as high as 100, but certainly they were there in "larger numbers than in Korea, Vietnam, the Indonesian confrontation and the First Gulf War", all of which had significant Australian military involvement<sup>5</sup> (if you think this is a high number, the *New York Times* alone had 30 journalists in the field).<sup>6</sup>

In contrast, merely three journalists from New Zealand were covering the war, all television reporters and all on the periphery, both geographically (well clear of the battle zones) and in terms of coverage insights. Why did they bother?

The target for this war was a Third World nation that had been inhumanely impoverished and effectively disarmed by 12 years of sanctions. Under a tyrant, yes, but Iraq had no chance against the might of the Anglo-American forces. The propaganda myth of the "elite Republican Guard" forces evaporated soon enough. This was a country with 1980s Soviet-era vintage equipment and virtually defenceless against modern precision digital era armaments.

### **'More' News, But Less Insightful**

The massive "more" of news coverage hardly equalled quality information, which was lost in the "fog of war"<sup>7</sup>, and raised alarming questions about media credibility in a campaign of propaganda, lies, half-truth and spin. Of course, this is nothing new; truth has always been the first casualty of war, and author Philip Knightley<sup>8</sup> had already warned us about this some months before the invasion began. But according to John Pilger:

"There is something deeply corrupt consuming this craft of mine. It is not a recent phenomenon; look back on the 'coverage' of the First World War by journalists who were subsequently knighted for their services for the concealment of the truth of that great slaughter.

"What makes the difference today is the technology that produces an avalanche of repetitive information, which in

the United States has been the source of arguably the most vociferous brainwashing in that country's history.

"A war that was hardly a war, that was so one-sided it ought to be despatched with shame in the military annals, was reported like a Formula One race, as we watched the home teams speed to the chequered flag in Baghdad's Fardus Square, where a statue of the dictator created and sustained by 'us' was pulled down in a ceremony that was as close to fakery as you could get". 9

And Pilger is by no means alone in these views. Robert Fisk, the celebrated *Independent* specialist on Middle East affairs, wrote a series of trenchant and contextual articles, many of them scathing about aspects of media coverage — including one particularly memorable one questioning whether US troops murdered three journalists during the fall of Baghdad.<sup>10</sup> But unfortunately not many of his best pieces were used in the *New Zealand Herald* in spite of the paper being owned by Tony O'Reilly's *Independent* group. According to David Miller, a member of the Glasgow University Media group and joint author of "Market Killing", the invasion of Iraq was "the most information controlled conflict of modern times" <sup>11</sup>:

"Coverage in the mainstream media is being manipulated as never before. The US is going to unprecedented lengths to ensure that its spin is dominating media agendas across the West. And it is expending massive resources in minimising critical coverage around the world.

"[The] US and UK governments have shown themselves adept at learning media management lessons from successive conflicts. In both Suez (1956) and most importantly Vietnam, the UK and US governments came to believe that propaganda was the key to winning wars. In the Suez debacle General Sir Charles Keighley concluded in an internal British government report in 1957 that the "over-riding lesson" was that "world opinion is now the absolute principle of war". <sup>12</sup>

The lessons of the Vietnam conflict were put into practice in the Falklands War in 1982. The 29 journalists covering that war were put in an earlier – more tightly controlled - version of "embedding" with the naval forces and there were no independent reporters. A dual system of censorship operated in the war on Iraq. Curiously, while the Arabic media were routinely portrayed as biased or censored, the bias and manipulation of the Anglo-American media was rarely acknowledged in Western countries — certainly not in NZ television and print reports.

The bias and editorialising of much of the NZ media coverage, relying heavily as it did on news sources, satellite feeds and wire agencies from Anglo-American protagonists, was quite significant. More than 1,000 peace protesters marched on Television New Zealand and the *New Zealand Herald* offices in Auckland on 12 April 2003 to express their displeasure. While *One News* acknowledged the demonstration in a brief news report that night, the *Herald* ignored the protesters. In a letter delivered to Ian Fraser, chief executive of TVNZ, a State-owned company operating two free-to-air channels, the protesters claimed its news service had become a "mouthpiece and visual portal for an unrelenting stream of bald US/UK propaganda and blatant lies. TVNZ has simply set aside the fact that the US invasion is illegal, immoral and unsanctioned and has portrayed it over the past three weeks as a 'war of liberation', undertaken on behalf of the Iraqi people with barely a nod towards the great mass of humanity - and a clear majority of New Zealanders - who oppose this organised aggression against the people of Iraq". <sup>13</sup>

The rare exceptions included the *Listener*, particularly with editorials by editor Finlay Macdonald and analysis of the war by Gordon Campbell, and Scoop [www.scoop.co.nz](http://www.scoop.co.nz), which pursued a fiercely independent line and posted images of the Anglo-American POWs in defiance of an American directive to media. US authorities happily violated the Geneva Convention when taking Afghani captives in shackles to Guantanamo Bay, Cuba, where they are far removed from constitutional protections, and were happy for TV networks to show pictures of surrendering Iraqi soldiers.

Why is it that when journalists who generally respect the ethical norms of balance, fairness and impartiality during "normal times" are happy to jump on the bandwagon of jingoism and suspend their critical faculties during war? And New Zealand, unlike Australia, was not even at war. Rarely did we get reports of the "other side" of the story – reports from Arabic satellite channels such as al-Jazeera, the independent academic analysis, or even insightful reporting on the Iraqi community in New Zealand.

## **Direct Attacks On Journalists**

Measuring the war reportage of the New Zealand — and much of the Western media — against their role in democratic society to provide the public with an informed basis on which to exercise their democratic rights to lobby, then the media "failed spectacularly to do its job", according to independent Scoop Website editor, Alastair Thompson. Not only did the media have to deal with censorship, says Thompson, but it also had to combat what he



calls “information warfare”. 14

“This information war was conducted on numerous fronts. Among the techniques used have been direct attacks on journalists, deliberate misinformation – i.e. lies, obstruction, legal threats and intimidation, linguistic sophistry, staged media events, planted information, forgery, and even Cointelpro\* type slander attacks on commentators and opposition figures”. 15 (\**Cointelpro. Covert counterintelligence operations conducted against a wide range of US activists by Intelligence and police agencies over several decades. The outcomes have included murders and lengthy prison terms. Ed.*)

At the time of the shelling of the Palestine Hotel (Baghdad, 8/4/03) – and let’s be frank, it was well-known that this hotel was where most foreign journalists were based – General Buford Blount of the Third Infantry Division claimed that sniper fire had been directed at the tank. He added that the fire ended “after the tank had fired” at the hotel. Not only did journalists at the hotel confirm there was no sniper fire, veteran Middle East specialist Robert Fisk actually witnessed the shelling. He recalled in an article questioning whether the US troops murdered two journalists in the shelling:

“There was no sniper fire – nor any rocket-propelled grenade fire, as the American officer claimed – at the time. French television footage of the tank, running for minutes before the attack, shows the same thing, The soundtrack – until the blinding, repulsive golden flash from the tank barrel – is silent”. 16

This attack on journalists at the Reuters office followed less than three hours after an American aircraft fired a single missile at the Qatar-based al-Jazeera office and killed reporter Tareq Ayoub. The missile was apparently fired at the exact coordinates supplied by al-Jazeera’s managing director, Mohamed Jassem al-Ali, to the US Defense Department, warning that civilian journalists were working in the building. The US military also attacked the al-Jazeera office in Kabul in the invasion of Afghanistan after September 11, 2001. The Paris-based media freedom group Reporters Sans Frontières condemned the Baghdad killings. The New York advocacy group Committee to Protect Journalists issued a media advisory headed: “Is killing part of the Pentagon press policy?” It stated:

“On April 8 ... US military forces launched what appeared to be deliberate attacks on independent journalists covering the war, killing three and injuring four others. In one incident, a US tank fired an explosive shell at the Palestine Hotel, where most non-embedded international reporters in Baghdad are based. Two journalists, Taras Protsyuk of the British news agency Reuters and Jose Couso of the Spanish network Telecinco, were killed; three other journalists were injured. The tank, which was parked nearby, appeared to carefully select its target, according to journalists in the hotel, raising and aiming its gun turret some two minutes before firing a single shell”.

Robert Fisk says the Americans were “outraged at al-Jazeera’s coverage of the civilian victims of US bombing raids”. They were equally unhappy with some of the reportage from journalists at the Palestine Hotel, free from the self-censorship straitjacket of being “embedded” with the military. Fisk added:

“A Ukrainian, a Spaniard, an Arab. They all died within hours of each other. I suspect they were killed because the US – someone in the Pentagon – decided to try to ‘close down’ the press. Of course, American journalists are not investigating this. They should – because they will be next”.

### **The Toppled Statue Episode – A Stage-Managed Farce?**

Gagging the critics — an age-old tactic. But let us return to John Pilger’s earlier reference to the statue propaganda, the truth about this fraudulent incident needs to be exposed. The US was desperate to have a symbolic “liberation” style image to project the people of Iraq, especially as these images had eluded them in Basra as defenders of the regime fought on desperately against great odds. Thus the iconic images of Saddam’s statue being toppled in (central Baghdad’s) Fardus Square on April 9 and being “beaten” with sandals by a “jubilant crowd greeting liberation” in reality were nothing like what was framed on TV and in the newspapers. I watched *BBC World* in the lead-up to the toppling.

