

## THE UKUSA AGREEMENT OF 1948

Jérôme Mellon  
27 November 2001

### Introduction

My presentation today is simply to give a general overview of what is the UKUSA agreement of 1948, also known as the UK-USA Security Agreement or the Secret Treaty. This highly-classified agreement, involving 15 countries but more importantly the United States and five partners of the British Commonwealth, is mainly about the sharing of signals intelligence with the parties to the treaty, each of them being responsible for a specific area of the world to cover. The relationship also involves a computer-based tasking and exchange system, code-named ECHELON, that allows the various parties to request, via key words, data collected by the other's collection assets and to have it transmitted to the requesting party. Although the ECHELON network is in itself a very interesting subject, I won't have the time to present the tremendous capabilities of that high-technology system. I will rather focus on the UKUSA agreement itself but will first start by presenting how the United States and the United Kingdom were sharing SIGINT even before 1948.

### Cooperation before 1948

The UKUSA agreement is a cooperation agreement between several countries. The two major parties, the United States and the United Kingdom, were obviously engaged in the sharing of intelligence before 1948. It can be said that the British willingness to share signals intelligence with the United States got stronger following the growing Anglo-American naval cooperation in the North Atlantic during the summer of 1941. In that year, the British broke German naval Enigma code. The UK then shared the decrypts related to US naval units with the Americans. In return, the American warships began escorting British and Canadian convoys three-quarters of the way across the Atlantic, using ULTRA intelligence on U-boat positions to avoid German attacks.

The American entry into the war increased the intelligence exchange. However, with the introduction of a new U-boat variant of naval Enigma in February 1942, the two allies suffered a major setback. But that new Enigma was broken in December of that year and therefore naval SIGINT collaboration entered a new era. The United States and the United Kingdom agreed to exchange all U-boat signals intercepted on either side of the Atlantic, and that whichever side broke the key for the day first would send it to the other.

Canada entered the collaboration scheme in May 1943 and at that time, the communication between the three was so close that they operated virtually as a single organization. During the Battle of the Atlantic, which reached its climax in the spring of 1943, ULTRA made major, possibly decisive, contribution to the allied victory. It is at that period that London and Washington entered a SIGINT agreement and exchanged missions between the US Special Branch and Bletchley Park. That agreement was simply called the BRUSA agreement and was mainly a British initiative.

In 1945, with the end of the war, they had to reassess the need for such cooperation and ended up transforming wartime collaboration into a postwar SIGINT alliance. One of the problems encountered was rivalry; not rivalry between the US and the UK but rivalry within the

intelligence agencies in the United States. That problem was to be solved by the first drafts and ultimately by the final text of the UKUSA agreement.

### The UKUSA Agreement

Indeed, the parties agreed on the principle that the agreement should be drawn up for collaboration on a national basis between the United Kingdom and the United States, and not, as in the case of the wartime accords, on a departmental basis involving separate agreements with the Army and the Navy. That principle could therefore eliminate the problem of having to deal with individual departments within the ally state. By the beginning of 1946, the four main parties – Australia, Canada, United States and United Kingdom – had all agreed on their willingness to negotiate a future postwar SIGINT alliance. Ottawa and Canberra gave authority to the British to negotiate on their behalf.

A conference to settle the details of collaboration met in London for most of February and March 1946 and produced a still-classified agreement of about 25 pages, which seemed at the time to have settled all outstanding details of SIGINT collaboration between the United States and the British Commonwealth. That document was not, in fact, the final text of the accord. Further negotiations, all still classified, followed at intervals for the next two years to deal with problems which included Commonwealth reorganisation after Indian independence and the start of the Cold War. The alliance was already firmly in place in March 1946 but the final text, the UKUSA agreement, was not signed until June 1948.

### Division of responsibilities

Today, the UKUSA agreement involves 15 states. The United States is the First Party. The Second Parties are Australia, Canada, New Zealand and the United Kingdom. And the Third Parties, which seem to play a very minor role in the global network of collaboration, include Austria, Denmark, Germany, Greece, Italy, Japan, Norway, South Korea, Thailand, and Turkey.

The primary emphasis of the agreement was to provide a division of SIGINT collection responsibilities between the parties. Under the present division of responsibilities the United States is responsible for signals intelligence in Latin America, most of Asia, Russia, and northern China. The UK is responsible for the former Soviet Union west of the Urals, and Africa. Australia's area of responsibility includes its neighbours – such as Indonesia – southern China, and the nations of Indochina. The polar regions of Russia are the responsibility of Canada, and New Zealand's area of responsibility is the western Pacific.

