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The Phantom Eye: New Zealand and the Five Eyes

John Battersby  and Rhys Ball 

ABSTRACT

New Zealand's involvement in the Five Eyes is under-reported in academic and general literature. New Zealand's participation was initially due to its integration within World War II western alliance intelligence systems, which evolved further after the war ended. Once in, New Zealand's role became something of a self-fulfilling prophecy, but genuine nonetheless. Changes in communications technology, access to US technical capability, and geopolitical changes in the Pacific have all led to a viable New Zealand role in Five Eyes, as both contributor and beneficiary. But to retain this, New Zealand must increase its foreign intelligence capability in the future.

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Introduction

The wartime United States and United Kingdom Agreement (initially BRUSA, later UK & US), formally 'expanded' in 1956 to include Canada, Australia and New Zealand, has since become known as the Five Eyes. Five Eyes is more 'an arrangement' between intelligence organisations than an alliance between nations. It is based fundamentally on the sharing of Signals Intelligence (SIGINT), including raw data, tradecraft and analysis as well as the undertaking of combined operations involving all or some of the parties as circumstances require. These operations may be as simple as representatives of various levels getting together to analyse, or recommend solutions to, common problems across geo-political, military or law enforcement dimensions. They may also involve fully fledged combined covert operations against other countries.¹ While in essence, Five Eyes is SIGINT-based, it is not SIGINT confined, with intelligence from all sources able to be shared between the Eyes and cooperation between them now undertaken on a range of intelligence and law enforcement matters. Five Eyes is not the only intelligence sharing arrangement in the world, of which there are many,² but it is unique in the combination of its longevity, its resilience to changing global circumstances, and its ability to survive periodic internal tensions as well as maintain an ongoing similarity in the worldviews of its membership.

This remarkable overlap of interest makes the question all the more intriguing, therefore – what is the role of the Fifth Eye – New Zealand? It is the smallest, most resource-constrained and appears to be the least intelligence-active of the Eyes. Precisely how New Zealand came to be in this arrangement is vaguely documented, but the relative contribution it makes and the benefit it receives are neither well explained nor generally understood. Indeed, publications about Five Eyes usually only mention New Zealand in passing and, excepting tension over New Zealand's anti-nuclear foreign policy stance in 1985, offer little detail about the country's involvement. Anthony R. Wells' 2021 volume on Five Eyes has only two references to New Zealand in its index.³ Richard Kerbaj notes in the introduction to his 2022 book that he had 'found the least amount of information relating to the role of New Zealand in the alliance'.⁴ New Zealand, therefore, is not only the Fifth Eye but also the

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'Phantom Eye' of the Five Eyes arrangement. This article considers what has been publicly discovered and written about New Zealand and the Five Eyes to date and, relying on this literature, seeks to address the question of the contribution New Zealand makes and the benefit the country derives from participation. The literature is at times contradictory, and observations are made on occasions without reference to the specific dates to which they relate. Intelligence writing often suffers from the occupational hazard of secrecy and ongoing classification of primary source material, and despite claims to be more open and therefore transparent, New Zealand still has some way to go toward making its historical archival intelligence record accessible. It lags behind its partners in this respect and this has actively contributed to phantom-like effects in Five Eyes literature. The purpose of this article, therefore, is to maximise the benefit of the work others have done and attempt to align the various accounts in a way that better casts light on the role of New Zealand within Five Eyes. It is contended here that New Zealand's key purpose in seeking inclusion in Five Eyes was originally due to its immersion within the Second World War western alliance, and its immediate and intense perception of security vulnerability after the war ended. This was most likely for seeking the comfort of powerful allies on New Zealand's part, and the inconvenience of separating New Zealand from integrated intelligence systems for the others. But as fears of an external invader lessened over time, the Five Eyes relationship morphed and adapted to changing circumstances, both in the contribution New Zealand makes and the benefit it derives. This metamorphosis has been something of a self-fulfilling prophecy, New Zealand's role largely developing because of its involvement in the arrangement from the outset. Nevertheless, the evolution has been genuine, Five Eyes has become increasingly beneficial to New Zealand as geo-political tensions in the South Pacific have emerged, and New Zealand's value to the arrangement has increased accordingly as communications technology developed and US policy priorities changed. Looking ahead to the future – as indeed its past suggests – New Zealand may well require an increase in its intelligence capability to maintain the well-established mutual benefit that involvement in Five Eyes currently provides.

The origin story

The origin story of the Five Eyes is well documented, the result of a peculiarly close wartime alignment of intelligence interests between the United States (US) and the United Kingdom (UK), which continued thereafter as the Union of Soviet Socialist Republics (USSR) emerged as a common enemy of the West.⁵ Despite its Signals Intelligence (SIGINT) foundation, Five Eyes has always had other intelligence elements. There is no underestimating the importance of the wartime defection of Soviet cipher Clerk Igor Gouzenko, and the credibility this brought Canada as an intelligence partner in the coming Cold War.⁶ By the same token, Australia's wooing of Soviet Intelligence officer Vladimir Petrov and facilitating his defection demonstrated its value to western counterintelligence. Indeed, Kerbaj argues that both countries leveraged these human 'intelligence fortunes' to work their way into the supposedly SIGINT dominant UKUSA arrangement.⁷ By the time the 10 October 1956 UKUSA agreement was formally expanded to fully include its current five members, the origin stories of four of them were well established. But for New Zealand, no such story existed.

