



Women's International League for Peace and Freedom

*United Nations Consultative status with ECOSOC, UNESCO and UNCTAD
Special relations with the ILO, FAO, UNICEF, and other organisations and agencies*

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Submission re Crimes (Countering Foreign Interference) Amendment Bill

The Women's International League for Peace and Freedom (WILPF) is a peace and disarmament organisation which has been working for social justice and a non-violent society since its establishment in The Hague in April 1915.

WILPF Aotearoa Section is opposed to the proposed amendments to the Crimes Act.

First, it is unnecessary as legislation criminalising espionage already exists.

Second, we are opposed to the criminalisation of individuals acting on behalf of foreign powers. This will not stop foreign interference in our country. How can we distinguish such interference from the multitude of ways in which other states already seek to influence our trade, aid, foreign affairs and defence policies? States spy on each other and holding individuals to account will not halt that.

It is true that diaspora critics of authoritarian regimes come under pressure from their home governments, either to act in support of the regime or by seeking to silence their critics who are outside their jurisdiction, by threatening harm to their families still living in the home country. But it is not clear how New Zealand law could prevent this as it cannot protect people who are not within its jurisdiction.

WILPF is also opposed to the approach taken to criminalising individuals acting on behalf of foreign powers because it opens the way for any individual or group voicing opposition to the New Zealand government's policy position - on the genocide in Gaza, for instance - to be categorised as affording support for a proscribed organisation (Hamas in this instance). As such, it risks not only restricting freedom of speech but criminalising opposition within Aotearoa New Zealand.

WILPF also notes with concern that the quality assurance panel for the Regulatory Impact Statement expressed concern that the rationale for this legislation was not convincing because the "potential scope of the bespoke offence of committing an imprisonable offence for the benefit of a foreign power ... does not seem as clearly defined or analysed as the proposed foreign interference offence". The inclusion of such vague wording (Clause 78AAB)

as “enhancing the influence” of a foreign power is chilling in its potential to silence open debate, and especially dissent or protest.

It is this lack of clarity that potentially leads to the criminalisation of dissent and is why the amendments in their current form must not proceed.