### 'Knowing your friends'

The United Kingdom can be said to have been the initiator of the more formal and structured intelligence collaboration with the Americans, but the United States soon became the dominant partner and set the Cold War intelligence agenda. And although the UKUSA agreement seems to be a well-structured, efficient treaty bringing many countries with common intelligence interests in close collaboration, it has its flaws. One of them is the US surveillance activities by which it intercepts the radio communications of its own allies. The powerful National Security Agency, based in Maryland, completely dominates its allies' technological capabilities and even provides them with the equipment for interception. Therefore, not only do the other parties can't protect themselves from the always more

advanced US technology, but they can also be the victims of machines provided by the Americans and secretly equipped with special devices known as 'back doors' allowing the NSA to easily infiltrate them. One example of such interception is that, from the US military base at Chicksands and from the US Embassy in London, NSA operatives busily intercept and transcribe British diplomatic traffic and send it off for further analysis to the Director of the National Security Agency. The NSA's operations against its own allies reflect the drive of a nation to control as much of the world as possible, whose leaders trust no one and are forced to spy on their closest allies in violation of the treaties they promoted themselves.

It is also a fact that the less powerful partners' foreign policy interests are often repressed in favour of larger powers' interests. They obviously benefit from the interception capabilities of the larger powers but at the end of the day, such benefit can proved to be useless if these less powerful countries struggle to have their word in the decisions taken by the group.

Finally, a blow to the UKUSA alliance occurred as a consequence of its own success. The US satellite program, part of the ECHELON system, produced such a heavy volume of intercepted communications that the United States recruited the British and Canadian SIGINT agencies to help in the processing. This was not done without risks; in fact, one of the individuals assigned by the British to work on the processing of the intercepts was Geoffrey Prime, who also reported to Soviet intelligence.

### Conclusion

Very little is known about the UKUSA agreement. Officials of the governments involved have always refused to confirm or deny its existence. However, its technological aspect, involving supercomputers and an impressive network of satellites, has got the attention of plenty of organizations worldwide, many of which are concerned by the tremendous interception capabilities of the UKUSA parties and the virtual absence of legal framework or independent supervision. And less than three months ago, the European Parliament adopted a report that says the global electronic-surveillance network known as 'ECHELON' does exist. That report, dated 7 September 2001, is called 'Report on the existence of a global system for the interception of private and commercial communications (ECHELON interception system)'.

That 194-page report simply puts on paper what most people already knew. The European Parliament officially declares that the ECHELON network really exists but fails to present any strong and reliable evidence on the usage of intercepted communications by the American NSA for unlawful purposes. And although it implicitly recognizes the existence of the UKUSA alliance, it does not provide more details about the content or the depth of the 1948 agreement. As a matter of fact, the UKUSA agreement has been signed in secret 53 years ago, is still secret today, and is clearly intended to stay secret for as long as possible.

# THE UKUSA AGREEMENT OF 1948

Jérôme Mellon  
27 November 2001

## Structure of the presentation

- Introduction
1. Cooperation before 1948
  2. The UKUSA Agreement
  3. Division of responsibilities
  4. 'Knowing your friends'
- Conclusion

## Bibliography

Christopher Andrew, "The Making of the Anglo-American SIGINT Alliance", in Hayden B. Peake and Samuel Halpern, *In the Name of Intelligence: Essays in Honor of Walter Pforzheimer*, Washington, NIBC Press, 1994, p. 95-109.

Douglas M. Charles, "American, British and Canadian Intelligence Links: A Critical Annotated Bibliography", *Intelligence and National Security*, vol. 15, no. 2, Summer 2000, p. 259-269.

Normand Lester, *Enquêtes sur les services secrets*, Montréal, Les Éditions de l'Homme, 1998, 373 p.

Jeffrey T. Richelson, *The U.S. Intelligence Community*, 4<sup>th</sup> ed., Boulder, Westview Press, 1999, 526 p.

## ECHELON

Visit the Internet site of the Temporary committee on the ECHELON interception system of the European Parliament at the following address:

[http://www.europarl.eu.int/committees/echelon\\_home.htm](http://www.europarl.eu.int/committees/echelon_home.htm)

## Parties to the Agreement

### First Party

United States of America (NSA)

### Second Parties

Australia (DSD)

Canada (CSE)

New Zealand (GCSB)

United Kingdom (GCHQ)

### Third Parties

Austria

Denmark

Germany

Greece

Italy

Japan

Norway

South Korea

Thailand

Turkey