The square was largely empty except for three strategically positioned US Abrams tanks and an armoured personnel carrier plus a small paltry crowd of 100 or so, many of them apparently journalists. A *BBC World* news presenter kept asking, “Where is everybody?” There were apparently more journalists there than Iraqis and they appeared to be waiting for an event that some had possibly been tipped off about in advance. The statue was unlikely to have been pulled down without US help, which the American soldiers were quick to exploit — even momentarily wrapping the Stars and Stripes around Saddam’s head. An IndyMedia Website presented photos and evidence that some of the crowd were from US-backed Ahmed Chalabi’s Free Iraqi Forces militia.<sup>17</sup>

It is incidents such as this that have tarnished the credibility of US news sources. What has happened to the Fourth Estate ethic? Certainly, it seemed to have lost its edge compared with the new Arabic media such as al-Jazeera, el-Manar TV and Abu Dhabi TV. "For many years Western media had represented the best option for Arab viewers," wrote Kaled Ezeelarab. "It had gained a reputation of being motivated solely by professional incentives, first and foremost seeking the truth." 18 But now the sophistication and professionalism of the Arab stations have challenged Western dominance.

For Stephan Richter of *The Globalist*, part of the problem is the "follow the herd" or the pack mentality. Many journalists are afraid to step outside consensus reporting: "As long as they don't stick their necks out, these people believe, nobody can berate them for getting out of line". 19 A similar problem is that the same pack dynamic also works in reverse – making the whole US media business, especially in print and cable news reporting, highly pro-cyclical. To follow the war and the reconstruction with any real understanding, we need to refer to both the Arab (such as al-Jazeera in English, [english.aljazeera.net](http://english.aljazeera.net)) and Western news sources – and read between the lines. But most importantly, we need to browse independent and insightful Websites.

## **Glossed Over Civilian Casualties**

Adam Porter highlights how the embedded style of media reality show glossed over the civilian casualties and played up the image of a "clean" war. 20 He cited the uncritical and defensive news presentation by BBC networks after the US Third Regiment killed seven women and children on the night of March 31 as they approached a checkpoint on a bridge near the southern Iraqi city of Karbala. Initial reports claimed that a warning shot had been fired and the women had kept coming towards the checkpoint.

They "just kept coming, just kept coming" (*BBC 10 O'Clock News/Sky TV News/BBC News 24*).

What could anyone do? They "failed to stop?" (*BBC Radio 5 Live*).

Everyone "feels sorry" for the Third Infantry soldiers being put in that position (Major David Holly, *BBC Radio 5 Live*).

The "soldiers were right to shoot" and should be "given (the backing" of Washington. And the tactics were a direct result of the Iraqi military (*BBC Radio 5 Live*).

The "soldiers were right to defend themselves" (*BBC Radio 4*).

Was the "just kept coming" phrase from Central Command? Until the following morning, the massacre was presented as a "tragedy" with the Iraqi women having contributed, perhaps unwittingly, to their deaths. However, the *Washington Post* reported the officer in command who ordered the warning shot — but that never came. Commenting on similar incidents, John Pilger wrote:

"Imagine the terror of a mother, cowering with her children on the road as the 'softly spoken 21-year-olds' decide whether to kill them, or kill the old man failing to stop his car? The children are clearly 'scouts'; the old man is, well, who knows and who cares?" 21

The killing-the-chick-who-got-in-the-way mentality was another manifestation of the "collateral damage" to use an obscene military term. 22 Another obscene term is "degrading the enemy", which means bomb hell out of "them" while you have total air supremacy and kill as many of "them" as possible (*David then showed the famous clip, from TVNZ, of US aircraft bombing their own forces in northern Iraq, on April 6, 2003, as an example of the many times when US troops "degraded" their own forces or allies. Ed.*).

## **The Ongoing Information War**

Although "major combat operations" have officially ceased 23, the information war goes on. No one will really know what happened in this war until the Western media does its job and asks the right questions. Now that the New Zealand media has "turned off" Iraq after the end of the reality show, it will be even more difficult to get answers. Some of these questions are:

- Why hasn't the media investigated the alleged role of US troops in the apparent policy of encouraging or even organising looting in the days after the fall of Baghdad? While a company of soldiers guarded the Oil Ministry alone, the National Museum, the Museum of Modern Art, the National Archives and various ministries and hospitals were looted and, in some cases, torched. And to make it worse, there is evidence that suggests much of the looting was organised and the rise of the "Arab street" was projected as a cover-up for this.

According to an Arabic-speaking PhD scholar from Sweden who was a human shield during the war, he personally watched US soldiers shoot security guards on an administrative building in Haifa Avenue on April 8. He recalled:

“I was just 300 metres away when the guards were murdered. Then they shot the building entrance to pieces, and their Arabic translators in the tanks told people to run for grabs inside the building. Rumours spread rapidly and the house was cleaned out. Moments later tanks broke down the doors to the Justice Department, residing in the neighbouring building, and looting was carried on there.

“(Interviewer): Do you mean to say that it was the US troops that initiated the looting?”

“Absolutely. The lack of scenes of joy had the US forces in need of images of Iraqis who [had] in different ways demonstrated their disgust with Saddam’s regime. 24

- Who ordered these “scorched earth” tactics and why?
- What happened to the “20,000 strong, well-equipped elite” Special Republican Guards who were supposed to defend Baghdad? To where did they vanish?
- What happened to the long-promised fedayeen urban guerrilla war, a la the Battle of Mogadishu \*? Basra was far smaller and relatively lightly defended, and it took three weeks to subdue the city. \**This refers to the urban guerilla warfare that drove the Americans out of the capital of Somalia during their illfated early 1990s intervention in that country. This has recently been given the Hollywood treatment in the movie “Black Hawk Down”. Ed.*
- Why were none of the bridges leading into Baghdad destroyed – an effective military tactic for defending a city?
- Why did the entire Iraqi Cabinet manage to escape apparently overnight on April 8? This was the night of the alleged bombing in the Mansur district when 14 civilians were killed. A BBC team later reported that the actual meeting place allegedly used by Saddam was unscathed.
- What happened to the infrastructure of the regime – the bulk of the estimated 500,000 elite?
- What has happened to Saddam Hussein, given that he was a target of the invasion?

Many rumours have been fuelled by a Lebanese newspaper report 25 outlining how the US Central Intelligence Agency allegedly infiltrated the human shields in Baghdad to pinpoint targets, the Republican Guard commanders were bribed with safe passage in return for their surrender, independent media were to be intimidated and “corralled” – hence the attack on the Reuters and al-Jazeera offices – and Saddam and his entourage were spirited to Mecca. Or is Saddam still in Iraq and planning for guerrilla war? 26

- And where is the “smoking gun” – the alleged weapons of mass destruction (WMD)? Did the weapons exist when the war began? Probably not. But undoubtedly they will be “found”, just as a number of journalists have found nice, clean and conveniently incriminating “smear” files on people such as Scottish supporter of Iraq, the British Labour MP George Galloway, among the ashes of ruined ministries. A media manipulator’s dream.
- Why have the New Zealand media been so quick to publish the smear allegations against Galloway and not publish his response, such as was published in *The Independent*? 27

Finally, when are the media going to provide some serious answers, or even pose the questions? And where is the likelihood of the democracy that was this war’s supposed objective. The Anglo-American forces easily won the war – as if that was ever in doubt – but it is hard to see them winning the peace. Sooner or later the guerilla war will begin \* with Iraq perhaps becoming another Palestine or Lebanon, or alternatively an Islamist state like Iran. But to keep informed, don’t count too much on the corporate media. \* *Since this was written, the guerilla war in Iraq has well and truly begun, with US troops being killed, wounded and ambushed daily. Ed.*

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## GOVERNMENT STILL COY ABOUT UKUSA AGREEMENT

- Murray Horton

In the aftermath of the murderous October 2002 Bali bombings (see elsewhere in this issue for more detailed articles on that aftermath, both in New Zealand and Australia), the Government was needled by Opposition parties about New Zealand having been cut out of the American Intelligence loop, namely by not having received purported warnings of such an atrocity. A *Washington Post* story to this effect was cited in Parliament. It was somewhat undercut when, neither the rabidly pro-American Australian Prime Minister, John Howard, nor the US Ambassador to Australia said that they had heard of any such warning.

However, in the Parliamentary uproar that ensued, the Prime Minister, Helen Clark, insisted that New Zealand still belonged to “the best Intelligence club” (*New Zealand Herald*, 17/10/02; “PM backs CIA over warnings”). She repeated this assertion on TVNZ’s *Holmes*, adding that this Intelligence club was one in which New Zealand was a “founder member, along with the US, Britain, Australia and Canada”. Thus she confirmed what has never been officially confirmed by any Government – that New Zealand is a member of the UKUSA Agreement. This super-secret Agreement (which dates back to the 1940s) shares global electronic and signals intelligence among the Intelligence agencies of the US, UK, Canada, Australia and NZ. New Zealand’s member agency is the Government Communications Security Bureau (GCSB) and the Agreement provides the rationale for the existence of the Waihopai spybase.