Various authors offer different explanations for New Zealand's involvement. In their pioneering book on UKUSA in 1990, Jeffrey T. Richelson and Desmond Ball observed New Zealand as being fully incorporated into British and Australian intelligence efforts from the Second World War. This included intercepting Japanese Naval communications and warning Australia of Japanese submarines off Sydney Harbour in 1942.⁸ New Zealand therefore effectively evolved into an initial UKUSA connection as the arrangement began to form. In his authorised history of the British Government Communications Headquarters (GCHQ) John Ferris tends to agree, asserting New Zealand's involvement was little more than 'a matter of course, or courtesy, as an Old Dominion'.⁹ An appropriate intelligence apparatus did not exist in New Zealand, and Ferris almost implies a slight of hand was required to facilitate its admission into UKUSA. 'A military SIGINT unit, too small to stand alone, was created to show UKUSA that New Zealand was alliance-worthy'.¹⁰ Kerbaj describes New Zealand as 'a

late bloomer in the spy game', its Combined Signals Organisation only being created in 1955, and its domestic Security Intelligence Service (NZSIS) was not established until November 1956 – 1 month after New Zealand joined UKUSA.¹¹ Both authors present a picture of a New Zealand scrambling to meet the minimum requirements of entry into the arrangement. New Zealand, however, did not go the extra mile and create a foreign intelligence service akin to MI6 or ASIS at the time. In 2023, New Zealand still does not have one.

Richard J. Aldrich explains New Zealand was not included in the original UKUSA agreement, but the British hoped it eventually would be based on 'the significant contribution that New Zealand had made during the war to naval SIGINT'.¹² Aldrich subsequently notes New Zealand's eventual inclusion in UKUSA some years later, but provides no further explanation.¹³ Kerbaj notes that the UK welcomed burden-sharing in the field of intelligence and New Zealand had played a role in this. The Australian post-war Defence Signals Bureau (DSB) had been a joint initiative between the UK, Australia and New Zealand, suggesting that New Zealand's inclusion in UKUSA was not 'a courtesy', but instead a recognition of New Zealand's long-standing integration into the intelligence services of its main wartime allies. This is notwithstanding the apparent need for New Zealand to get its own intelligence house in order to formally join UKUSA in 1956 as noted above. Corey Pfluke simply records New Zealand's conditional admission in 1952 (and its full membership in 1956). Apart from broad statements concerning the Five nations allowing for a global intelligence reach, he offers no further explanation for New Zealand's specific involvement.¹⁴

In a succinct few pages in 2011 Desmond Ball, Cliff Lord and Meredith Thatcher provide a chronology of New Zealand's initial inclusion in UKUSA with more detail than other authors, noting New Zealand's primary contribution being the Naval signals station, HMNZS Iirirangi near Waiouru, focused on the Southwest Pacific.¹⁵ However, it is Nicky Hager who has looked in much greater detail at New Zealand's role in the Five Eyes. His notable ability as an investigative reporter to locate information in this respect is unrivalled, but Hager's analysis is influenced heavily by his disapproval of the Five Eyes, and New Zealand's intelligence agencies in general.¹⁶ Rather than providing an explanation for New Zealand's involvement in the arrangement, he squanders his advantage, preferring to denounce any need for New Zealand to gather intelligence at all. Hager describes New Zealand's involvement in Five Eyes as an accident of history.¹⁷ He refers to the significant security threat the Japanese military assertion into the Pacific caused New Zealand, but then presumes that once Japan was defeated that all concern for New Zealand's security should have evaporated.¹⁸ Hager rather simplistically offers instead the 'white' Anglo-Saxonness of the group as a reason New Zealand sought to be a part of the Five Eyes grouping.¹⁹

Hager could have looked more at the depth of the shock that the fall of Singapore had on previous assumptions that the British Empire would always be there to defend New Zealand, that most New Zealanders came from Britain, and that almost 30,000 of them had given their lives in two World Wars fighting alongside her. Psychologically and emotionally, New Zealand remained attached to Britain, but pragmatically after the fall of Singapore it knew only the US was militarily potent in the Pacific. A theme can be detected in New Zealand's post-war security policy as a continuing pursuit to link the UK and the US together in the defence of New Zealand.²⁰ By 1956 New Zealand policymakers had built an overlapping lattice of complementary defence connections; the US, Australia and New Zealand Tripartite Defence Agreement (ANZUS) in 1951, and the Southeast Asian Collective Defence Treaty (SEACDT) in 1954, which led to the Southeast Asian Treaty Organisation (SEATO) the following year. UK & US in itself was possibly of little genuine use to New Zealand in 1956, but it was another strand on the web binding the UK and the USA to the nation's defence objectives and therefore worth the effort to attain inclusion.

New Zealand's contribution

Precisely how New Zealand was supposed to contribute UKUSA is subject to differing explanations. It is a common theme among authors that New Zealand originally filled a geographical gap in the

combined capability of the other four eyes. But did it? Carleigh Cartmell succinctly states - 'One might wonder what a small nation like New Zealand has to offer the fairly large intelligence communities of the other partners'.²¹ Richelson and Ball argue that New Zealand's intelligence capability was so small it could not be considered separate from the Five Eyes Network. As New Zealand possessed 'no external intelligence collection agency' (a reference to a lack of an MI6 or ASIS equivalent) it was entirely reliant on its partners for foreign (non-SIGINT) intelligence.²² They outline New Zealand's domestic intelligence and counterintelligence capability but do not discuss a specific Five Eyes contribution. They note the existence of New Zealand's central North Island SIGINT listening station at Tangimoana and its role in the Falklands War. But they offer little more in the explanation of a New Zealand contribution to Five Eyes other than Tangimoana focused on radio communications in the Southwest Pacific.²³ Richelson and Ball wrote just as the new SIGINT base at Waihopai near Blenheim, in the South Island of New Zealand, was coming into operation and so were unable to discuss it at any length.

