



# PRO-GOVERNMENT COMMUNICATIONS SECURITY BUREAU BILL 2013



# SCOPE

1. GCSB: Introduction / Background
2. GCSB Amendment Bill 2013: Highlights
3. Key arguments in favor of GCSB 2013 Bill
4. Conclusion

# GCSB: INTRODUCTION

- ✓ **Domestic Alliance:** New Zealand Intelligence community with NZSIS and NAB
- ✓ **Capabilities:** Located in Wellington, Two interception centers (High frequency radio interception and satellite communications interception)
- ✓ **Director:** Ian fletcher, a proven dignitary
- ✓ **Resources:** 300 Employees (foreign languages, communication and cryptography specialists, engineers, technicians, and support staff) and 2012/13 annual appropriation of \$63 million

# GCSB: BACKGROUND

## ✓ Initial Phase

- ✓ 1940s - Signal Intelligence capability - World War II
- ✓ 1977 - GCSB formed under Robert Muldoon

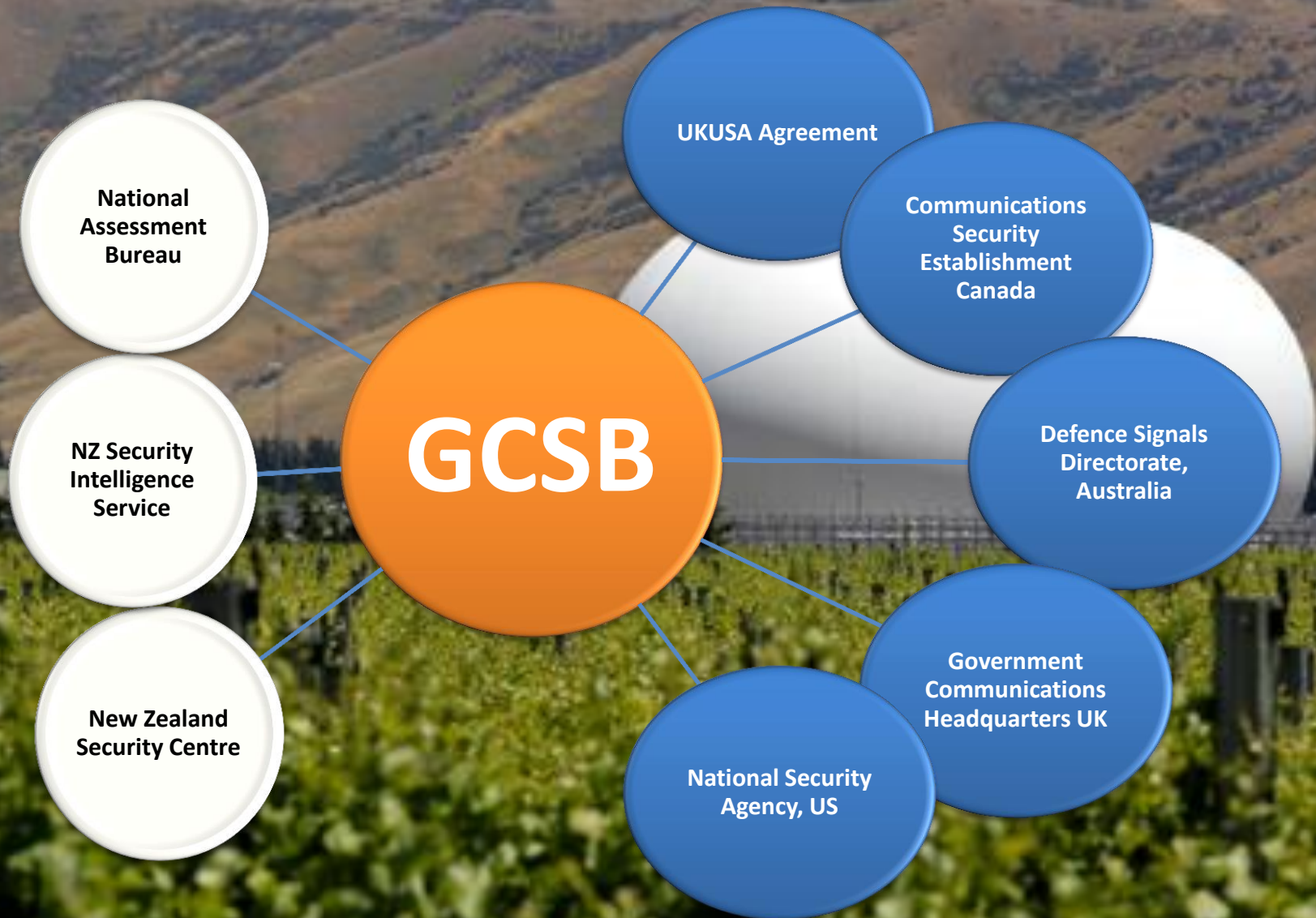
## ✓ Bureau Consolidation

- ✓ 2001 - Critical Infrastructure Protection established
- ✓ 2003 - GCSB formalized (GCSB Act 2003)