ABC wrote to Clark (who is, by dint of being PM, also the Minister in Charge of the GCSB) to congratulate her on “being the first New Zealand Prime Minister to publicly state the glaringly obvious fact that this Agreement actually exists” and requested a copy of it, under the Official Information Act (25/10/02). The PM wasn’t falling for any of that nonsense and got her Chief of Staff, Heather Simpson, to write back (6/11/02), saying that Clark’s comments “merely reflect the fact that this country has a number of important Intelligence relationships with other countries, in particular the United States, the United Kingdom, Australia and Canada. This has been said before”... We wrote again (22/11/02) asking for details of those Intelligence relationships, starting with a list of relevant treaties and agreements.

We never heard back from the Office of the Prime Minister. Heather Simpson had transferred our request to the GCSB. We got two letters back from its Director, Warren Tucker. The first one (15/11/02) stated: “A public observation by the Prime Minister that New Zealand shares a close and effective Intelligence relationship with other countries, including the United States, the United Kingdom, Australia and Canada is no more than a reaffirmation of information that has been in the public record for some time. Such an observation does not infer the existence of any formal agreement to which New Zealand may, or may not be a party...I neither confirm nor deny the existence or non-existence of a ‘UKUSA Agreement’”. The second one (20/12/02) declined to provide any information about NZ’s Intelligence relationships with those countries “on the grounds that to do so would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand...”. So the Government is still playing hard to get on the UKUSA Agreement. But there is a considerable body of evidence about it (such as Nicky Hager’s definitive 1996 book “Secret Power”). That Agreement is the cornerstone of New Zealand’s Intelligence relationships, it underpins our military relationships (it is much more important than the ANZUS Treaty ever was) and it is the clue to understanding our foreign policy. They just don’t want to tell us about it.

## DEBATING THE GCSB DIRECTOR

- Murray Horton

The above wasn’t our only correspondence with the GCSB’s Director, Warren Tucker. In a most unusual move for a spy agency boss, he wrote a letter to the *Press* (13/2/03) objecting to that paper’s report of the January 2003 protest at the Waihopai spybase (see for details). He took particular umbrage at Waihopai being described as an “American base” and assured readers that it is wholly New Zealand owned and operated. “It is factually incorrect to characterise the facility as ‘an American base’ and quite wrong to accept the Anti-Bases Campaign’s often repeated allegations to that effect”. Touchy, touchy!

ABC had certainly never said that Waihopai is an American base (responsibility for that rests with the *Press* reporter) and we were delighted to get another bite at the cherry, having already scored good media coverage of the protest (for example, the *Marlborough Express* had given us a front page lead and that day’s billboard). We wrote to the *Press* (15/2/03), saying:

“Warren Tucker is correct in saying that Waihopai is not an American base but quite wrong in saying that the ABC claims that it is. We have always said that it is operated by the GCSB and paid for by the New Zealand taxpayer. But it might as well be an outright American spybase, because it works for the biggest Big Brother, namely the US National Security Agency. It is New Zealand’s most important contribution to the US war machine. Don’t take our word for it. The *Press* front page of February 7 ran a Reuters graphic illustrating how the US spies on Iraq. It included a map of the global network of Project Echelon electronic intelligence gathering spybases. Waihopai was included”.

To emphasise the point, the *Press* published our letter just two days after Tucker’s appeared (it’s not unusual to wait weeks for publication, or for letters not to be published at all) and highlighted it with a previously unpublished photo of the January protest (with the ABC banner front and centre), captioned: “Protesting at the base: Waihopai isn’t a US base but it might as well be, says the Anti-Bases Campaign”.

Warren Tucker has not written to the *Press* again (or any other paper that we’re aware of). What a pity. We’re only too happy to engage New Zealand’s most important spy boss in debate and point out to the public the deceptions perpetrated by the spies and their political masters.

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## **WHO WATCHES THE WATCHERS? The Intelligence And Security Committee**

- **Murray Horton**

Every time there is any criticism of New Zealand’s Intelligence agencies (the Security Intelligence Service and the Government Communications Security Bureau), Prime Ministers – Labour and National – issue soothing noises that there is adequate Parliamentary oversight. So let’s refresh our memory as to what exactly this oversight is.

*PR* has written many times in the past about the Intelligence and Security Committee (ISC), indeed ABC’s Bob Leonard and Warren Thomson once appeared before it to personally present our views. It, very deliberately, is not one of Parliament’s Select Committees and they are prohibited from examining anything to do with Intelligence and security agencies. It is a statutory committee, a committee of Government, not of Parliament. As such, it is not governed by Select Committee procedures and can conduct its hearings in total secrecy. It is a throwback to the old First Past The Post system, and makes no pretence of representing all the parties in Parliament. Membership is determined exclusively by the Prime Minister (who is the Minister in Charge of the SIS and GCSB). She is automatically a member and she can nominate two others; the Leader of the Opposition is also automatically a member and he can nominate one other.

The current members are: the PM, Helen Clark; her Deputy, Michael Cullen; their “coalition” partner, Jim Anderton, leader of the Progressives; the Leader of the Opposition, Bill English, and New Zealand First Leader, Winston Peters (by dint of heading the next biggest Opposition party. He replaced ACT Leader, Richard Prebble, who filled that role during the 1999-2002 Parliamentary term).

And how much oversight do these senior politicians (all current or former Ministers) exercise? Well, since the July 2002 election, the Intelligence and Security Committee has met exactly twice (in December 2002 and March 2003). Following the October 2002 Bali bombings, there was much finger pointing in Australia about whether that country’s Intelligence agencies had received warnings from their American counterparts. And there was talk of the need for an inquiry in New Zealand to establish whether our spies received such warnings and, if not, did that prove that NZ is out of the Western Intelligence loop? So where was New Zealand’s oversight committee when this controversy flared up? Well, it hadn’t actually met since Parliament reconvened for the 2002-05 term. Why not? Because there was a major row within the Opposition parties as to whether Peters or Prebble should be the second Opposition member. Eventually Peters won and proclaimed that he would use his new position to enforce a border security crackdown, following through on his party’s very successful anti-immigration campaign at the 2002 election. That has been Peters’ hobbyhorse for years now and he sees no reason why he should stop riding it. He sees migrants, and refugees in particular, as a threat to national security, and wants the ISC to ensure that more is spent for frontline border security, more Immigration staff at airports, that sort of thing. He wants them to have increased powers to question, detain or deport anyone deemed a threat to national security, with no automatic right of appeal.

So while the politicians posture and pontificate, the spies get on with their secret work, safe in the knowledge that there is no effective Parliamentary oversight whatsoever. Business as usual, in other words.

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## **WHO WATCHES THE WATCHERS? The Inspector-General Of Intelligence And Security**

- **Murray Horton**

*Peace Researcher 26* (October 2002) detailed Bob Leonard's complaint to the Inspector-General of Intelligence and Security (retired High Court judge, Laurie Greig) that he had a well founded belief that the Government Communications Security Bureau (GCSB) had been intercepting his electronic communications. After sitting on the complaint for several months (there is no time limit imposed on the Inspector-General to answer complaints), he told Bob that it was out of his jurisdiction. *PR 26* reported that I had also laid a complaint and was awaiting an answer.

And waiting and waiting. In June 2003, I wrote back to Greig, pointing out that it was now 12 months since I'd last heard from him (a simple acknowledgement). That must have woken him up and made him reach for his rubber stamp. Both Bob and I had requested to see our GCSB files. Greig wrote (26/6/03): "I have no function in the area of privacy or disclosure of official information. That is for the Privacy Commissioner or an Ombudsman...As to a right to privacy, that is not a matter which I or indeed any person can confirm...In my inquiry function there has to be some basis or ground for a reasoned assertion of actual or likely adverse affect. This can arise as in the Choudry case where there was an unlawful entry and trespass into private property. It can also arise where an adverse vetting report, for example, affects the employment of a person. Your letter does not convey to me any suggestion of actual or likely adverse affect on you arising out of any act or procedure of an intelligence agency".

So, the question remains: how do you make a complaint about the activities of the GCSB? The Inspector-General says that there has to be an actual event. The case of the bungled 1996 SIS break-in at the Christchurch home of political activist, Aziz Choudry, is the classic example. You can read about it on the ABC Website at <http://www.converge.org.nz/abc/choudry.htm> But that involved the SIS. Greig's letter mentions "adverse vetting reports". Once again, that is the SIS, not the GCSB.

In his annual reports to Parliament, Greig says that everybody is happy about the GCSB because nobody complains about it. But how do you complain about a totally secret agency, which uses electronic interception (not agents floundering about in bushes) to spy on people? So, the conclusion must be, that the office of Inspector-General only pertains to the SIS, in fact, if not in name. There is no way of complaining about the GCSB because there is no way of knowing, or finding out, if its activities have had an adverse effect on you. It's absurdist theatre, at the taxpayers' expense. By contrast, the UK has a Commissioner solely responsible for dealing with the interception of communications. The fact that he has upheld none of the complaints to him is another story.

And, as a footnote, it is fascinating to see Greig refer to an "unlawful entry" in the Choudry case. Aziz complained to him about the attempted SIS break-in; in his 1997 decision, Greig famously concluded that, "nothing unlawful had occurred". His interpretation of the law – that the SIS had a right of covert entry – was ruled incorrect by the Court of Appeal, which said that no such right had ever existed since the original 1969 SIS Act. Greig was wrong.