Ferris explains that New Zealand 'bolstered the Commonwealth connection in a weak area for UKUSA in southeast Asia and the Southwest Pacific'.²⁴ Pfluke reports that New Zealand's listening stations at Waihopai and Tangimoana were 'critical' to 'the Echelon spy network's collection efforts near China and North Korea'.²⁵ He adds that 'These bases are also used to track terrorist activity in the South Pacific and Southeast Asia'.²⁶ Richelson separately asserts New Zealand's area of responsibility was the western Pacific, not South-East Asia, which was Australia's area of concern. But he cites a National Security Agency (NSA) paper that noted New Zealand's Government Communications Security Bureau (GCSB) gathering intelligence in north and South-East Asia, South America and on 'French police and nuclear testing in New Caldeonia [sic]'.²⁷ Kerbaj asserts that the GCSB 'had become prolific at spying on radio and satellite communications through its interception station at Tangimoana targeting a range of foreign nations, including China, Vietnam, Japan, Egypt and East Germany'.²⁸ Recently, Cartmell noted that 'it has come to light that New Zealand has certain intelligence gathering skills that make it useful to the other partners, particularly because of its location, New Zealand can easily monitor countries of interest in the Pacific, such as China and Japan'.²⁹

This all provides a somewhat contradictory picture of New Zealand's intelligence contribution. To interpret the picture a timeline is required as a number of authors tend to neglect dating the developments they refer to. It is difficult to accept that in 1956, with its clearly limited resources, New Zealand had any genuine ability to obtain intelligence that the combined resources of the other members did not have. New Zealand was closer to the south and southwest Pacific, but that was the only region in which it had a geographical advantage at that time. The Naval station HMNZS Irirangi, near Waiouru, operational since 1947 would have shouldered the bulk of New Zealand's SIGINT collection until the Tangimoana base became operational in 1982. The focus on the south and southwest Pacific makes geographical sense, and explains New Zealand's ability to intercept Argentinian naval communications in the 1980s. All the same, in the 1950s, up until much more recently, the South Pacific was not an area considered of much importance to the US nor relevant to overall global security concerns. The claim that New Zealand monitored terrorism in the region is a stretch, there has been an almost complete absence of it in the South Pacific.³⁰ There were numerous French nuclear tests at Moruroa and Fangataufa atolls between 1974 and 1996³¹ (not New Caledonia), and these were of as much interest to New Zealand's own policymakers - who were increasingly vocal in opposing the tests - as they were to other Five Eyes nations, though for different reasons (discussed below). Southeast Asia was far closer to Australia than New Zealand, and it is difficult to accept New Zealand had any initial specific role in intelligence in that region.

If New Zealand did have value to the Five Eyes, it evolved over time, rather than being obvious at the outset; moreover, that value probably evolved *because of New Zealand's involvement in the arrangement*. The authors note the particular usefulness of the GCSB, and the Tangimoana and Waihopai SIGINT stations. But the GCSB was not established until 1977, and the two SIGINT stations at Tangimoana and Waihopai, named repeatedly as New Zealand's most relevant contribution to

Five Eyes, were not established until some years after that. Tangimoana was opened in 1982³² and Waihopai not until the end of the decade.³³ According to Kerbaj, Waihopai was among a number of interception bases established in Five Eyes nations, the construction of which was funded by the NSA.³⁴ It was during the 1980s and 1990s, all authors agree, that New Zealand's facilities – most specifically Waihopai – made a genuine contribution to the Five Eyes arrangement. This coincided with developments in exploiting the new satellite communications technology of the 1990s-2000s era that Hager describes in detail.³⁵ This is the period in which the 'special intelligence gathering skills' Cartmell refers to almost certainly emerged.

The Tangimoana station remains the most elusive in terms of publicly available information. It made newspaper headlines in 1982 when (along with HMNZS *Irirangi*) it was connected to the interception of Argentinian naval communications during the Falklands War. The station is most often described as a radio communications interception facility, largely focused on the south and southwest Pacific. Richelson and Ball note the base was for monitoring New Zealand's large maritime Exclusive Economic Zone (EEZ).³⁶ Tangimoana's staffing levels were restructured in 2010,³⁷ and it was described as a relic of the Cold War by Hager in 2013.³⁸ It remains operational in 2023 but with little more publicly known about its functions now than it was 40 years ago.

Waihopai was established in 1989, and according to Hager became fully operational as part of the Five Eyes satellite communications ECHELON interception system in 1994.³⁹ Echelon was coordinated by the NSA, electronically scanning a vast array of communications globally based on key words or terms in the Echelon dictionary, flagging anything detected for further analysis. For a covert base, it was remarkably conspicuous for the large white dome 'balloons' covering satellite dishes often photographed by the media next to paddocks of grazing sheep and hay bales. Occasionally it became the site of protest action. Most notably in April 2008 three men broke into the Waihopai enclosure and deflated one of the domes, causing over a \$1 m worth of damage. At any rate, it was not their protest that ultimately affected the future of Waihopai but further advances in satellite communications technology. In 2021, the large domes and the satellite dishes they covered were removed. A public statement by the Director-General of GCSB, Andrew Hampton, suggested that the structures were largely obsolete because 'less than 0.5 per cent of GCSB's intelligence reports were based on dish collection at Waihopai'.⁴⁰ Most electronic interceptions in the 2020s occurred using new cyber-based technologies. The Waihopai base remains operational, but now has a much less visual profile, which will no doubt assist in the continuing secrecy about its operations. It is unlikely to attract protest action in the future now that the distinctive and photogenic white domes are no longer there.

New Zealand's anti-nuclear stance

If it had not been for the peculiar set of circumstances following the election of the Lange Labour Government in 1984, it is likely New Zealand would barely feature at all in any history of the Five Eyes. For the first time since its rather lacklustre admission, serious domestic and international attention was focused on New Zealand's position within the 'western alliance'. The new government's decision to ban nuclear armed or powered vessels from its ports saw an immediate standoff with the US Reagan Administration, which retaliated with the withdrawal of the US defence guarantee under the ANZUS Treaty. Soviet interest in New Zealand was quickly stimulated, and KGB activity in the country increased as the USSR saw what it believed was an exploitable fissure in a key component of the Western alliance's security structure.⁴¹ While this particular event has attracted more attention than any other aspect of New Zealand's involvement in Five Eyes, any diligent researcher looking across the spectrum of what has been written about it, will be confronted with an array of conflicting information.

