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## How America Spies on Europe and the UN

By Laura Poitras, Marcel Rosenbach and Holger Stark

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**President Obama promised that NSA surveillance activities were aimed exclusively at preventing terrorist attacks. But secret documents from the intelligence agency show that the Americans spy on Europe, the UN and other countries.**

The European Union building on New York's Third Avenue is an office tower with a glittering facade and an impressive view of the East River. Chris Matthews, the press officer for the EU delegation to the United Nations, opens the ambassadors' room on the 31st floor, gestures toward a long conference table and says: "This is where all ambassadors from our 28 members meet every Tuesday at 9 a.m." It is the place where Europe seeks to forge a common policy on the UN.

To mark the official opening of the delegation's new offices in September 2012, EU Commission President José Manuel Barroso and EU Council President Herman Van Rompuy flew in from Brussels, and UN Secretary-General Ban Ki-moon was on hand as guest of honor. For "old" Europe -- which finances over one-third of the regular UN budget -- this was a confirmation of its geopolitical importance.

For the National Security Agency (NSA), America's powerful intelligence organization, the move was above all a technical challenge. A new office means freshly painted walls, untouched wiring and newly installed computer networks -- in other words, loads of work for the agents.

While the Europeans were still getting used to their glittering new offices, NSA staff had already acquired the building's floor plans. The drawings completed by New York real estate company Tishman Speyer show precisely to scale how the offices are laid out. Intelligence agents made enlarged copies of the areas where the data servers are located. At the NSA, the European mission near the East River is referred to by the codename "Apalachee".

The floor plans are part of the NSA's internal documents relating to its operations targeting the EU. They come from whistleblower Edward Snowden, and SPIEGEL has been able to view them. For the NSA, they formed the basis for an intelligence-gathering operation -- but for US President Barack Obama they have now become a political problem.

Just over two weeks ago, Obama made a promise to the world. "The main thing I want to emphasize is that I don't have an interest and the people at the NSA don't have an interest in doing anything other than making sure that (...) we can prevent a terrorist attack," Obama said during a hastily arranged press conference at the White House on August 9. He said the sole purpose of the program was to "get information ahead of time (...) so we are able to carry out that critical task," adding: "We do not have an interest in doing anything other than that." Afterward, the president flew to the Atlantic island of Martha's Vineyard for his summer vacation.

### **Wide Range of New Surveillance Programs**

Obama's appearance before the press was an attempt to morally justify the work of the intelligence agencies; to declare it as a type of emergency defense. His message was clear: Intelligence is only gathered because there is terror -- and anything that saves people's lives can't be bad. Ever since the attacks of Sept. 11, 2001, this logic has been the basis for a wide range of new surveillance programs.

With his statement delivered in the White House briefing room, Obama hoped to take the pressure off, primarily on the domestic political front. In Washington the president is currently facing opposition from an unusual alliance of left-wing Democrats and libertarian conservatives. They are supported by veteran politicians like Republican Congressman Jim Sensenbrenner, one of the architects of the Patriot Act, which was used to massively expand surveillance in the wake of 9/11. On July 24, a bill that would have curtailed the power of the NSA was only narrowly defeated by 217 to 205 votes in the House of Representatives.

Even stalwart Obama supporters like Democrat Nancy Pelosi, minority leader in the House of Representatives, are now calling into question the work of the intelligence agency. Pelosi says that what she reads in the newspapers is "disturbing." It wasn't until late last week that news broke that the NSA had illegally collected tens of thousands of emails over a number of years.

Obama's public appearance was aimed at reassuring his critics. At the same time, he made a commitment. He gave assurances that the NSA is a clean agency that isn't involved in any dirty work. Obama has given his word on this matter. The only problem is that, if internal NSA documents are to be believed, it isn't true.