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## **GOVERNMENT APPROVES NEW USAF COMMUNICATIONS FACILITY IN NZ**

- **Murray Horton**

New Zealand has been in the military bad books of the US since the "ANZUS Row" of the 1980s, but we still keep trying to be a loyal little ally (or, rather, a "very, very, very close friend", in the words of the Secretary of State, Colin Powell – a phrase repeated ad nauseum during Labour's 2002 election campaign TV publicity). We haven't hosted any US warships since we went nuclear free but there are plenty of other manifestations of that alliance. Intelligence, obviously, with the Waihopai spybase being NZ's most important contribution to any US war. We continue to host the US Air Force (USAF) base at Christchurch Airport.

Now the Government has agreed to host another USAF radio communications facility. This was announced in November 2002, at the height of the US build up to its illegal invasion and occupation of Iraq, at the time when it was not very subtly pressuring its allies, and very, very, very close friends to help it in this major crime (to its great credit, the Government stayed right out of it).

Specifically, this involves the installation of an unclassified USAF high frequency radio transmitter and receiver at a New Zealand Defence Force communications site (the likely sites were named as Whenuapai, Irirangi, near Waiouru, or Weedons, near Christchurch). "The project, known as the Rightsizing Initiative, will provide a voice-only unencrypted link between US transport aircraft in the South Pacific and Antarctic regions and support personnel on the ground, relating to routine aircraft operations and safety only" (Mark Burton, Minister of Defence, press release, 21/11/02; "High Frequency equipment to be installed in New Zealand"). The Minister enthused that radio enthusiasts would be able to listen in if they bought a simple High Frequency radio - "which costs as little as \$30". What could be wrong with that?

## Helping The US To Fight Wars

Lets look behind the soothing words. This initiative comes about as a result of NZ's membership of the Combined Communications Electronics Board (CCEB), which is "tasked with overseeing the standardisation of communications systems between Australia, Canada, New Zealand, the United Kingdom and the United States" (ibid.). Funnily enough, those are the same five countries which make up the super-secret UKUSA Agreement (on Intelligence gathering and sharing). World renowned peace researcher, Nicky Hager, said: "It is possible that this is only for operational safety but I think this a military facility that New Zealand has just agreed to...The CCEB is about how to fight wars, not keep planes safe as they fly the oceans'...Mr Hager said it was likely the military would use the facility to send coded messages underneath the voice band" (*Press*, 22/11/02; "Approval for US military radio base").

Green MP Keith Locke said: "Despite the Defence Minister's best efforts to portray the installation as some kind of Samaritan radio service for off-course Antarctic explorers, the truth is that this facility will be controlled by the US military and it will help coordinate US military movements worldwide. Clearly the main purpose of the USAF network is to allow better communications with planes being deployed to places like the Gulf... It takes us back to the cringing attitude of Cold War governments, when New Zealand allowed American communications systems on our soil. In fact, one of the suggested locations is Weedons, near Christchurch, where we once 'hosted' a US naval communications facility..." (press release, 21/11/02; "Further enmeshed in a military web").

The Minister's statement also mentioned the military advantage to New Zealand – the facility will enable the NZ Defence Force to access global high frequency services in the Northern Hemisphere, eliminating the need to deploy a special attachment in Singapore in order to communicate with Royal New Zealand Air Force (RNZAF) detachments outside the Asia-Pacific region. Places such as the Persian Gulf, in fact, where the Government has sent both planes and ships to help in the "war against terror" (but insists that they were not to be used as part of the US invasion of Iraq).

## The US Base On Our Doorstep

ABC is fully familiar with Weedons. For decades, RNZAF Base Weedons hosted the US Navy's high frequency transmitters and transmitting antennae for the classified communications system for the US Navy and Air Force base at Christchurch Airport (the radio receiver aerials are at the back of the airport). The US Navy, of course, quit Christchurch Airport in the 90s, but the Air Force is still there. During the 70s, Weedons was the target of several protests by the original anti-bases movement (one of which featured mass arrests) and, at the peak of the anti-nuclear movement of that decade, a couple of aerials were cut down by a person, or persons, unknown until now (and, no, it wasn't me).

At the time of writing, no decision has been made as to where to install this new USAF facility. The Minister's statement said that the equipment would be installed within 12 months (from November 2002).

There was a spin off from this story, as there so often is. The *Press* report said that the Weedons facility "was closed down when the US military left Christchurch several years ago". ABC wrote to the *Press*, pointing out that there is still very much a USAF base at Christchurch Airport. Another correspondent had a go at us, insisting that the base is only there to service Antarctic operations. So we got a second bite of the cherry, with a letter concluding: "For decades the Antarctic programme has provided cover for what is a multi-purpose, medium level US military base, one which plays a vital role in servicing the huge US spy bases in Australia. If our airport was demilitarised, then those USAF flights would stop" (19/12/02). The fact remains that Christchurch is the only city in Australasia to host a US military base.



Air New Zealand Engineering Services, which is located at Christchurch Airport, already services the American C-130 Hercules aircraft used for Antarctic flights. But, in January 2003, it was announced that Air New Zealand was trying to get a whole lot cosier with the US military. It had put in a bid, estimated to be worth \$210 million, to service the US Air Force's (USAF) Pacific fleet of Hercules for the next decade. The USAF has a huge presence in the Pacific, with nine bases, including ones in Hawaii, South Korea, Guam and Japan.

As with the Government approval of the new USAF communications facility in New Zealand (see above), this story broke during the build up to the US invasion of Iraq. Green MP, Keith Locke, said: "Sure it might bring a few pennies to Air New Zealand but the damage to our reputation is greater than the advantages of winning it. The more we become integrated into the US war machine the more dependent we will become on it...I'm not against Air New Zealand bidding for contracts. But a contract with a Rightwing government intent on carrying out a unilateral invasion of another nation is not the right thing to be getting into" (*Press*, 20/1/03; "ChCh in line for Hercules contract"). Funnily enough, a "source at the base" did not see it that way: "We already service Hercules for the Antarctic, which are military aircraft anyway. What's the difference?" (*ibid.*).

No more has been heard of it since (the *Press* article said that Air New Zealand "expected to find out next week"). In June, *Peace Researcher* rang Air New Zealand Engineering Services. Its Media and Government Relations person told us that the *Press* story had been "speculation, with no evidence". However, she confirmed that it had put in a bid for exactly that contract but had yet to hear back. She said that the USAF "had been rather preoccupied recently". That's one way of describing the imperial warmongering that currently passes for US foreign policy.

### **Hercules Is An Integral Part Of US War Machine**

And, just in case you think there's nothing sinister about the Hercules, the good old lumbering transport workhorse of many air forces (including New Zealand). Never forget that the Hercules is a military aircraft, whose job it is to transport military personnel, equipment and supplies – they play a crucial role in all wars. More than that, they can be used directly as gunships or even bombers. A converted version is used as a low flying, slow moving gunship in war zones where the US has complete air superiority and is not threatened by ground to air missiles. Most recently, this has been deployed in Afghanistan. And, just before the US invaded Iraq, it mounted a psychological warfare demonstration (part of its much touted "shock and awe" offensive) to terrify the Iraqis. It exploded, in Florida, the largest ever conventional bomb – a massive nine tons of explosives, which is getting close to the size of the earliest atomic bombs. It even produced the same sort of mushroom cloud (but without the radiation). And how was this bomb delivered? By parachute, out of a USAF C-130 Hercules (it explodes above ground level and ignites all the oxygen within a large radius, causing a huge fireball and killing lots of people by means of the explosion, the fire or by them suddenly having no oxygen to breathe. It's a very nasty piece of work). If Air New Zealand Engineering Services wins that contract, it will be an integral part in horrors such as that. To answer the above question, that's the difference.

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## THE “WAR ON TERROR” Out Of Sight But Not Out Of Mind

- Murray Horton

In 2003 all the attention has been on America’s illegal invasion and colonisation of Iraq. It is rapidly becoming evident that winning the war and getting rid of Saddam Hussein’s murderous regime was the easy part. Ever since the official end of that war, the media has been full of daily stories of American (and British) troops being killed, wounded, abducted and ambushed. Iraqi anger at being occupied by foreign “liberators” started with protest rallies (which have a deadly tendency to be shot up by those liberators, leaving scores killed by that hardy perennial, “crossfire”), and rapidly moved to guerilla war, which the Americans last confronted, unsuccessfully, in Vietnam.

But what about the war before Iraq, the “war on terror”, that was going to span the globe and continue forever? How’s that going? Who’s winning?

It gave birth to the Bush Doctrine, incorporated in the US National Security Strategy, as outlined by President George Bush, in September 2002. There are several key features:

- The US barely acknowledges the United Nations (and we saw that taken to its logical conclusion with the invasion of Iraq).
- It refuses to accept the jurisdiction of bodies such as the newly-created International Criminal Court (which will try war criminals and human rights abusers).
- It reserves the right to pre-emptively strike anywhere in the world, at any time (as in Iraq).
- It will increase its Intelligence infrastructure and reserves the right to spy on anyone.
- It intends to militarily dominate Space.
- It will not allow any other nation to challenge it militarily and will use any methods to eradicate that challenge.
- It states that the market system and free trade are the only model for the world to follow.