Richelson and Ball state that after the nuclear ships ban, intelligence from US agencies to New Zealand 'virtually ceased' and that Australia's Prime Minister Bob Hawke pledged not to pass on any US-sourced intelligence to New Zealand. Despite this, they argue that New

Zealand 'continued to provide intelligence to the United States without change' and that bilateral ties between the Tasman neighbours actually strengthened during the late 1980s, with Australia assisting New Zealand in building the Waihopai base.⁴² The \$40 m construction was announced in 1987 to be operational 2 years later. Richelson and Ball contend that the 'Australian and New Zealand efforts were intended to make their countries less dependent on intelligence from other nations'.⁴³ The source of this explanation (at least for New Zealand) appears to be Prime Minister David Lange's own press statement, in which he explained that Waihopai was a deliberate effort by New Zealand to stand 'on its own two feet' in intelligence matters. Hager claims, however, that Lange had been misled in this belief by officials and that Waihopai was always intended to be connected to the Five Eyes network.⁴⁴

Ferris asserts that following the nuclear ships ban, 'New Zealand was mostly, but not entirely, expelled from UKUSA until 2006'. His tenor suggests that he is less than impressed with New Zealand, regarding it as policy deficient in terms of the SIGINT it collected, although it became 'astute' in finding niche areas with which to continue its Five Eyes connections during the 1985–2006 period. Ferris does not state what the 'niche' areas were, but he criticises New Zealand's general intelligence naivety; 'New Zealand was the member of the Five Eyes least able to integrate SIGINT into national strategy. Its leaders received a lot of material but how useful it proved is unclear'.⁴⁵ This theme is also asserted by Hager, who maintains New Zealand obtains a large amount of intelligence information it has no use for.⁴⁶ Benefits of Five Eyes membership are posited below, but still the relative weight of information received, against that provided by New Zealand remains an area for further inquiry.

Kerbaj describes New Zealand's anti-nuclear policy costing the country ANZUS, but he argues that Five Eyes was 'far too important to break up'.⁴⁷ The NSA defended New Zealand's participation in the intelligence arrangement against those in Washington who wished to expel it. He also observes the resilience of the Five Eyes emanating from its ability to endure periods of coolness between the member countries and operate with reduced levels of cooperation from time to time. New Zealand simply entered one of those times. As Kerbaj's book explains well – New Zealand was not the first member to do so – nor likely the last.⁴⁸ Intelligence that the US shared with New Zealand was reduced but it did not end.

Kerbaj does note, however, the significance of the bombing of the Greenpeace flagship *Rainbow Warrior* in Auckland harbour by the French *Direction Générale de la Sécurité Extérieure* (DGSE) in July 1985. Either Five Eyes 'failed to identify' the plot – or, as some New Zealand 'intelligence officials' suggested, the US may have detected it, but withheld intelligence on it as a repercussion of New Zealand's anti-nuclear stance.⁴⁹ There seems to be 'a buck each way' here, with Kerbaj suggesting a critical continuation of the Five Eyes relationship but seeding the possibility that there was indeed a severe sanction for New Zealand's errant behaviour.⁵⁰

Aldrich suggests that while the dimension of intelligence was officially withheld by direction of the US Administration as a result of the anti-nuclear issue, the Five Eyes agencies themselves continued to work together. He drew off media revelations following a security breach after a highly classified document was located in former Prime Minister David Lange's papers in the National Archives in 2006. Aldrich highlighted the extent of GSCB's electronic interception operations against a range of nations, including Fiji, Vietnam and Laos, as well as South Africa and Argentina. He states, however, that the 'GSCB relied heavily on the collection capabilities of its British and American allies to provide French communications that were out of range of its own monitoring stations'.⁵¹ After the *Rainbow Warrior* incident, GCSB asked GCHQ and the NSA to monitor specific targets in France, *which presumably they did*. Aldrich continues (the word 'not' has been added as it seems from the context it may have been inadvertently omitted):

In short, all three allies worked closely together on a very wide range of targets, so, despite Lange's apparent insouciance, New Zealand had in fact [not?] lost valuable material as a result of being banished in 1985. Both

GCHQ and the Australian sigint agency, DSD, did their best to subvert the American ban by supplying the New Zealanders with sigint of the own.⁵²

The media source Aldrich uses quotes directly from the GCSB director in 1986, describing the relationship with the US as ‘a mixed state of official cautiousness and private cordiality’.⁵³ Aldrich goes on to note that even the NSA ‘worked gently to subvert the ban’. In return, New Zealand agreed to host a satellite receiving station – at Waihopai!⁵⁴ This contradicts Richelson and Ball’s earlier assertion that the construction of Waihopai was part of an Australian-New Zealand initiative to enhance their respective independent intelligence capabilities.

Pfluke argues differently again. The nuclear ships issue strained the UKUSA relationship, and it was New Zealand, he asserts, which ‘decided to stop sharing intelligence collected by its two radio outposts’ in retaliation for the US suspension of defence guarantees under ANZUS.⁵⁵

For the next twenty years, New Zealand continued to receive any intelligence collected by the Five Eyes but refused to share its intelligence. During the 1987 Fiji coups, New Zealand provided no information about the possibility of the coup or about what happened after, signifying a clear loss in the alliance. For the next twenty years, New Zealand’s absence caused the Five Eyes to lose valuable intelligence in Southeast Asia and forced them to cover resulting gaps.⁵⁶

Seeking further verification of Pfluke’s assertions leads us to Greg Sheridan’s 2006 book *The Partnership*.⁵⁷ Sheridan argues that the nuclear ships ban saw New Zealand ‘cut out of most US-centric intelligence arrangements’.