The classified documents, which SPIEGEL has seen, demonstrate how systematically the Americans target other countries and institutions like the EU, the International Atomic Energy Agency (IAEA) in Vienna and the UN. They show how the NSA infiltrated the Europeans' internal computer network between New York and Washington, used US embassies abroad to intercept communications and eavesdropped on video conferences of UN diplomats. The surveillance is intensive and well-organized -- and it has little or nothing to do with counter-terrorism.

## **Targeting Foreign Governments**

In an internal presentation, the NSA sums up its vision, which is both global and frighteningly ambitious: "information superiority." To achieve this worldwide dominance, the intelligence agency has launched diverse programs with names like "Dancingoasis," "Oakstar" and "Prism." Some of them aim to prevent terrorist attacks, while others target things like arms deliveries, drug trafficking and organized crime. But there are other programs, like "Blarney" and "Rampart-T," that serve a different purpose: that of traditional espionage targeting foreign governments.

Blarney has existed since the 1970s and it falls under the Foreign Intelligence Surveillance Act of 1978, at least according to the NSA documents, which state that it is based on the cooperation of at least one US telecommunications company that provides services to the agency. The NSA describes the program's main targets as "diplomatic establishment, counter-terrorism, foreign government and economic." These documents also say that Blarney is one of the "top sources" for the President's Daily Brief, a top-secret document which briefs the US president every morning on intelligence matters. Some 11,000 pieces of information reportedly come from Blarney every year.

No less explosive is the program dubbed "Rampart-T" by the NSA and which, by the agency's own accounts, has been running since 1991. It has to do with "penetration of hard targets at or near the leadership level" -- in other words: heads of state and their closest aides.

This information is intended for "the president and his national security advisors." Rampart-T is directed against some 20 countries, including China and Russia, but also Eastern European states.

The Americans recently drew up a secret chart that maps out what aspects of which countries require intelligence. The 12-page overview, created in April, has a scale of priorities ranging from red "1" (highest degree of interest) to blue "5" (low interest). Countries like Iran, North Korea, China and Russia are colored primarily red, meaning that additional information is required on virtually all fronts.

But the UN and the EU are also listed as espionage targets, with issues of economic stability as the primary concern. The focus, though, is also on trade policy and foreign policy (each rated "3") as well as energy security, food products and technological innovations (each rated "5").

## **Bugging the EU**

The espionage attack on the EU is not only a surprise for most European diplomats, who until now assumed that they maintained friendly ties to the US government. It is also remarkable because the NSA has rolled out the full repertoire of intelligence-gathering tools -- and has apparently been taking this approach for many years now. According to an operational overview from September 2010 that is rated "secret," not only have the Americans infiltrated the EU mission to the UN in New York, but also the EU embassy in Washington, giving the building in the heart of the American capital the code name "Magothy."

According to this secret document, the NSA has targeted the European missions in three ways:

- The embassies in Washington and New York are bugged.
- At the embassy in New York, the hard disks have also been copied.
- In Washington the agents have also tapped into the internal computer cable network.

The infiltration of both EU embassies gave the technicians from Fort Meade an invaluable advantage: It guaranteed the Americans continuous access, even if they temporarily lost contact with one of the systems -- due, for instance, to a technical update or because an EU administrator thought that he had discovered a virus.

The embassies are linked via a so-called virtual private network (VPN). "If we lose access to one site, we can immediately regain it by riding the VPN to the other side and punching a whole (sic!) out," the NSA technicians said during an internal presentation. "We have done this several times when we got locked out of Magothy."

Of particular note, the data systems of the EU embassies in America are maintained by technicians in Brussels; Washington and New York are connected to the larger EU network. Whether the NSA has been able to penetrate as far as Brussels remains unclear. What is certain, though, is that they had a great deal of inside knowledge from Brussels, as demonstrated by a classified report from the year 2005 concerning a visit by top American diplomat Clayland Boyden Gray at Fort Meade.