The declared military aim was to capture or kill both Osama bin Laden and the Taliban leader, Mullah Omar. Nearly two years after the September 11, 2001, atrocities in the US, neither has happened and both men are assumed to be alive (as is Saddam Hussein). Undeniably, the US-led war has dealt heavy blows to bin Laden’s al-Qaeda, but definitely has not wiped it out (for example, see the *Time* cover story, “Why The War On Terror Will Never End”, 26/5/03). There is no shortage of potential terrorist recruits in the Muslim world and the “war on terror” does nothing about the underlying causes. It doesn’t feature much in the media now, apart from some flare up such as another bombing atrocity somewhere.

Most recently there were the May 2003 deadly bombings in Riyadh (Saudi Arabia), which demonstrated al Qaeda’s new tactic of striking in Muslim countries. Bin Laden is a Saudi (from a billionaire family) and his stated objective has been to get the US military out of Islam’s Holy Land (thousands of US military personnel have been in Saudi Arabia since the 1991 Gulf War). What didn’t get much publicity in the Western media was the actual target of those May 2003 bombings (they were nebulously described as “Western housing compounds”). Not just any Westerners. They were compounds housing employees of the Vinnell Corporation, which, under contract to the US Army, trains the Saudi National Guard. It has been a defence and security contractor in the country for nearly three decades. That is why bin Laden hates this shadowy corporation (which was the target of an earlier fatal bombing, in 1995). The US has been seeking for a dignified way to get its troops out of Saudi Arabia without appearing to concede victory to bin Laden – the 2003 Iraq War provided it. By overthrowing Saddam Hussein and occupying Iraq, the US no longer needs those troops in neighbouring Saudi Arabia. Basically they’ve been transferred to Iraq, which now replaces Saudi Arabia as the key US military asset in the Gulf (but the bases and non-uniformed personnel are staying in Saudi Arabia).

### Afghanistan

The US military swept into Afghanistan in 2001 and, very predictably, routed the medievalist and obscurantist Taliban regime in double quick time. A client regime, headed by the pro-American, Hamid Karzai, was installed (at least in Kabul, the capital) and US, and other military forces (including those from New Zealand), established an active presence in that benighted country. There are currently 11,000 foreign troops there. Then the story faded from the news, as the media followed Bush’s obsession about Saddam Hussein into the war on Iraq. So what’s the situation in Afghanistan now?

“America’s two “great victories” since 11 September 2001 are unravelling. In Afghanistan, the regime of Hamid Karzai has virtually no authority and no money, and would collapse without American guns. Al-Qaeda has not been

driven out only days later and al Qaeda fighters then stormed the US compound and burnt it to the ground" (*Independent*, 5/3/03; "Don't mention the war in Afghanistan", Robert Fisk).

There is an added ironic dimension to all this. The (former) Soviet Union invaded and occupied Afghanistan, in 1979, to prop up that country's Communist government. The US used the fundamentalists as its proxy to defeat the Russians and drive them back over the border (claiming that defeat in Afghanistan played a pivotal, final, role in destroying the Soviet Union). The 2001 overthrow of the Taliban was followed by the return of more than two million Afghan refugees – many of whom were active members and supporters of that 1970s Communist government. And Russia, although no longer Communist (actually it never was, but that's another story), retains an active interest in the affairs of Afghanistan, and has important allies in the Northern Alliance, whom the Americans used as their proxies in 2001. History has a tendency to move in circles.

### **Systematic Human Rights Abuses: Bagram**

And what of the Afghan women, who found themselves suddenly cited as a post-invasion reason for overthrowing the Taliban? "On April 22 (2003), Human Rights Watch reported that 'a climate of fear [exists within Afghanistan] not unlike under the Taliban...religious fundamentalism is on the rise with new restrictions on expression and movement of women and girls. Gains in education are now at risk, as many parents, afraid of attacks by troops and other gunmen, keep their daughters out of school'" (*Listener*, 10/5/03, "Veiled Threats", Gordon Campbell). That Human Rights Watch report concluded that the warlords were back in charge of the country, and terrorising the people, by means of kidnappings, arbitrary arrests, armed robbery, extortion and beatings.

In addition to the US military dealing out death from on high or afar, the Central Intelligence Agency (CIA) has also been responsible for killings of a much more up close and personal nature. In March 2003 the story broke that two Afghan prisoners had been beaten to death, while undergoing interrogation by the Americans, at Bagram Air Base, in December 2002. The deaths were being investigated as homicides. Torture is routinely practised at Bagram, where America's most valuable prisoners are kept in metal shipping containers in an area sealed off from the rest of the base. "Former inmates at the base claim that detainees are chained to the ceiling, shackled so tightly that the blood flow stops, kept naked and hooded and kicked to keep them awake for days on end" (*Guardian*, 7/3/03; "Afghan Prisoners Beaten To Death At US Military Interrogation Base", Duncan Campbell).

"Credible reports now indicate that the Government, with the approval of high-ranking officials, is engaging in systematic techniques considered by many to be torture. US officials have admitted using techniques that this nation previously denounced as violations of international law. One official involved in the 'interrogation center' in Afghanistan said 'if you don't violate someone's human rights, you probably aren't doing your job'" (*Los Angeles Times*, 6/3/03; "Rights On The Rack: Alleged Torture In Terror War Imperils US Standards Of Humanity", Jonathan Turley). For its part, the US says that its interrogation methods are not torture but "stress and duress techniques" (ibid.). Bagram is one of a number of US facilities around the world where due process does not apply. Another is the island of Diego Garcia, in the middle of the Indian Ocean.

### **Systematic Human Rights Abuses: Allies & Neighbours**

When the US does want somebody unambiguously tortured, than it has him shipped off to Pakistan, Saudi Arabia, Morocco, Jordan or Egypt. President Bush has no qualms. During his January 2003 State of the Union Address, he talked of al Qaeda members meeting a "different fate... Let's put it this way, they are no longer a problem to the United States and our friends and allies" (*Independent*, 7/3/03; "America admits suspects died in interrogations", Andrew Gumbel). One anonymous US official said: "We don't kick the shit out of them. We send them to other countries so they can kick the shit out of them" (*Washington Post*, 26/12/02; "US Decries Abuse But Defends Interrogations. 'Stress And Duress' Tactics Used On Terrorism Suspects Held In Secret Overseas Facilities", Dana Priest and Barton Gellman). Another anonymous official contradicted that by saying: "Our guys may kick them around a little bit in the adrenalin of the immediate aftermath" (ibid.).

Because of the new reality of the "war on terror", the US has stopped criticising countries that it previously pilloried as human rights abusers. For example, Uzbekistan, which borders Afghanistan and whose Khanabad military base is the hub of American military operations in its neighbour. The regime of President Islam Karimov routinely practises torture against its Islamic opponents. The British Ambassador said: "The intense repression here combined with the inequality of wealth and absence of reform will create the Islamic fundamentalism that the regime is trying to quash...Another senior Western official said: 'People have less freedom here than under Brezhnev\*. The irony is that the US Republican Party is supporting the remnants of Brezhnevism as part of their fight against Islamic extremism" (*Guardian*, 26/5/03; "US looks away as new ally tortures Islamists: Uzbekistan's President steps up repression of opponents", Nick Paton Walsh). Not only turning a blind eye to the human rights abuses of these

countries but also arming them to the teeth. \*Leonid Brezhnev, leader of the former Soviet Union (which then included Uzbekistan), from the mid 1960s until his death in 1982.

## **Systematic Human Rights Abuses: Guantanamo**

The world got a glimpse of some “stress and duress” techniques when the US publicly paraded the first prisoners to be flown to the detention centre at its Guantanamo Bay Naval Base in Cuba. They were shackled, and subject to sensory deprivation, forced to wear earmuffs and spray painted goggles. Of the 3,000 odd prisoners held without trial or charge, at least 680 are held in tiny cages at Guantanamo. Since being established in 2001, in one of the first acts of the “war on terror”, Guantanamo has been both kept off limits to the world and taken on an air of permanence. Most recently, plans were floated to establish the camp’s own death row and execution chamber, meaning that prisoners could be tried by US military tribunals, convicted and executed without leaving its boundaries, without recourse to a jury or a right of appeal. Everything about the place is an institutionalised affront to human rights and the rule of law, starting from the status of the prisoners as “illegal combatants” with absolutely no rights, rather than prisoners of war. Kids of 16 and younger are being held there. Several bewildered prisoners have been released and returned to Afghanistan or Pakistan because the US obviously recognised that they had simply been caught in a dragnet. The first Pakistani to be freed said of his detention: “We were animals. We weren’t like humans at all” (*Press*, 7/11/02).

In July 2003, Bush decided that six prisoners (including two Britons and an Australian) should face trial in a military tribunal, rather than a regular court. Stephen Jakobi, of the British group Fair Trials Abroad, said: “After 18 months, six people out of over 600 are to be tried and the rules have to be fixed, otherwise there might not be convictions. The US Department of Defense will appoint the judges and prosecutors, control the defence and make up the rules of the trial. It appears to have only one objective – to secure a conviction. If they were prepared to take these people to American soil and try them under normal US prosecution, the evidence wouldn’t stand up” (*BBC News*, 4/7/03, “US terror trials condemned”).

