

# DID OBAMA LIE TO MERKEL IN BERLIN?

As I noted here and the NYT lays out in more detail, Obama spoke with Angela Merkel about US spying in Germany in June when he was in Berlin.

The first disclosures from Der Spiegel in June almost soured the long-planned meeting between Mr. Obama and Ms. Merkel in her capital, which the president visited as a candidate in 2008, delivering a speech before an estimated 200,000 people.

In June, there were far fewer, carefully screened and invited Germans and Americans on hand to hear Mr. Obama at the Brandenburg Gate, the symbol of Berlin's unity and freedom since the Berlin Wall fell in 1989.

Shortly beforehand, Mr. Obama and Ms. Merkel stood side by side in her chancellery, fielding questions about American surveillance of foreigners' phone and e-mail traffic. Pressed personally by Ms. Merkel, the president said that terrorist threats in Germany were among those foiled by intelligence operations around the world, and Ms. Merkel concurred.

A month later, Merkel quipped that she had not been wiretapped.

In July, Ms. Merkel joked with television interviewers asking about the situation, "I know of no case where I was listened to."

Yet in the last few days, Merkel has discovered this is not true. The White House's non-denial – "The President assured the Chancellor that the United States is not monitoring and will not monitor the communications of Chancellor Merkel"

– makes it fairly clear the United States was monitoring her communications.

All of which raises the stakes for whatever explanation Obama offered in June.

The NSA's strategy since Edward Snowden first leaked has been to emphasize (as Obama seems to have with Merkel) its use for counterterrorism. It has been increasingly clear NSA badly wants to hide the sheer scale of its spying – that it could effectively be taking everything. But even from the earliest leaks, it has been clear the US was spying on diplomats, particularly from the EU. So it should not be surprising that it is also spying on Merkel.

That said, it sounds like this tap, of Merkel's private cell phone (which presumably had some kind of security, particularly given the involvement of Germany's security services to assess whether it had been tapped), was probably a more deliberate tap than the broader spying NSA conducts, probably a TAO exploit. Not something that happens incidentally.

I would imagine Merkel would be pissed in any case, and gravely concerned about the topics of interest. (I'm acutely interested, for example, whether the US has shared any information about the plight of the Euro with the banks that have largely devastated the Euro.)

But there's also the question of whether Obama gave Merkel assurances that have now turned out to be false.

Note, this article on how leaks are making it harder for the US to tout openness and human rights while secretly doing the opposite is closely related—it's well worth your read.