Thus, The New Zealand keeps the sigint material. it collects itself but it also gets a range of other sigint material. However, it gets very little US human intelligence product or assessments. Similarly it gets nothing concerning military operations except in those very rare circumstances where it is participating, as in Afghanistan. But New Zealand is still an ally of Australia’s and still has liaison officers in some Australian agencies. Thus the New Zealand and US liaison officers have to be housed in separate sections in Australian agencies and given separate briefings and there are tight restrictions on what Australia can share with New Zealand. This has led to an active new category, ‘four eyes only’ material, meaning everyone but New Zealand.⁵⁸

Clarifying the contradictions

A twofold problem presents itself at this point; firstly, how can the varying and at times contradictory observations of these authors, all of whom have done considerable research into the Five Eyes arrangement be aligned into a coherent narrative? Secondly, how do their efforts assist in achieving the goal of this article – understanding the contribution to, and benefit from, New Zealand’s participation in Five Eyes. Kerbaj’s earlier observation is critical: the Five Eyes is gelled together by the personalities of those involved and their determination to work together. As previously stated, Five Eyes is better understood not as an alliance between nations all of which have varying national interests, but as a working agreement between intelligence agencies that have established traditions of working together, in good times and bad. The full formalisation of Five Eyes occurred in 1956 in the immediate shadow of the Suez Crisis. At this time, the UK and France militarily intervened against Egypt, straining the British relationship with the US. Australia and New Zealand (the latter a UN Security Council member at the time) backed the UK. The US refused to endorse the British action. In 1965, Australia and New Zealand committed troops to Vietnam, the UK did not. Tension between the US and Australia and the US and the UK in the 1970s complicated intelligence sharing on occasions, and so by the time New Zealand adopted its anti-nuclear policy in 1985, the Five Eyes had taught itself to endure undulations in the moods of its political masters. Ultimately, Five Eyes is concerned with sharing information between Five Eyes intelligence agencies, not aligning the policy positions of their governments. It is an arrangement, not an alliance.

When policy positions do not align, political leaders can publicly or informally (subtly) dictate that formal intelligence sharing processes are suspended or restrained. Sheridan’s account of separate briefings after the 1985 nuclear impasse, if accurate, suggests compliance with such dictates. While

the level or nature of the intelligence being separately briefed is by implication, different – how much different it actually was remains in question. Moreover, it is clear that intelligence was shared in other ways, outside of strictly prescribed Five Eyes connections, with one source already noted above claiming foreign intelligence received by New Zealand actually increased in the mid-1980s. Only Pfluke argues New Zealand withheld intelligence, and this on the Fiji coups in 1987. If this is true, it corresponds with the region previously identified as New Zealand's area of activity and thus evidences its original geographically defined contribution to the arrangement. However, recent US responses in relation to rising Chinese influence in the South Pacific have shone a light on a longer-standing lack of US interest in the region. If New Zealand did indeed withhold intelligence on Fiji, it could have been a calculated and symbolic reaction to US policy – in withholding information the US did not care too much about. On the surface something of an impasse occurred therefore, but New Zealand remained a Five Eyes member, intelligence sharing continued one way or another, and in time, the period of difficulty passed as other such periods between members had previously.

The Lange Labour government's nuclear ships ban was a popular move electorally, and despite French efforts – whatever they were intended to achieve – it was cemented as a permanent feature of New Zealand foreign policy still existing in 2023. There is no evidence that Lange ever intended to fracture ANZUS. The withdrawal of the defence guarantee was Washington's action, not Wellington's, and the ease with which it was withdrawn arguably reflected the US lack of interest in the South Pacific. But with the development of satellite communications, the business of interception became detached from the earthly geographical realities of previous decades, and by the late 1980s had morphed into surveying outer space. This made New Zealand vastly more capable as a SIGINT inceptor and strengthened its value to Five Eyes despite the political impasse between Wellington and Washington. Regardless of who paid for the Waihopai Spy base, the NSA (as Kerbaj suggests) or New Zealand with Australian assistance (as Richelson and Ball state), Lange must have known who paid the bill, and the suggestion he was hoodwinked into Waihopai seems unlikely. In a Foreword to Hager's book, *Secret Power* Lange claims not to have known things about the intelligence services until he read the manuscript Hager sent him, and that with Waihopai he did not know New Zealand had been 'committed to an international integrated electronic network'.⁵⁹ That the Prime Minister of New Zealand, who was also the Minister responsible for NZSIS and GCSB, did not know this seems extraordinary. Only the opening of intelligence archives for the period will establish for sure if he knew or not. It could be in the interests of not just intelligence officers but also politicians that New Zealand's intelligence records are kept so tightly locked away.

Whether the DGSE operation would have been carried out had New Zealand not adopted its anti-nuclear stance will never really be known for sure. But France was not a member of the Five Eyes, and New Zealand was a long-standing critic of French nuclear testing in the Pacific. DGSE is a seasoned covert operations organisation, and its operational security precautions would have made the plot against the *Rainbow Warrior* difficult to detect.

The factual variations on whether or not New Zealand withheld intelligence after 1985, exactly why and by whom Waihopai was built, and whether the French attack on the *Rainbow Warrior* had been detected or not – ultimately cannot be resolved here. Writing and researching on recent historical and contemporary intelligence issues is a fraught undertaking, in which much information is withheld out of a real or imagined concern for national security. Researchers risk offering conclusions on insufficient information or on information which ultimately proves to be false. Clearly, in the explanations provided here, one author or a number of them (us included) could have erred in aspects of what they assert. But who, and what they are wrong about, simply cannot be positively determined until historical records become more generally available.

The risk is all the greater when considering New Zealand's intelligence past. Kerbaj notes in his introduction that he had found information on New Zealand the most difficult to obtain, and the very occasional apparition of New Zealand in the narratives of the others (with the exception of Hager, who appears to have got former intelligence officers to talk to him) demonstrates that the elusiveness of information is generally encountered by researchers. It is an elusiveness that is

deliberate. Despite claims of greater transparency in recent times, NZSIS (existing since 1956) and GCSB (since 1977) have provided almost nothing of their historical institutional records to Archives New Zealand. Access to their records can be requested through the Official Information Act (OIA), 'but this entails [researchers] asking precisely the right questions without knowing the content of the files they are asking about'.⁶⁰ The OIA contains the basis for withholding information, all too easily applied by these agencies practiced at doing so.⁶¹ This has effectively sealed much of New Zealand's historical intelligence record and contributes to New Zealand's role in Five Eyes being poorly reported.⁶² It is telling indeed that a serving Director of NZSIS publicly observed in 2011 the need for periodic review of New Zealand intelligence archives and for the release of information 'to the extent possible without compromising important on-going intelligence sources and methods'.⁶³ It is all the more telling that since making the statement in 2011, no such review has occurred. The greatest source of detail on the role of New Zealand in the Five Eyes remains accidental discoveries of documents where they should not be or deliberate leaks of information.