From the US perspective, it’s probably a wise move not to bring Guantanamo prisoners before a regular court. In August 2002, the first Muslim to be tried in Britain under new anti-terrorism laws was acquitted. That follows another court finding that there was no evidence against an Algerian charged with helping to train the September 11 hijackers. The British court refused to extradite him to the US. By that time, 150 suspects had been rounded up under Britain’s new laws – none had been convicted on terrorism charges. Of course, a whole other article could be written about the post-September 11 anti-terrorism laws passed around the world, from the US to Australia (see elsewhere in this issue for details on the latter country’s new law).

## **CIA’s Licence To Kill**

The “war on terror” has seen the CIA resume its paramilitary role, rather than simply collecting and analysing intelligence. The most detailed coverage of this was in the *Time* cover story (3/2/03; “The CIA’s Secret Army”), which described the role of its Special Operations Group (SOG) in the war in Afghanistan. Of course, the CIA has a long murky history of paramilitary operations (the failed 1961 Bay of Pigs invasion of Cuba being probably the most famous). Most of the 79 agents that it publicly acknowledges as having been killed in the course of duty were from its special operations wing (the most recent being one killed in Afghanistan, in 2001).

As a result of the 1970s’ Senate hearings into its covert operations, this side of its operations was reined in and the emphasis was shifted elsewhere. But paramilitary operations never went away, the CIA simply switched to relying on local proxies, such as the Nicaraguan *contras* (to fight the former Sandinista government) and the Afghan *mujahedin* (to fight the Soviet occupiers and the Afghan Communist government), both in the 1980s. Post– September 11 the CIA has switched back aggressively to covert paramilitary operations. This has been done under the direction of Donald Rumsfeld, Secretary of Defense, who is an unabashed fan of this Ramboesque approach to war. In Afghanistan, approximately 100 CIA SOG agents were primarily used to get behind enemy lines and call in devastating air strikes. Each branch of the US military has its own Special Force (totalling tens of thousands as opposed to the SOG’s few hundred) and they did not take kindly to the CIA muscling into their territory (by the time of the 2003 Iraq War, those military Special Forces had been promoted by Rumsfeld to being the key component of the invasion). The CIA retorts that SOG can do the job better than their military rivals. The fact remains however that none of the US Special Forces in Afghanistan – CIA or military – has succeeded in capturing or killing bin Laden or Mullah Omar, their primary stated goal for being in that country.

There is plenty of unease within the US at this newly beefed up CIA paramilitary operation. The *Time* cover story is accompanied by an article entitled “Why the Spooks Shouldn’t Run Wars: The CIA’s paramilitary role has a history of disaster”, by David Wise. John Pike, director of GlobalSecurity.org (a defence and intelligence think tank) says:

“Everybody has seen this movie before where secret wars have developed into public disasters. We’re going to wind up doing things that, when the American people hear of them, they will repudiate” (*Time*, *ibid.*).

## Drones Of Death

The “war on terror” has introduced some new and ominous features. The CIA has its own air arm, including remote-controlled Predator drones, which have been used to launch Hellfire missiles to assassinate alleged al Qaeda figures, in both Afghanistan and Yemen. The November 2002 Yemen attack was particularly controversial, because among those killed was a US citizen (the CIA justified his killing by branding him an “enemy combatant”). Clifford Beal, the editor of *Jane’s Defence Weekly*, said: “To have a drone that engages and kills people, that is quite a threshold to cross. This is the beginning of robotic warfare. There is underlying tension in the military about using it. The CIA does not have any qualms. This is really the first success story of this system” (*Guardian*, 6/11/02; “Killing probes the frontiers of robotics and warfare. ‘War on terror’ tag allows US to attack anywhere, argues lawyer”, Brian Whitaker and Oliver Burkeman. The lawyer in question was Professor Anthony D’Amato, who argued that Yemeni consent, or lack of it, was irrelevant. “In a war you have the right to shoot the combatants of the other side, and one of the things Bush accomplished when he called it a war against terrorism was to turn questions like this in his favour”). Rumsfeld approves of such remote-controlled State assassinations, saying (of the principal victim of the attack): “It would be a very good thing if he were out of business” (*Press*, 6/11/02, “US attack kills six; al Qaeda targeted”). Back in May 2002, the same method was unsuccessfully used in an attempt to kill Afghan warlord, Gulbuddin Hekmatyr. The US has become so enamoured of killer drones that the Pentagon hopes, within two decades, to develop one that could strike any spot on Earth from the continental US within two hours.

As a sideline, it is worth mentioning the ironic obsession of Hollywood popular culture (as in Arnold Schwarzenegger’s “Terminator” series) with the “machines” taking over the world, waging a ruthless war on a hardy band of humans, invariably Americans. In fact, the reverse is true, with the US depending more and more on machines to wage war on its numerous real or imagined human enemies.

The Yemeni drone attack was a further example of the US having adopted assassination as State policy. And it’s become a central part of its military strategy, not even commented on by the transnational corporate media, let alone criticised. The Iraq War was marked by several (apparently unsuccessful) attempts to kill Saddam Hussein and his closest colleagues, either by Cruise missiles or bombs. Yet, during the much bigger Vietnam War, the US made no attempt to kill Ho Chi Minh\*. There used to be a such things as the “rules of war”, which included not targeting your enemy’s leader (for a variety of reasons, including to dissuade him from trying to kill your leader, and in case you needed to negotiate with him). The CIA is now routinely advocating and practising assassinations, having been prohibited from doing so by Presidential Executive Orders in the 1970s and 80s (when scandal erupted about its earlier successful or attempted assassinations, such as the Congo’s Patrice Lumumba and Cuba’s Fidel Castro, both in the 60s). “Now we are told the CIA has a hit list of terrorist leaders whom the Agency is authorised to kill. It’s a strategy that even Jeffrey Smith, the former general counsel of the CIA, has frowned upon. ‘This ought to be a last resort for the United States’, he said after the Predator attack in Yemen. And Smith noted, ‘sometimes you get the wrong man. It also seems to legitimise assassination...putting at risk our own leaders and to some extent our own citizens” (*Time*, 3/2/03; “Why the Spooks Shouldn’t Run Wars: The CIA’s paramilitary role has a history of disaster”, by David Wise). Of course, America’s satellite government in Israel routinely assassinates its Palestinian enemies from the air, either from planes or helicopters, with nary a concern about the “collateral damage” that accompanies such attacks. \* *Ho Chi Minh, Vietnamese independence leader and President of North Vietnam from 1945 until his death in 1969.*

## New Zealand’s Involvement

And, of course, New Zealand has been actively involved in the “war on terror”, from its 2001 outset. The then Labour/Alliance government committed the Special Air Service (SAS) – this precipitated the split in the Alliance, which led to its disappearance from Parliament at the 2002 election. There has always been absurd official mystery about anything to do with the SAS and the Prime Minister, Helen Clark, has followed that script to a T. Of course, it’s purely coincidental that opinion polls revealed that a majority of Labour voters opposed New Zealand sending troops to Afghanistan.

In September 2002, Green MP, Keith Locke, pointed out that more could be learned from American Websites than from the Government about what the SAS was up to in Afghanistan. A November 2002 *Listener* article (30/11/02; “Where The Boys Are”, Gordon Campbell) filled in some more details. “All year, some 40 SAS troops have been taking part in hunter/killer sorties within a wider ‘special ops’ force that has bases near Kandahar in the south and Khost in the east, under the operational control of US officers”. It is believed that SAS troops helped their US counterparts mount cross-border raids into Pakistan. Campbell’s article also pointed out that despite the

Government's public adherence to international law, the practice in Afghanistan is rather different - the Military Technical Agreement that establishes the foreign military presence in that country grants immunity to all those foreign troops from being brought before any international tribunal for any war crimes.

As usual, it was left to the indefatigable Nicky Hager to tell New Zealanders just what the SAS had been doing in our name. He did so in a *Sunday Star Times* article (16/2/03) entitled "Our secret war: What the Government did not want you to know". Hager confirmed that the SAS worked as part of the US Special Forces, whose main job was as "forward air controllers" directing bombers onto targets (such as in the March 2002 Operation Anaconda, aimed at destroying al Qaeda and Taliban remnants which had been regrouping in the mountains of eastern Afghanistan). Discussing the Afghanistan War in general, Hager said: "On one side was the most technologically advanced military on Earth, dropping bombs with impunity and on the other were mostly poor, low-tech soldiers who died, surrendered or fled. New Zealand's role in such a bloody operation may help explain why Clark preferred the public simply not to know". Mountain warfare in Afghanistan fits in exactly with the regular mountain training that the SAS does with its British counterpart, in the Mount Cook region. "The military also had its own agenda in going to Afghanistan. Although it is 18 years since the official end of the ANZUS alliance, most intelligence and military activities have remained closely integrated with the US. Yet many senior officers regularly push for even closer ties. Inside sources say that defence officials have privately used their activities in Afghanistan to lobby our Government and US military authorities for new training opportunities in the US, joint US-NZ exercises and new US military equipment".

