

New Zealand government’s “foreign interference” bill prepares new attacks on democratic rights

Tom Peters
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New Zealand’s right-wing National Party-led coalition government, with the support of the opposition Labour Party, is pushing through draconian legislation against so-called “foreign interference,” which will be used to significantly curtail freedom of speech and other basic political and democratic rights.

The Crimes (Countering Foreign Interference) Amendment Bill passed its first reading in parliament on November 19 and was referred to the Justice Select Committee for discussion.

The former Labour Party government, which lost the election in 2023, first proposed the law change, following a campaign by the intelligence agencies and the corporate media, which have repeatedly made lurid and unsubstantiated claims about Chinese and Russian “influence” or “interference.”

The new legislation is part of the drive to integrate New Zealand more closely with US imperialism and its allies—including Australia and Canada, which passed their own “foreign interference” laws in 2018 and 2024—as Washington escalates its far-advanced preparations for war against China.

The ruling elite has been alarmed by the eruption of mass protests over the past year against the US-Israel genocide in Gaza, which New Zealand’s government supports. The Foreign Interference Bill creates a mechanism for the criminalisation of opposition to militarism and war in the working class and among young people.

The Crimes Act already includes laws against espionage and treason. Treasonous actions include overthrowing the government by force, conspiring to do so, and providing assistance to “any armed forces against which New Zealand forces are engaged in hostilities.”

The Foreign Interference Bill goes much further. Under the draft law, someone who “owes allegiance” to New Zealand (e.g. a citizen) commits an offence if they engage in “improper conduct for or on behalf of a foreign power” in

order to “compromise a protected New Zealand interest.” The maximum punishment for someone found guilty is 14 years in prison.

The definition of “improper conduct” is extremely broad and open to interpretation. It includes behaving in a corrupt, “coercive,” “deceptive” or “covert” manner, such as “concealing” one’s identity, “obscuring the existence of an association or relationship,” and “collecting or sharing information about a person without their knowledge or consent.”

Corruption is defined as using a position of authority to exert “undue influence or control” over someone to oppose New Zealand interests.

The bill states that these definitions exclude conduct such as “the protection of trade secrets, commercially sensitive information, journalists’ sources, or legally privileged communications.” But the legislation could clearly be used to criminalise political activists and organisations deemed to be acting in the interests of a foreign power.

It could also be used to accuse teachers and academics of using their position to exert “undue influence” over students, for instance by criticising New Zealand’s military alliances or the government’s support for Israel’s mass murder of Palestinians.

The Security Intelligence Service, the domestic spy agency, asserted in a 2023 report that “New Zealand’s academic sector—encompassing institutions, employees and students” was being targeted by foreign states to exert “influence” using “deceptive, corruptive or coercive means.” No evidence was provided to substantiate this claim.

Acting against a “protected New Zealand interest” is defined in a very broad manner. It includes undermining the country’s “security,” its “economic well-being” and “international relations,” as well as interfering in the conduct of elections and jeopardising the safety and rights of the population.

The law could be used to criminalise strikes and protests, including anti-war rallies, which might be deemed harmful to New Zealand’s international alliances, “national security” and the economy, i.e. corporate profits.

During World War I and II this is precisely what happened. Strikes were outlawed as damaging to the war effort and providing aid to the “enemy.” Sedition laws were used to suppress anti-war and socialist publications and to imprison hundreds of socialists and pacifists.

In prosecuting someone for “foreign interference,” the state would not be required to prove any actual connection to a foreign state. The bill says that a person commits an offence if “the person knows, *or ought to know*, that they are engaging in the [improper] conduct for or on behalf of a foreign power” (emphasis added).

Nor would the state have to prove any intent to harm a “protected New Zealand interest.” A person can commit an offence if they are “reckless as to whether [their conduct] is likely to compromise a protected New Zealand interest.”

The government is also seeking to amend the Search and Surveillance Act 2012 to expand warrantless search powers to enable the police and other agencies to spy on people suspected of “foreign interference.” This will mean a further increase in state surveillance of workers, students and young people who become politically active.

Thomas Beagle, chair of the NZ Council for Civil Liberties, told journalist Mick Hall that the Foreign Interference Bill “obviously risks being in breach of the government’s obligations under the NZ Bill of Rights Act to protect freedom of expression and freedom of association. New Zealanders clearly have the right to differ with the government of the day on what New Zealand’s interests are.”

Beagle said the bill could be used against people “working internationally with members of political parties that are aligned on issues of interest to New Zealanders.” He noted that environmental activists, who often work with overseas groups, are already accused of harming New Zealand’s economic interests.

In 2023 Hall was the target of a McCarthyite campaign by politicians and media pundits, who smeared him as a “Russian agent” because of his factual reporting on the origins of the war in Ukraine and the extreme right-wing character of the Zelensky regime. He was forced to leave his job at state-owned broadcaster Radio NZ. In future, such reporting could trigger prosecution for “foreign interference.”

The bipartisan support in parliament for the Foreign Interference Bill is a warning that there is no constituency in the New Zealand ruling class for the maintenance of basic democratic rights. There has been no critical reporting on the

bill in the corporate media, which agrees with its contents.

Speaking on November 19, senior Labour MP David Parker suggested that the bill should go further by including provisions to control speech on the internet. Social media, he declared, was being used by foreign powers “to influence people and to influence opinions.”

The Green Party was the only party that voted against the bill. Its MP Teanao Tuiono noted in parliament that New Zealand was already subject to foreign influence by the United States through its membership in the Five Eyes intelligence sharing network, which also includes the spy agencies of Australia, Canada and the UK. He also criticised the anti-China AUKUS military pact—which the government has indicated it is prepared to join—and said New Zealand should have an “an independent foreign policy” focused on the Pacific region.

All of this is thoroughly hypocritical. The Greens were a coalition partner in the 2017-2023 Labour government, which strengthened ties with US imperialism and called for the military to be equipped and prepared to join a war against China. The Greens explicitly supported a major spending increase on the military to defend New Zealand’s neo-colonial interests in the Pacific region.

As is the case in Europe, the US and internationally, the militarisation of society will be paid for through further attacks on public healthcare, education and other social programs, which are already being subjected to drastic funding cuts. This agenda cannot be implemented democratically.

The Foreign Interference Bill and the whole police state apparatus must be opposed as part of the mobilisation of the working class in defence of democratic rights and against war. This can only be done on the basis of a socialist program to put an end to the capitalist system, which is the source of unprecedented levels of social inequality and is plunging the world into war.



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