## ✓ Current State

- ✓ 2011 - New Zealand's cyber security strategy
- ✓ 2013 - GCSB Amendment bill (now Law)

# GCSB: ALLIENCES



# CURRENT FUNCTIONS

## ✓ **Information assurance and cyber security**

- ✓ Protection, security, and integrity of communications and information infrastructure
- ✓ Gather intelligence in favour NZ

## ✓ **Foreign intelligence**

- ✓ Gather and analyse intelligence about capabilities, intentions and activities of foreign persons/Organizations
- ✓ Information infrastructure

## ✓ **Assisting other Agencies**

- ✓ Co-operate with and provide assistance in a lawful manner to
- ✓ New Zealand Police, New Zealand Defence force, and New Zealand Security Intelligence Service

# GCSB BILL 2013: SNEAK PEAK

## ✓ Oversight

- ✓ Inspector-General (IG) of intelligence and Security, two person advisory panel and a deputy to IG
- ✓ IG to annually review GCSB procedure, policies, and compliance. Unscheduled Audits
- ✓ IG to be informed for warrants against New Zealanders

## ✓ Review

- ✓ GCSB director to brief opposition leader regularly on Major Activities
- ✓ Intelligence Agencies to be reviewed through open public hearings in terms of 1) Financial Reviews, 2) Number of assistances provided to other Agencies, and 3) Number of Warrants and Authorizations

# GCSB BILL 2013: SNEAK PEAK

## ✓ Roles and Function Clarification

- ✓ Assist only Police, Defense Force or SIS under pre-issued warrants (including issues involving NZ citizens)
- ✓ Communication protection for public entities through information infrastructure
- ✓ No Involvement for political motivations, to abide by NZ law and Human Rights Standards
- ✓ New Zealander's communication interception requires warrant from Commissioner of Security Warrants and Prime Minister

## ✓ Information Capture and Retention

- ✓ Cannot retain incidentally acquired information on New Zealanders unless related serious crime, loss of life or National Security
- ✓ Information retention no longer than the legal purpose



# KEY ARGUMENTS

1. GCSB Bill changes are required and needed
2. National Security
3. Reinforces security of NZ digital enterprises
4. International relation & economic stability



**Argument 1:  
GCSB Bill changes increase transparency & accountability**

# FACTS OVER FICTION

- ✓ Bill initiated from independent findings
- ✓ An effort to correct failures of the past
- ✓ Bill detractors driven by ulterior motives:
  - ✓ Kim.com – citizenship
  - ✓ Labour party leaders – antagonistic
  - ✓ John Campbell & media



## Argument 2: National Security

# National Security

## Internal

Border Security

Organised crime

Economic Sabotage

Business/individual security

## External

Terrorist Attacks

Smuggling/ Contraband

Trans-National organised crime

Cyber attacks

Protect image



**Argument 3:  
GCSB is a firewall protecting local digital enterprises**

# CYBER SECURITY

- ✓ Increasing of cyber attacks on New Zealand businesses
- ✓ Protecting SMEs from the cyber crimes and providing information assurance
  - ✓ Security awareness and training programs
  - ✓ Enhancing the power of law/regulation enforcement
  - ✓ Cooperative relationship
- ✓ Five-eyes intelligence-sharing group



**Argument 4:  
GCSB for international relation & economic stability**



# Nation's image and corporate health

## International relation

International Events

Promote tourism

Global Competency

Safety to citizens

## Economic well being

Safety to business

Foreign investment

No to Money laundering

Shape public opinion

Ensure NZ visa credibility



**Conclusion**

# CONCLUSION: CONTENT

- ✓ The Government is watching you
- ✓ Final review
- ✓ “Failure against success” examples and



# THE GOVERNMENT IS WATCHING YOU

Figure 2. How concerned are you?  
(Jones, 2013).

## Do you know what is in the GCSB bill?

Yes - I've read the bill

3627 votes, 31.5%



Haven't read it but I've been told about the main points

2693 votes, 23.4%



I've got a general idea

3141 votes, 27.3%



I don't know what's in the bill

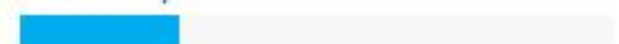
2036 votes, 17.7%



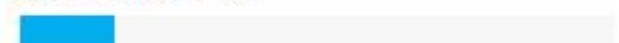
## How concerned are you about information sharing between govt departments?