That 12 month SAS deployment ended, in December 2002, and they came home, still in total secrecy. But New Zealand's military involvement in Afghanistan is far from over. The Navy had a frigate patrolling the Persian Gulf to intercept any terrorists moving by sea (none were found), supported by an Air Force Orion surveillance plane. An Air Force Hercules has been deployed to neighbouring Krygyzstan to assist Operation Enduring Freedom (to give the Afghanistan War its official title). In June 2003 the Government announced that it planned to contribute a further 100 military personnel, primarily to the embryonic Provincial Reconstruction Teams (PRTs), plus send two Army officers to help in training the new Afghan Army. The PRTs have been described as a desperate attempt to extend the authority of the Americans' puppet, President Hamid Karzai, beyond his enclave in the capital, Kabul. Aid agencies working in Afghanistan have condemned the involvement of military personnel in humanitarian work.

Helen Clark has described their role as "enhanced military observers. They're not in there as combat troops. They're there to support an extension of the central government presence, and the ability of civilian agencies and NGOs to operate... This is not the SAS. What they will be doing will be very public and very open, and I think there will be the ability for a lot of media following of what is actually happening" (interview with Gordon Campbell; *Listener*, 5/7/03, "Into The Fire").

## Empire And Oil

And what is the "war on terror" really about? Well, as *Peace Researcher* has previously said, it can be summed up in one word – oil. This was glaringly obvious in the Iraq War but also the whole American drive into Central Asia, which began with the 2001 invasion of Afghanistan, is a naked grab for that region's oil and gas assets. There is an excellent article in the British magazine *Lobster* \* (number 45, Summer 2003) entitled "The Crux of the Matter", by Alfred Mendes. That succinctly provides a country summary for Azerbaijan, Georgia, Kazakhstan, Turkey, Turkmenistan, and Uzbekistan. There is one common theme – they all have lots of oil and gas, and strategically vital pipelines that the US is anxious to keep out of Russian or Iranian control. They all are close to Afghanistan and Iran, the two main American targets in that part of the world, and several of them now host brand new US military bases. \* *Lobster's Web address is <http://www.lobster-magazine.co.uk/> but note that it does not have an online edition.*

So, it's about empire building, by the tried and true method of State violence and coercion. It's about removing challenges to the imperial Power, either from states such as Iraq or "asymmetrical war practitioners" such as al Qaeda. It's about grabbing vital resources such as oil to ensure that the Empire doesn't grind to a halt. And it's about massive power projection into strategic areas of the world, Central Asia in the case of Afghanistan and its neighbours. There's no end in sight and no victory is likely to be declared in the foreseeable future. It's an extremely murky business for New Zealand to be involved in, and it is critical that we tell the Labour government in no uncertain terms to get us out of it as soon as possible.

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**OBITUARIES**  
**THE PEACEMAKER & CHRISTIAN PACIFIST SOCIETY**

- **Murray Horton**

ABC notes with regret the demise of *The Peacemaker*, the pocket sized newsletter of the Christian Pacifist Society (CPS). The newsletter was wound up at the end of 2002, with the announcement that the Society would be following it into retirement. We exchanged *Peace Researcher* with them for a number of years.

This marks the end of an era. *The Peacemaker* had been in continuous publication (not always under that name) since 1946. The Society emerged from the Methodist Bible Class Movement of the 1930s, a movement led by the famous Christian pacifists, Archie Barrington and the Reverend Ormond Burton. Many of the young men in the CPS went on to become conscientious objectors (COs) during the Second World War and paid a heavy price for that – up to 800 “defaulters” were locked up, often for the duration of the war and beyond, either in one of the special detention camps built for the purpose, or in prisons. It should be pointed out that not all of those detained were CPS members or even Christians – COs covered a wide range of religious and/or political beliefs. They were persecuted by the military, Police and courts and subject to physical attacks during the war, and barred from various Government occupations (such as teaching) for years afterwards.

The CPS has been involved in all peace activities in New Zealand for the past half century. But death and the age of its dwindling membership finally caught up with it. The committee shrank to three – Barry Harkness, who served 20 years, Jack Rogers, nearly 30, and Richard Thompson, *The Peacemaker* editor, who “only” served since 1987. Although the publication is gone, and the Society is going, these blokes will keep active in the peace movement until they drop – I’ve spotted at least one of them at marches against the Iraq War.

Gone but not forgotten. There is a resurgence of interest in the resistance to war exhibited by New Zealand’s COs during WW2. This was evidenced in the full houses for the Christchurch performances of Kathleen Gallagher’s powerful 2002 play “Hautu” (the name of one of the main detention camps, in the central North Island). Speaking as one who was convicted for refusing military service, in the 1970s, and then successfully registered as a conscientious objector (but not as a Christian pacifist), I salute their courage in the much more desperate circumstances they faced during the central event of the 20<sup>th</sup> Century, the worst war in the world’s history. Thanks for the decades of tireless work for peace, enjoy your well earned retirement.

*If you are interested in New Zealand’s secret history during WW2, I wrote a lengthy article about all aspects of it (including a detailed account of the treatment of conscientious objectors) when I was editing Canta, the University of Canterbury Students Association paper, in 1974. It was one of a series called “It Can’t Happen Here”, about the secret (i.e. real) history of New Zealand in the first three quarters of the 20<sup>th</sup> Century. The relevant article was published in Canta 15, 5/7/74.*

*If you would like a copy of that article, send \$5 to cover copying and postage. Make cheques to Peace Researcher, Box 2258, Christchurch.*

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**NEIL CHERRY**

- **Kate Dewes**

Dr Neil James Cherry, Officer of the New Zealand Order of Merit (ONZM), died at home on 17 May 2003 aged 56. He had been diagnosed with motor neurone disease in November 2001. As with many leaders, Neil’s controversial opinions about peace, energy, climate change and the health effects of natural and artificial electromagnetic radiation earned him both respect and scorn. He was derided as a “snake oil merchant” and a “charlatan” in the Australian Parliament and ridiculed by academic colleagues and corporate interests deeply threatened by his compelling and challenging research. More recently however he received many local, national and international awards in recognition of his outstanding leadership on a wide range of issues.

His contribution to the peace and anti-nuclear movement is less well known. In December 2002 Neil was one of the recipients of the first eight Christchurch City Peace Awards given to local groups and individuals. The short citation read: *Neil Cherry has been a tireless worker for peace and disarmament research and education for many years. In*

1985 he founded the Canterbury Branch of Scientists Against Nuclear Arms and convened the group until 1996. He was an active member of the US-based Union of Concerned Scientists and "Beyond War", the Aotearoa/New Zealand Peace Foundation, Students and Teachers Educating for Peace and the Riccarton Peace Group. He was a member of the local and national committees of the 1986 United Nations International Year of Peace and served as the scientific member of the Public Advisory Committee on Disarmament and Arms Control from 1989-1991. He was awarded the 1990 Commemorative Medal by the Government, for services to peace and disarmament research and education. He has also published articles about the dangers of nuclear power and nuclear winter, and the need for nuclear disarmament.

In the early 1980s Neil was actively involved in the Riccarton Peace Group's campaign to get both the former Waimairi and Riccarton Borough Councils declared nuclear-free. Because of his growing media profile and church and academic contacts, he was able to help convince conservative councillors of the symbolic importance of such zones. After four attempts Riccarton Borough Council was finally persuaded in 1985 and became the 100<sup>th</sup> nuclear free council. This campaign, in the heart of the only electorate in Christchurch held by National, spurred Neil to contest the seat for Labour in 1987 and to promote the nuclear free policy as one of his key planks. Many locals rallied to organise events, such as the Peace Train from Fendalton to Rangiora with the world-renowned anti-nuclear activist, Dr Helen Caldicott, as keynote speaker. Although Neil lost by only 211, votes his campaign helped retain the nuclear free policy.

## Leading Peace Activist

As a member of the first Public Advisory Committee on Disarmament and Arms Control (PACDAC), Neil brought scientific expertise into debates with officials and Ministers on a range of issues. His academic credibility was vital in the exchanges between PACDAC and Dr James Hughes – the Head of the US Navy's Astronomy Division - when he visited the former US Naval Observatory atop Black Birch Ridge (Marlborough), in 1989, to defend PACDAC's challenge that the Naval Observatory contravened the spirit and/or letter of the Nuclear Free Act. Neil played a key role in preparing questions submitted by the Minister to independent international experts. During this time Neil and I worked closely with Bob Leonard and others to ensure that issues raised in *Peace Researcher* were conveyed through the Committee to the relevant Ministers. These included the US base at Harewood; the safety of visits by US vessels carrying nuclear waste from a leaking nuclear reactor in Antarctica; the role of the French DORIS\* beacon; the establishment of the Waihopai spybase; membership of secret agreements such as UKUSA and Radford Collins\*\*, and the purchase of the Australian frigates. Neil took a leading role in the committee in doing the necessary research, speaking out with authority and conviction, and drafting many of the resolutions subsequently adopted by the committee.

