

## NSA Spying on World Leaders. Merkel, Hollande, Rouseff, Nieto, ... Intercepting Phone Conversations of America's Closest Allies

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On October 24, London's <u>Guardian headlined</u> "NSA monitored calls of 35 world leaders after US official handed over contacts," saying:

Snowden released documents revealed it. "An official in another US government department" gave NSA over 200 private phone numbers.

Thirty-five world leaders were included. They weren't named. It's not hard imagining likely targets. Germany's Angela Merkel is one. So is France's Francois Hollande.

Brazil's Dilma Rouseff is another. Mexican President Enrique Nieto's private communications are monitored. Russian, Chinese and Iranian leaders are prime NSA targets.

"(T)he NSA encourages senior officials in its 'customer' departments, such the White House, State and the Pentagon, to share their 'Rolodexes' so the agency can add the phone numbers of leading foreign politicians to their surveillance systems," said the Guardian.

The memo it obtained reveals extensive NSA surveillance. It's dated October 2006. It was issued to NSA's Signals Intelligence Directorate (SID).

It's titled "Customers Can Help SID Obtain Targetable Phone Numbers." An example it gives states:

American officials interface often with world leaders. "In one recent case, a US official provided NSA with 200 phone numbers to 35 world leaders," said the Guardian.

"Despite the fact that the majority is probably available via open source, the PCs (intelligence production centers) have noted 43 previously unknown phone numbers. These numbers plus several others have been tasked."

New phone numbers help NSA obtain "more new contact details." Doing so facilitates monitoring.

"These numbers have provided lead information to other numbers that have subsequently been tasked."

At the same time, this type monitoring produced "little reportable intelligence." Listening to foreign leaders' phone calls continues.

NSA seeks new contact information. Its memo states "S2 (signals intelligence) wonder(s) if

there are NSA liaisons whose supported customers may be willing to share their 'Rolodexes' or phone lists with NSA as potential sources of intelligence."

"S2 welcomes such information!" Sometimes it comes unsolicited. According to its memo:

"From time to time, SID is offered access to the personal contact databases of US officials."

"Such 'Rolodexes' may contain contact information for foreign political or military leaders, to include direct line, fax, residence and cellular numbers."

The Guardian asked Obama administration officials to explain. No response followed.

On Thursday, White House press secretary Jay Carney said:

NSA "revelations have clearly caused tension in our relationships with some countries, and we are dealing with that through diplomatic channels."

"These are very important relations both economically and for our security, and we will work to maintain the closest possible ties."

Merkel knew about or suspected Washington monitored her phone calls all along. She discovered her cell number written on a US document.

On October 21, The <u>New York Times</u> headlined "Rules Shielding Online Data From NSA and Other Prying Eyes Advance in Europe," saying:

Influential EU lawmakers back a measure requiring US companies like Google and Yahoo "to seek clearance from European officials before complying with United States warrants seeking private data."

The legislation has been considered for two years. At issue is tightening privacy rules. Enacting it requires governments and European parliament approval.

The European Commission is the EU's executive body. It supports legislation requiring US tech companies to seek permission before providing its intelligence agencies with personal information on EU citizens.

The European parliament already approved a non-binding resolution. It suspends EU Terrorist Finance Tracking Program (TFTP) data sharing with America.

It did so in response to revelations about NSA monitoring international bank SWIFT transfers.

The European Parliament has no formal powers to suspend or terminate international deals. At the same time, its <u>press release</u> said:

"(T)he commission will have to act if Parliament withdraws its support for a particular agreement."

The European Parliament includes 766 members from 28 EU countries. Elected MEPs serve five-year terms.

They expressed concern about EU governments failing to look into NSA spying. Its resolution calls for a "full on-site technical investigation" of NSA's SWIFT transfers monitoring. Its press release said:

"(A)ny data-sharing agreement with the US must be based on a consistent legal data protection framework, offering legally-binding standards on purpose limitation, data minimisation, information, access, correction, erasure and redress."

Jan Philip Albrecht is a German EU parliament member. His Committee on Civil Liberties, Justice and Home Affairs is spearheading legislative action.

It "voted to make clear that it is exclusively EU law that applies to EU citizens' private data online regardless of where the business processing their data has its seat." he said.

Technology industry officials oppose it. According to DigitalEurope director general John Higgins:

"Rushing through a half-baked law risks throwing away a vital and much needed opportunity to stimulate economic growth."