18950–19000 votes

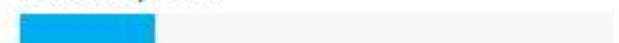
Extremely 27%



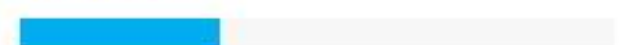
Somewhat 16%



Not very 23%



Not at all 34%





# FINAL REVIEW

✓ GCSB law has a solid framework and provides strong guidelines in terms of:

- ✓ Functions
- ✓ Procedures
- ✓ Reports to public

✓ ***Functions:***



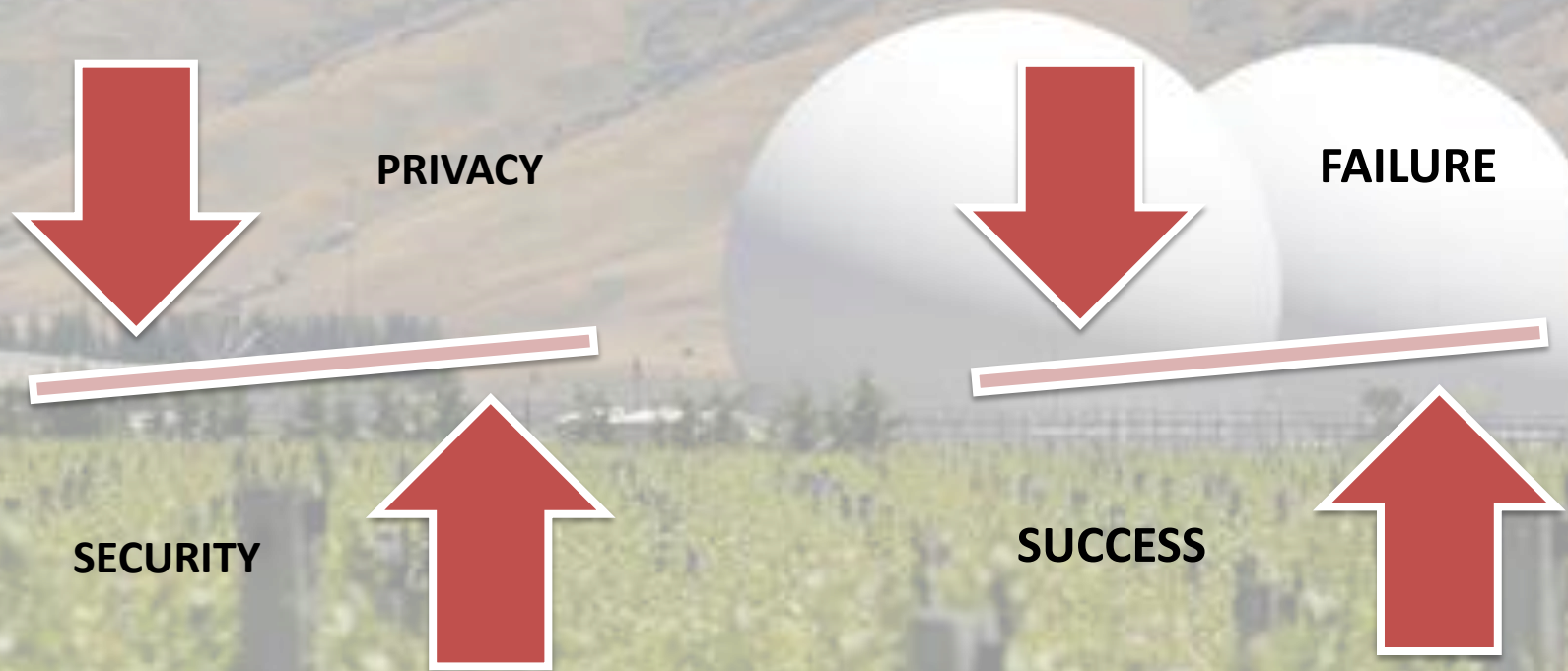
# FINAL REVIEW

Other important and positive changes in terms of procedures and reports and the following:



# FAILURE AGAINST SUCCESS

There are always two different sides of the same coin





# FAILURE AGAINST SUCCESS

Picture 1. Memorial to the Rainbow Warrior, at Matauri Bay in Northland, New Zealand ("Sinking of the Rainbow Warrior", 2013)



Picture 2. The *Rainbow Warrior* in dock after the bombing (The sinking of the Rainbow Warrior)



The sinking of the Greenpeace flagship by French Secret agents in 1985 would go down as one of the most shocking acts of state-sponsored terrorism (TV New Zealand, 2010).

# THE "FOR" MODEL





**WE THANK YOU!**

# References



GCSB Debate  
Reference List