\* *DORIS (Doppler Orbitography and Radio Positioning Integrated by Satellite) beacon. This was a French automatic radio beacon covertly installed in the Chatham Islands in 1988, for the purposes of determining the position of French photographic satellites. It was one of an international network of such beacons. In 1990, the Labour government ordered it removed on the grounds that it could be used to assist the trajectory of nuclear missiles and was therefore quite inappropriate in nuclear-free New Zealand. It had been installed by direct negotiation with Telecom, without consulting the Government.* \*\* *The 1951 Radford Collins Agreement, between the US and Australia, was revised in 1978 to include New Zealand. It was an agreement for surveillance and tracking of the Soviet Fleet. Each country was allocated an area of the Indian and/or Pacific Oceans. Ed.*

During his illness Neil continued to work as an Environment Canterbury Councillor, Chair of the board of wind-turbine pioneers Windflow Technology, and Associate Professor of Environmental Health at Lincoln University. He chaired meetings from his wheelchair in his home of local groups concerned about the effects of electromagnetic radiation right up until a few weeks before his death. One of the more poignant moments was when he appeared in his wheelchair before a local High Court Judge to present his affidavit in support of a nuclear veteran against the New Zealand Government for exposure to nuclear radiation during *Operation Grapple*\*. He spoke about how, on average the veterans are dying earlier, and many of their children and grandchildren have serious health problems consistent with their father or grandfather being exposed to genotoxic ionising radiation. He cited how the British government has taken the lead and granted compensation to the veterans and challenged the New Zealand government to do the same. "Few of the veterans are still alive, most having died in their fifties. Surely we should use today's knowledge to say we are sorry that they were ordered to do this and here is the compensation". \* *Operation Grapple. New Zealand military personnel were amongst those deliberately exposed to radioactive fallout from a series of British atmospheric nuclear tests in the 1950s and 60s, in the Pacific. Ed.*

Neil was a person who cared deeply about the wellbeing of all humanity – exposing threats and offering solutions. In 1985 he wrote a powerful piece entitled "Reflections on Peace and Justice – a Personal View". The excerpt below describes the elements of his alternative paradigm:



defeated, and the Taliban are re-emerging. Regardless of showcase improvements, the situation of women and children remains desperate. The token woman in Karzai's Cabinet, the courageous physician Sima Samar, has been forced out of Government and is now in constant fear of her life, with an armed guard outside her office door and another at her gate. Murder, rape and child abuse are committed with impunity by the private armies of America's 'friends', the warlords whom Washington has bribed with millions of dollars, cash in hand, to give the pretence of stability.

"'We are in a combat zone the moment we leave this base', an American colonel told me at Bagram Air Base, near Kabul. 'We are shot at every day, several times a day'. When I said that surely he had come to liberate and protect the people, he belly-laughed.

"American troops are rarely seen in Afghanistan's towns. They escort US officials at high speed in armoured vans with blackened windows and military vehicles, mounted with machine-guns, in front and behind. Even the vast Bagram base was considered too insecure for the Defense Secretary, Donald Rumsfeld, during his recent, fleeting visit. So nervous are the Americans that a few weeks ago they 'accidentally' shot dead four Government soldiers in the centre of Kabul, igniting the second major street protest against their presence in a week.

"On the day I left Kabul, a car bomb exploded on the road to the airport, killing four German soldiers, members of the international security force. The Germans' bus was lifted into the air; human flesh lay on the roadside. When British soldiers arrived to 'seal off' the area, they were watched by a silent crowd, squinting into the heat and dust, across a divide as wide as that which separated British troops from Afghans in the 19<sup>th</sup> Century, and the French from Algerians and Americans from Vietnamese...

"'Search and destroy', the scorched-earth tactic from Vietnam, is back. In the arid south-eastern plains of Afghanistan, the village of Niazi Qala no longer stands. American airborne troops swept down before dawn on 30 December 2001 and slaughtered, among others, a wedding party. Villagers said that women and children ran towards a dried pond, seeking protection from the gunfire, and were shot as they ran. After two hours, the aircraft and the attackers left. According to a United Nations investigation, 52 people were killed, including 25 children. 'We identified it as a military target', says the Pentagon, echoing its initial response to the My Lai massacre \* 35 years ago " ... (*Outlook India*, 24/6/03; "Bush's Vietnam"; John Pilger). Pilger's article includes a calculation that up to 20,000 Afghans may have died as an indirect consequence of American bombing, many of them drought victims denied relief. \* *The 1968 American massacre of hundreds of Vietnamese civilians, including children, at the village of My Lai, was one of the worst atrocities of that war.* Ed.

Indeed, such is the deteriorating security situation in Afghanistan, that there has actually been a secret meeting, in 2003, between the US and the Taliban to discuss a political solution. This meeting in Pakistan, at which the US was represented by Federal Bureau of Investigation officials, was brokered by Pakistan's all-powerful Inter-Services Intelligence, the original patron of the Taliban. The background to this remarkable meeting (which made little headway) is simply that the US, and other foreign troops, are subject to small hit and run attacks in most parts of the country, with heavier fighting around the former Taliban stronghold of Kandahar. Ironically the entire phenomenon of armed Islamic fundamentalists, which culminated in the Taliban (and its al Qaeda guests), was stoked to boiling point by the US as a means of defeating the Soviet occupiers of Afghanistan during that 1979-89 war. Now those fundamentalists have turned on the US and bitten it hard (most notably, in the September 2001 attacks). This is a textbook example of what is called "blowback".

Islamic clerics have always been the most respected people in Afghanistan and since the successful war against the Soviets, they have been leading the fighters (the Taliban was a particularly militant theocracy). Now they are fighting the latest foreign occupiers of their country. For example, Hafez Rahim is the most respected cleric in the Kandahar region and he commands military operations in that mountainous area. The US mounted a major operation, in January 2003, to try and destroy Rahim and his men. This was the biggest battle since 2001. The clerics have combined with the warlords, who have always plagued Afghanistan – the most powerful of those now fighting the Americans is their former client, Gulbuddin Hekmatyar, who was a hero of the war against the Soviets and who has now forged ties with both the Taliban and al Qaeda's Arab fighters.

"Hands up those who know that al Qaeda has a radio station operating inside Afghanistan, which calls for a holy war against America? Hands up again anyone who can guess how many of the daily weapons caches discovered by US troops in the country have been brought into Afghanistan since America's 'successful' war? Answer: up to 25%. Have any US troops retreated from their positions along the Afghan-Pakistan border? None, you may say. And you would be wrong. At least five positions, according to Pakistani sources on the other side of the frontier, only one of which has been admitted by US forces. On 11 December (2002), US troops abandoned their military outpost at Lwara after nightly rocket attacks which destroyed several American military vehicles. Their Afghan allies were

“They are individual to each person but have a commonality based on the love of the person for themselves, for other people and for the world, on a commitment to serious study and analysis as a prerequisite to action, on a commitment to daily action as a creative, non- threatening, loving (unfearful), wise person. You will know when you are with such a person because they are informed about local, regional and whole world issues and trends, they have a conscious, sensible context in which they work and live, and with them you experience not fear, powerlessness and despair but love, joy, peace, patience, kindness, goodness and self-control. Do not expect these people to be perfect and always consistent. They aren’t for they recognise their own shortcomings but are not guilty about them. Instead they take responsibility for themselves and strive to overcome their faults as much as possible. They have a vision of the future and are working towards it. As they proceed they are continually learning and therefore continually refining their vision and their strategy. So they are open to new and old ideas but they will judge them critically and set them against their existing data set and world-view (which ties all their knowledge together in a consistent way)”.

There are not many who can describe an alternative paradigm and then fulfil the vision. Neil did just that. He will remain an inspiration to future generations through his many achievements. For more information about Neil’s life and copies of his research papers see [www.nzine.co.nz](http://www.nzine.co.nz) and [www.neilcherry.com](http://www.neilcherry.com).

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## DEATH IN THE FAMILY

The ABC committee extends our deepest sympathy to our good friend and former colleague, **Greg Jones**, whose mother, Gwen, died in June 2003, aged 80. She was diagnosed with terminal cancer in late 2002 and Greg gave up his job to spend several months as her full time caregiver. Greg is a longtime ABC member and activist, a former committee member and treasurer for several years and a regular at the Waihopai spybase protests (including being arrested there once). He is also a leading light in the Catholic Worker group, which is holding the weekly vigils at the US Air Force base at Christchurch Airport.

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## BOB LEONARD RETIRES AS PR EDITOR But Stays On As Writer

- **Murray Horton**

This issue marks my first solo flight as editor. Bob Leonard, the founder and editor since 1983, has retired from that esteemed office. *PR* has been through many twists and turns during those 20 years but Bob has always been a constant. The first series of 34 issues spanned 1983-93 inclusive; the current series (this is number 27) started in 1994. There have been a number of co-editors – Keith Burgess, Dennis Small, Warren Thomson, and myself – but Bob has always been the other half of all of those partnerships. He has set a very high standard of editorship and he takes the “researcher” part of the title very seriously, bringing the rigorous standards of a professional scientist to bear upon it. Not to mention the punctuation pedantry of the practising pedagogue. Writers (including myself) and layout artists will breathe a sigh of relief that our sloppiness will now go unpunished, if not unremarked.

Bob is not lost to *PR*, just to the thankless task of editing it. He continues as a key writer and several of his articles appear in this issue. And he’s certainly not retiring from ABC – in fact, he’s never been busier with ABC work than in the first half of 2003.

This issue also marks the end of an era for our printing arrangements. From nearly the beginning it has been printed by Ray Butterfield, who fitted it in around his fulltime job (as a printer), and who originally took on the job because of his involvement in the nuclear free movement of the 1980s. Thank you, Ray, for those nearly two decades as our printer.

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