The measure calls for stiff fines. They can be as much as 5% of a company's annual gross income. Supportive lawmakers hope for passage by next spring.

It remains to be seen what follows. Two years ago Washington got Europe to abandon a similar measure. According to The Times:

It "would have shielded Europeans from requests by American authorities to share online data gathered by some of the biggest American Internet companies."

Many live in Europe. Companies serving them complain about potential onerous new rules. Their customers need protection. NSA spying compromises their rights.

According to the <u>Guardian</u>, many Germans welcome Merkel getting a taste of her own medicine. She failed to act responsibly after Snowden's revelations made headlines. German Pirate party member Anke Domscheit-Berg said:

"In the past few months, Chancellor Merkel has done very little to make the US government answer all those questions that should have had highest political priority."

"Now she gets a taste of what it feels like when foreign secret services spy on all your communications."

Albrecht accused German interior minister, Hans-Peter Friedrich, of "not only fail(ing) to act in Germany's interest, he also failed to act on Angela Merkel's promise to take data protection more seriously."

Months earlier, Friedrich dismissively called NSA accusations driven mainly by "a mix of anti-Americanism and naivety." On Thursday, he said:

"Bugging and snooping on friends in public or in private is unacceptable."

It was too little, too late. It was disingenuous. Albrecht asked "why is this man still interior minister?"

Former Federal Commissioner for Data Protection Peter Schaar added:

Headlined revelations show "the absurdity of politicians trying to draw to a close the debate about surveillance of everyday communication here. In the light of the new revelations it seems irresponsible that more transparency wasn't called for earlier."

Die Zeit is one of Germany's most US-friendly publications. It called Merkel's months earlier failure to challenge NSA spying revelations "unethical."

It was "her duty (to do so) when millions of NSA attacks on citizens' privacy were at stake because their basic rights are as valuable as those of the chancellor," it said.

On October 25, EU member state leaders issued a joint statement, saying:

"The Heads of State or Government discussed recent developments concerning possible intelligence issues and the deep concerns that these events have raised among European citizens."

"They underlined the close relationship between Europe and the USA and the value of that partnership."

"They expressed their conviction that the partnership must be based on respect and trust, including as concerns the work and cooperation of secret services."

"They stressed that intelligence gathering is a vital element in the fight against terrorism."

"This applies to relations between European countries as well as to relations with the USA."

"A lack of trust could prejudice the necessary cooperation in the field of intelligence gathering."

"The Heads of State or Government took note of the intention of France and Germany to seek bilateral talks with the USA with the aim of finding before the end of the year an understanding on mutual relations in that field."

"They noted that other EU countries are welcome to join this initiative."

"They also pointed to the existing Working Group between the EU and the USA on the related issue of data protection and called for rapid and constructive progress in that respect."

On October 24, London's <u>Guardian headlined</u> "Obama left increasingly isolated as anger builds among key US allies," saying:

Washington is in damage control mode to fix things. It's "anxious to avoid a more permanent rift in the network of alliances that has been central to its foreign policy since the second world war."

The Guardian spoke "with several diplomats and foreign government officials," it said. They agreed "only on the condition of anonymity."

They said "the White House (still) underestimate(s) the anger felt over recent disclosures."

Perhaps it's less about what's ongoing and more about it making headlines.

"They argue that US officials are being deliberately disingenuous when they claim that all countries engage in similar forms of espionage, even against allies," said the Guardian.

"While it is widely accepted that the US, Britain, France, Russia and China engage in counter-espionage, other countries do not have the tools to conduct surveillance on the scale of the NSA."

France, Germany, Brazil, Mexico, and perhaps other countries asked Washington to explain what's ongoing. They want assurances it'll stop. So far, they've been stonewalled.

According to the Guardian, some Washington-based foreign officials "changed the way they conduct business."

They avoid discussing sensitive information by phone or online. They know their embassies are bugged. Their cable communications are monitored.

Brazilian federal workers were ordered to use highly-encrypted emails. EU nations are reviewing their "policies on internet governance, privacy and data-sharing, amid growing skepticism about whether the US can be trusted," said the Guardian.

An unnamed EU official said it's "clear we're not doing business on a level playing field." Washington has no intention to do so.

US spying at home and abroad is longstanding. Today more than ever it's lawless and unprecedented. International standards don't matter. Constitutional rights are ignored.

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