### **'Best Friends' at the NSA**

Gray was on his way to Brussels as the new US ambassador to the EU. Before he left the country, he was invited by the corresponding NSA department to Fort Meade, where he was allowed to peek inside their treasure chest. The ambassador was "apprised of NSA's capabilities and limitations in collecting communications in Europe," the documents note.

Gray was presented with a selection of intercepted and bugged reports relating to diplomacy, business and foreign trade along with information on his future contacts at the EU. "I had no idea I would receive such detailed information," the ambassador said afterwards in amazement, according to NSA documents. That was "fabulous," he told them, adding: "You people at the NSA are becoming my new best friends."

Beyond their infiltration of the EU, the Americans are also highly interested in intelligence on the UN and the International Atomic Energy Agency, IAEA. The IAEA has been given a red "1"

in the area of arms control, while the focus at the UN is on foreign policy ("2") along with human rights, war crimes, environment issues and raw materials (each "3").

The NSA has its own team stationed at the UN, with each of the specialists disguised as diplomats. A secret crew from Washington regularly comes to town to bolster the team's ranks before each session of the General Assembly.

But the Americans also eavesdrop wherever possible during the day-to-day -- and they have been particularly successful at it for quite some time, as the corresponding department proudly reported in June 2012. In a status report they wrote that they had gained "a new access to internal United Nations communication."

### **Spies Spying on the Spies**

Furthermore, NSA technicians working for the Blarney program have managed to decrypt the UN's internal video teleconferencing (VTC) system. The combination of this new access to the UN and the cracked encryption code have led to "a dramatic improvement in VTC data quality and (the) ability to decrypt the VTC traffic," the NSA agents noted with great satisfaction: "This traffic is getting us internal UN VTCs (yay!)." Within just under three weeks, the number of decrypted communications increased from 12 to 458.

Occasionally this espionage verges on the absurd in a manner that would fit in perfectly with a John le Carré novel. According to an internal report, the NSA caught the Chinese spying on the UN in 2011. The NSA managed to penetrate their adversary's defenses and "tap into Chinese SIGINT (signals intelligence) collection," as it says in a document that describes how spies were spying on spies. Based on this source, the NSA has allegedly gained access to three reports on "high interest, high profile current events."

The internal NSA documents correspond to instructions from the State Department, which then-US Secretary of State Hillary Clinton signed off on in July 2009. With the 29-page report called "Reporting and Collection Needs: The United Nations," the State Department called on its diplomats to collect information on key players of the UN.

According to this document, the diplomats were asked to gather numbers for phones, mobiles, pagers and fax machines. They were called on to amass phone and email directories, credit card and frequent-flier customer numbers, duty rosters, passwords and even biometric data.

When SPIEGEL reported on the confidential cable back in 2010, the State Department tried to deflect the criticism by saying that it was merely helping out other agencies. In reality, though, as the NSA documents now clearly show, they served as the basis for various clandestine operations targeting the UN and other countries.

Experts on the UN have long suspected that the organization has become a hotbed of activity for various intelligence agencies. After leaving Prime Minister Tony Blair's cabinet, former British Secretary of State for International Development Clare Short admitted that in the run-up to the

Iraq War in 2003 she had seen transcripts of conversations by then-UN Secretary-General Kofi Annan.

### **Snooping on Partners**

Short's statement, which sparked a vehement reaction at the time it was made, has now been confirmed for the first time by the NSA. According to an internal document, the intelligence results had a key influence on "American negotiating tactics at the UN" in connection with the Iraq War. Thanks to the intercepted conversations, the NSA was allegedly able to inform the US State Department and the American Ambassador to the UN with a high degree of certainty that the required majority had been secured before the vote was held on the corresponding UN resolution.

Snooping on negotiating partners is so rewarding that the NSA engages in this activity around the world, and not just on its home turf. There are secret eavesdropping posts in 80 US embassies and consulates around the world, internally referred to as the "Special Collection Service" (SCS) and jointly operated with the CIA.

