



8 June 2020

Paul Callahan

[Fyi-request-12470-72a25f5c@requests.fyi.org.nz](mailto:Fyi-request-12470-72a25f5c@requests.fyi.org.nz)

Dear Mr Callahan

### **Official information request**

I refer to your Official Information Act 1982 (OIA) requests dated 18 March 2020 and 21 April 2020, for information relating to Julian Assange.

***All mentions of Julian Assange in GCSB documents, correspondence and addresses (including but not limited to emails, letters, presentations) from 1 January 2017 to present from***

- a. GCSB, NZSIS, Five Eyes, Echelon & Security Alliance***
- b. NZS, CIA, DIA, FBI,***
- c. GCHQ, MI5, DI***
- d. any New Zealand Government office or New Zealand Government official.***

In response to your request, in the interests of providing as much information as possible, I can advise that we do hold some news summaries and stories that mention Julian Assange. The GCSB receives daily summaries of international and domestic news items and no particular significance should be placed on us holding this information about Mr Assange.

Beyond that my response to your request for GCSB-held information about Julian Assange is that I neither confirm nor deny the existence or non-existence of any information. This reply is given within the terms of section 10 of the OIA because disclosing the existence or non-existence of the information is likely to prejudice the interests protected by section 6(a) and 6(b) of the OIA (the security or defence of New Zealand and the international relations of the Government of New Zealand).

***What is the New Zealand security classification of Julian Assange or Wikileaks in reference to the GCSB, NZSIS or any NZ government office?***

The New Zealand Government Security Classification System protects official information through a series of security measures. The classification system applies to information, not individuals or organisations, therefore I must refuse your request under section 18(e) of the OIA: the information requested does not exist.

You can find out more information about the classification system at [www.protectivesecurity.govt.nz](http://www.protectivesecurity.govt.nz).

***Copies of any terrorist status, terrorist mentions, terrorist classification of Julian Assange or the Wikileaks organisation/ Is Julian Assange classified as a terrorist by any New Zealand Government Office including the GCSB? /Is Wikileaks classified as a terrorist organisation by Five Eyes or any New Zealand Government office including the GCSB?***

The Terrorism Suppression Act 2002 requires that a list of designated terrorist entities be established and maintained in New Zealand. The list is maintained by the New Zealand Police and is publicly available online at: <https://www.police.govt.nz/advice/personal-community/counterterrorism/designated-entities/>. Julian Assange and Wikileaks are not on this

list. I am therefore refusing your request under section 18(d) of the OIA: the information requested is publicly available.

***Has the GCSB, NZSIS, NZ Police or any government office or official accepted the CIA definition by Mike Pompeo that Wikileaks is a "non-state hostile intelligence service"?***

The GCSB holds no information in relation to this statement. I must refuse this part of your request under section 18(g) of the OIA: that the information requested is not held by this agency, nor do I have reason to believe it is held by another agency.

***Is the New Zealand Government or GCSB complicit or supportive in his incarceration?***

New Zealand is a strong proponent of the international rules based system. New Zealand and the international community both have an interest in seeing the human rights of detainees protected, and their cases handled in accordance with the rule of law and relevant international conventions. In relation to Mr Assange, the New Zealand Government does not take a position on his legal situation.

***Has the GCSB or FVEY spied on the communication of Julian Assange or Wikileaks either directly or in support of a third party? And if so, who is the third party?***

Under section 10 of the OIA, I can neither confirm nor deny whether the GCSB holds the requested information. I consider that to do so would be likely to prejudice the interests protected by section 6(a) of the OIA, namely the security or defence of New Zealand.

Receiving a section 10 "neither confirm nor deny" response should not lead you to conclude that the information you have asked for is either held, or not held.

If you wish to discuss this response with us, please feel free to contact [information@gcsb.govt.nz](mailto:information@gcsb.govt.nz).

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely



Andrew Hampton  
Director-General of the GCSB