In more recent times, New Zealand's intelligence agencies have claimed a desire for greater transparency. The NZSIS website claims that they have 'established a pilot to start systematic declassification of our archives'.⁶⁴ There is, however, no evidence this has produced the declassification of any significant historical intelligence records to date. The NZSIS website lists in total only 10 document releases, three of which are brief summary documents of no more than three pages and two are reports for Cabinet, with significant redactions, in 2019 and 2022. Only two older releases are listed, a powers, resources and capability report for the period 2001–2010, and selected papers relating to the well-known arrest of suspected Soviet agent William Sutch in 1975. The final three listings comprise the release of papers relating to the 1951 Waterfront Dispute, and two sets of Old Police Records, all of which actually belonged to the NZ Police Special Branch acquired by NZSIS on its formation in 1956.⁶⁵ In New Zealand, there is nothing akin to the US National Security Archive or the online accessibility of security records available through Australian Archives. There is no 'thirty year rule' in New Zealand as there is in the UK, nor does the New Zealand Parliamentary Intelligence and Security Committee publish anything like the same volume of intelligence material, with anywhere near the same comparable granularity as its British Intelligence and Security Committee counterpart.⁶⁶

New Zealand has had occasional intelligence scandals, including the 2003 issuing of a security risk certificate to refugee Ahmed Zaoui and the 2012 execution of search warrants on Kim Dot Com with the subsequent revelation of illegal GCSB involvement.⁶⁷ Neither, however, were on a scale that prompted an opening of the archives in the way more significant scandals have overseas. The Zaoui case was primarily a human-rights one, and the NZSIS later withdrew its security certificate.⁶⁸ The Dot Com case prompted an inquiry undertaken by Secretary to the Cabinet Rebecca Kitteridge, which found 'long-standing systemic problems' with GCSB's compliance systems and its organisational culture. Kitteridge also found the Act governing GCSB not fit for purpose.⁶⁹ This report was leaked to the media; it was not released by the New Zealand Government until after the report had been made public. This was eventually followed by an Independent Review of Intelligence and Security in 2016, ultimately seeing New Zealand's intelligence agencies come under new updated legislation 12 months later.⁷⁰ For all that, the bulk of New Zealand's historical intelligence record still remains firmly under lock and key.

Additionally, as a result of the new Intelligence and Security Act 2017, an enhanced and strengthened Inspector General of Intelligence and Security (IGIS) mechanism was introduced creating a much more overtly legalistic oversight and audit body for the activities of NZSIS and GCSB. The two most recent Inspectors General have been former Deputy Solicitors General.⁷¹ These legal appointments demonstrate that the nature of the IGIS role is to provide public reassurance of the lawful compliance of intelligence agencies in their day-to-day activities. It is an office undertaken on behalf of *the public* to fulfil a requirement for accountability, not one designed to improve the transparency of these agencies *to the public*. To date, there has been no IGIS inspired review, or opening, of New Zealand's historic intelligence record.

The full reincorporation of New Zealand into Five Eyes intelligence sharing in 2006 was belated recognition that the intelligence interests of the US and New Zealand had ultimately realigned. Primarily developments in communications technology had seen New Zealand's capability increasingly expand through a combination of its location and access to Five Eyes systems and technology it would not otherwise be privy to.⁷² Documents among the Snowden leaks are the basis upon which more recent authors assert New Zealand was intercepting communications throughout parts of North and Southeast Asia, Pakistan, India, Iran, Antarctica, French Polynesia as well as the South Pacific.⁷³ What was most revealing here was the vast area New Zealand was able to collect intelligence on by the 2000s, a dramatic improvement on its original 1956 capability. Also revealed was New Zealand's connection with other Pacific based and European intelligence groupings, some with members that were targets of New Zealand's own intelligence collection activity.⁷⁴ Yet despite the revelation of the extent of New Zealand's electronic eavesdropping, most public criticism in New Zealand was aimed at its eavesdropping on South Pacific Island nations – on the basis that these countries were 'friends' and morally New Zealand should not be conducting such activity. The revelation itself was hardly news, Richelson and Ball had said as much in 1990, and Hager in 1996. Damien Rogers raised far more searching questions in 2018 around alleged New Zealand mass surveillance occurring on behalf of the NSA,⁷⁵ and again in 2021 (with Shaun Mawdsley) about the connection between intelligence officials in New Zealand and those involved in the use of torture and rendition programmes during the high-point of the GWOT.⁷⁶ The deliberately imposed lack of accessibility to historical intelligence material leaves us still in the dark regarding New Zealand's intelligence activity 50 years ago, so these more contemporary inquiries are unlikely to be undertaken with any degree of success any time soon.

Will New Zealand remain in five eyes in the 21st Century?

It has been contended here that the reason New Zealand was included in the Five Eyes arrangement was an inheritance from Second World War arrangements, underwritten by a sharply focused perception of its own vulnerability in the years after the Second World War. This led to a deliberate policy of engaging the UK and the USA into overlapping defence alliances and arrangements, which would serve to alleviate this concern. The general election of 1984, however, brought a sea change in New Zealand politics. A conservative Prime Minister (Robert Muldoon) who had served as a soldier in the Second World War was replaced by one (David Lange) who likely had no memory of it. Lange emerged from a leftist milieu of protest against the Vietnam War, in which a US loss had not resulted in the materialisation of the 'domino theory'. Security fears in the 1970s tended increasingly to involve fears of the rapid proliferation of nuclear weapons between the superpowers. This was compounded by the persistence of French nuclear testing in the South Pacific and fed by a perception that such tests were being carried out 'right next door' to New Zealand.⁷⁷ The tests at Mururoa and Fangataufa were at much greater distance from the country than most New Zealanders realised, and certainly further away than the Japanese presence had been in the 1940s.⁷⁸ But the previous notion of an aggressive invader was no longer perceived as the sole, or even likely, risk to the country's security. Lange was prepared to forego ANZUS, and SEATO was rapidly fading into irrelevance after the Vietnam War. But by this time, Five Eyes had grown – not declined – in value to New Zealand, and New Zealand was beginning to grow in value to the Five Eyes arrangement.