The presence of these spying units ranks among the agency's best-guarded secrets. After all, they are politically precarious: There are very few cases in which their use has been authorized by the local host countries.

The small SCS teams (motto: "Vigilantly keeping watch around the world") intercept communications in their host countries. The required antennas and dishes are usually disguised. According to the documents seen by SPIEGEL, such "concealed collection systems" as they are internally referred to at the NSA, can be hidden behind "roof maintenance sheds" on embassy buildings. Highly classified technical surveillance operations in diplomatic missions such as embassies and consulates are referred to internally in the NSA under the codename "Stateroom."

The SCS teams are often disguised as diplomats and their actual mission is "not known by the majority of the diplomatic staff." According to the Snowden documents, such an SCS branch exists in Frankfurt, another one in Vienna. The existence of bugging units in embassies and consulates is to be kept secret under all circumstances, as it says in the material: If it were leaked, this would "cause serious harm to relations between the US and a foreign government."

### **'Thou Shalt Not Get Caught'**

With few exceptions, this electronic eavesdropping not only contravenes the diplomatic code, but also international agreements. The Convention on the Privileges and Immunities of the United Nations of 1946, as well as the Vienna Convention on Diplomatic Relations of 1961, long ago established that no espionage methods are to be used. What's more, the US and the UN signed an agreement in 1947 that rules out all undercover operations.

But even in UN circles a little bit of spying has always been viewed as a minor offense and, according to statements made by former government employees, the Americans have never paid much attention to the agreements. But this could change with the revelations of US spying on the

EU. "The US has violated the 11th commandment of our profession," says a high-ranking US intelligence official: "Thou shalt not get caught."

The spying scandal has strained relations between the trans-Atlantic partners more than any other security-policy issue in recent history. The espionage is "absolutely unacceptable," French Foreign Minister Laurent Fabius inveighed after it became known that the French embassy in Washington was also on the surveillance list. "We cannot negotiate on a large trans-Atlantic market if there is the slightest suspicion that our partners are spying on the offices of our chief negotiator," European Commissioner for Justice Viviane Reding angrily said.

Even a conservative politician like the chairman of the Foreign Affairs Committee at the European Parliament in Brussels, Elmar Brok -- a member of German Chancellor Angela Merkel's conservative Christian Democratic Union (CDU) -- spoke of an "enormous loss of trust." Other parliamentarians have threatened to pressure the US by suspending talks on a free trade agreement, and an EU delegation has traveled to Washington and confronted the Americans with the allegations.

### **Clean?**

The talks are scheduled to resume in September. The litmus test will be whether the American government is prepared to offer the EU a no-spy agreement similar to the one that is currently being negotiated with the German government -- and in which both contracting partners pledge not to spy on each other.

Such an agreement can of course also be violated, but it would at least offer the Europeans a modicum of protection. For the Americans, it would mean renouncing exclusive inside views of the EU. It remains to be seen whether the Obama administration is prepared to take this step, despite the president's solemn statements that the surveillance focuses on counter-terrorism. A spokeswoman for the White House told SPIEGEL that the American government will respond to the allegations "via diplomatic channels," adding: "We have made it clear that we gather intelligence abroad just like any other nation."

On Monday of last week, the elevator stopped on the 26th floor of the EU's building on Third Avenue in New York. Press officer Matthews led the way through the delegation's working area, located high above the East River. Those seeking access to this zone must pass through checkpoints consisting of a number of doors made of bulletproof glass. Each door only opens after the door that has just been passed through is locked. A few meters further on, on the right, is the server room, where red lights are blinking. The security systems are new and were just installed over the past few weeks after SPIEGEL first reported on attempts to spy on the EU. The EU has launched an investigation, prompting technicians to search for bugs and check the computer network.

In September, America's Ambassador to the UN Samantha Power will visit the EU offices. The American-European free trade agreement will be on the agenda -- but also the espionage affair.

If the European security experts do everything right, it could be that -- for the first time in a long time -- the Americans won't know what to expect.