Even though the narratives considered above contradict each other, they are still useful in explaining the contribution and benefit of New Zealand's Five Eyes membership. Initially, New Zealand's contribution was its incorporation into wartime and immediate post-war intelligence arrangements; though not impossible, it would have been inconvenient, to remove New Zealand from them. New Zealand was initially unable to fully participate in UKUSA and had to quickly assemble a minimum credible capability in 1956. For the effort of these steps, and the occasionally useful but hardly convincing contribution of SIGINT on the south and southwest Pacific, New

Zealand established a permanent connection to a powerful global intelligence machinery it could never have had alone – and which no other country of its size in the world has ever had.

Paradoxically, the issue that would divide New Zealand from the Five Eyes during the 1985–2006 period also gelled them together. Prior to 1974, France conducted 41 atmospheric nuclear tests at Mururoa and Fangataufa Atolls, and between 1975 and 1996, further 175 underground nuclear tests were conducted.⁷⁹ In 1973, New Zealand sent two RNZN frigates to formally protest against the tests.⁸⁰ Domestic protests in New Zealand increased during the 1970s, and by 1984, the nuclear issue had inspired a concerted political stance by the Labour Party.⁸¹ Clearly, collection on French activity in the South Pacific was a New Zealand intelligence priority before and certainly after the 1984 election. The actions of the DGSE in bombing the *Rainbow Warrior* increased New Zealand's focus on French activity in the region. The authors considered above suggest that Five Eyes members were also interested in the intelligence collection on French nuclear testing – although more for monitoring the capability being developed and that they assisted New Zealand in intelligence targeting of French activity from 1985. Ferris, in fact, asserts that New Zealand's nuclear ships ban and the formal reduction of US intelligence through Five Eyes 'probably damaged New Zealand's ability to reduce French nuclear tests in the South Pacific'.⁸² He does not substantiate the claim, and it is somewhat contradicted by Aldrich, but nevertheless it does tacitly support the notion that Five Eyes collected on French activity in the South Pacific, and New Zealand had both contributed and benefited in this respect.

The late 1980s era also jolted the prevailing assumption that the South Pacific was politically benign. In 1987, there were two coups in Fiji. Occurring in May and September, the Fijian military overthrew a new democratically elected government in Suva. Within days of the May coup, the first hijacking of a New Zealand commercial aircraft occurred at Nadi Airport.⁸³ These events underscored the necessity for New Zealand intelligence collection on the South Pacific. It is probably no coincidence, therefore, that 1987 was the year a significant increase in New Zealand's intelligence gathering capability was announced – the base at Waihopai.

Political volatility in the Pacific region continued. A civil war broke out in Bougainville in 1988 that would rage on for 10 years. New Zealand was active in facilitating peace negotiations between the warring parties and then deployed troops to monitor the truce.⁸⁴ A Timor Leste resistance campaign that had simmered for years, boiled over into open conflict in which Australian and New Zealand forces deployed in combat roles between 1999 and 2003.⁸⁵ Following a significant constitutional break down in the Solomon Islands in 2000, Australia and New Zealand became involved in the multi-country Regional Assistance Mission to the Solomon Islands (RAMSI) to stabilize the territory that lasted until 2017.⁸⁶ These events occurred in an environment in which Cold War priorities had receded, satellite communications technology had advanced, and New Zealand found its geographical location suddenly more valuable as a Five Eyes contributor, as well as itself more intelligence-hungry regarding the significant political volatility in its immediate environment. Amid a period in which there was a political impasse between the US and New Zealand, there was a significant overlap in intelligence interest especially between Australia and New Zealand and their concerns in the South Pacific.

Late in 2021 rioting broke out in Honiara, capital of the Solomon Islands, reportedly due to public dissatisfaction with growing connections with China. Chinese businesses were certainly targeted in the rioting. Australian and New Zealand troops and police were deployed in an effort to restore order, as they had done previously. However, geopolitical conditions in 2021 were vastly different from the previous decade. This time Chinese police advisors were present. Soon after the order was restored, Honiara signed an agreement with Beijing for the provision of Chinese law and order assistance to the Solomons in the future. At the same time, a far more comprehensive draft agreement came to light (subsequently signed) allowing for potential Chinese military assistance, military provisioning, help with law enforcement, and naval ship visits.⁸⁷ This immediately stimulated renewed US efforts to re-establish its diplomatic presence in several Pacific Island countries and elevated its military commitment to the region with the conclusion of the Australia, the United

Kingdom and the United States (AUKUS) agreement.⁸⁸ From the one-time benign backwater in global affairs, the political volatility of a number of South Pacific Island countries has now emerged as a risk with the potential to bring the major powers into contest with each other in the region. Intelligence on the South Pacific now has a currency within Five Eyes it has not had since the Second World War.

New Zealand appeared to be caught by surprise by the 2021 disorder, which descended on Honiara. New Zealand had previously invested much in time, money, military and police deployments to rebuild the Solomons after the chaos of the early 2000s. Australian and New Zealand troops and police rushed back to restore order in 2021 in what was likely assumed a re-run of the previous response. However, the subsequent conclusion of agreements between Honiara and Beijing also came as a surprise to New Zealand and no Five Eyes connection appears to have warned of it. But from the very outset of Five Eyes, New Zealand had been attributed the South Pacific as its primary concern, so rather than Five Eyes warning New Zealand, *should New Zealand have warned the Five Eyes?* Kerbaj described New Zealand as a 'late bloomer' in intelligence, a fitting epithet historically and arguably still applicable today. While New Zealand intercepts electronic and cyber communications, it still does not possess a HUMINT foreign intelligence service with which to augment its SIGINT or to more actively monitor or counter other foreign intelligence activities now likely to be undertaken in Pacific Island countries. In July 2022 at a Pacific Islands Forum meeting, two suspected (albeit clumsy) Chinese intelligence officers were identified as present by the media, a clear demonstration that intelligence operations of other countries are occurring in New Zealand's supposed area of Five Eyes responsibility.⁸⁹

During the 2016 Independent Review of Intelligence and Security, it was observed that for every piece of intelligence contributed to Five Eyes, New Zealand receives 99 in return.⁹⁰ On the one hand, this reflects an exceptionally favourable return on New Zealand's intelligence investment, on the other it stands as a clear signal that New Zealand needs to significantly uplift its intelligence effort, and the Solomons surprise emphatically underscores the point. Without question, New Zealand will remain in the Five Eyes arrangement, and the benefit of the intelligence it derives vastly outweighs the cost of its contribution, but the days when New Zealand can comfortably rely almost entirely on Five Eyes for foreign intelligence 'on the cheap' could be numbered. If intelligence operations by other nations are being run in the South Pacific, it is no longer a simple moral question of New Zealand spying on its neighbours; it is now one in which the vital interests of New Zealand need to be served by significantly increasing its ability to detect others doing so.

Conclusion

In 1941, an observer of New Zealand's role within Allied intelligence systems noted that 'despite its small size ... the [New Zealand] section was remarkably productive', while other observers later in the conflict noted of New Zealand's contribution that it was "'small but efficient," "enthusiastic" and "keen," and could always be relied upon to "perform its tasks in a most capable manner".⁹¹ On the evidence reviewed here, the product of the research of a number of authors, New Zealand managed to navigate its way into Five Eyes by its integration into Allied intelligence systems and its leveraging of this involvement to obtain acceptance, formally in 1956, to the post-war UKUSA or Five Eyes arrangement. There is very little information about New Zealand's initial contribution beyond vague (and inconsistent) descriptions of its geographical remit following its formal admission. The Falklands War in 1982 quite suddenly brought attention to a capability New Zealand had had for some time, but little understanding emerged as result of what value to the Five Eyes this capability had been since 1956, and specifically, what New Zealand obtained as a result of its membership of the arrangement.

Since then, however, researchers have been able to glean important, though hardly copious, amounts of information that have allowed us here to map the growing ability of New Zealand to contribute and benefit from its involvement in Five Eyes. A key factor has been the change in

communications technology, and the transition from radio interception to surveillance of space-based communications satellites and cyber-based interception platforms. Being connected to Five Eyes has allowed New Zealand access to capabilities to exploit these domains it could not have obtained alone, and therein its contribution and benefit become tightly entwined. New Zealand's value to the Five Eyes in terms of collection has evolved by virtue of its involvement.

Moreover, New Zealand's immediate environment is no longer benign, and no longer peripheral to the national interests of external powers. Geopolitical tensions in the wider Asia Pacific region are being felt increasingly across the South Pacific, and the problems political volatility once presented – which could be dealt with largely by Australia and New Zealand acting together – now have much wider global implications. With this will come an ever-greater demand for intelligence for New Zealand's own decisions in the region, and from its Five Eyes partners as they each manage their own policy paths through emerging challenges. These policy paths may diverge – and AUKUS demonstrates the point that Five Eyes is not an alliance – its member countries are not bound to act together. But Five Eyes intelligence agencies will continue their established tradition of exchanging information as best serves their own national and collective interests. The future will likely require greater intelligence effort on the part of New Zealand to maintain its contribution and thus derive its benefits; New Zealand's largely SIGINT-only contribution is unlikely to be sufficient amid geopolitical changes now affecting the South Pacific, and this much has already been exposed by recent events in the Solomons.

For all that, looking over more than 70 years of involvement in Five Eyes, New Zealand has managed to maintain an outward phantom-like status in the arrangement. 'Decades-old historic records' are still retained under lock and key by New Zealand's intelligence agencies, preventing researchers from accessing them.⁹² But for accidental disclosures, illegal leaks and the sheer decades-long persistence of Nicky Hager, it is highly possible most New Zealanders would not even know their country was a member of Five Eyes in the 2020s. This has the obvious intelligence benefit of enabling NZSIS and GCSB to conceal their activities – in the manner all secret organisations seek to do, and arguably much more successfully than other Five Eyes agencies have done. But the cost of this has been a general lack of public awareness, interest and understanding of the importance of intelligence to New Zealand foreign and security policy decision-making. That the Snowden leaks, which revealed a previously unknown range of intelligence activity on the part of New Zealand, should stimulate little more than moral outrage that New Zealand was spying on its South Pacific friends (which had been revealed decades earlier), highlights the problem. This is the result of a deliberate policy of New Zealand intelligence agencies, and their political masters, keeping their citizenry dumb on intelligence. This is the reason why New Zealand's appearance in general Five Eyes literature is apparitional at best and earns the well-deserved moniker we have given it – the Phantom Eye of the Five Eyes.

Notes

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11. Kerbaj, p.174.
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13. Aldrich, p.98.
14. Pfluke, p.308.
15. Desmond Ball, Cliff Lord & Meredith Thatcher, *Invaluable Service: The secret history of New Zealand's signals intelligence during two world wars*, Resource Books (Waimauku, 2011), pp.314–320.
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18. Hager, p.59.
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22. Richelson & Ball, p.67.
23. Richelson & Ball, pp.77, 194, 209–210.
24. Ferris, p.376.
25. Pfluke, p.308.
26. Ibid.
27. Jeffrey Richelson, *The US Intelligence Community*, 6th ed., Westview Press (Boulder, CO, 2012), p. ____.
28. Kerbaj, p.175.
29. Cartmell, p.6.
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33. Hager, p.26.
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46. Hager, pp.15, 200–214.
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92. The phrase is borrowed from Tucker’s Foreword in Ball, Lord & Thatcher, p.xv.

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