

# Bugging ring around Ireland

## Phoenix, Dublin

Duncan Campbell, 25 July 1999

British electronic spies have been illegally bugging all telephone, fax, e-mail and data communications to and from the Republic since at least 1990 - and still are.

The scale of the bugging operation came to light two weeks ago as a result of a television investigation by Britain's Channel 4 News. TV cameras went inside a 47 metre high windowless tower that was secretly built near the English-Welsh border in the late 1980s. They found that the tower - at Capenhurst, Cheshire - had been erected directly in the path of radio beams carrying most of the Republic's international communications.

The beams, originating in Dublin and passing across the Irish Sea to north Wales, carried the equivalent of more than 10,000 simultaneous telephone calls from Ireland to and through the UK.

The tower that tapped into them was given the cover name of the "Electronic Test Facility". Although ostensibly built for the British Ministry of Defence, the tower was operated by and for the British electronic spying agency GCHQ. According to local residents, the site was manned 24 hours a day by a team of 2-3 people, until the start of 1998. Communications were sifted by eight floors of high-tech computers and electronics, and then sent on to intelligence agency HQs for analysis.

As a result of the disclosures, Foreign Affairs Minister David Andrews has instructed the Irish Ambassador in London to "raise the matter with the British authorities". The British Foreign Office has yet to respond.

Former Taoiseach Albert Reynolds has branded the tower an "outrageous incursion into the sovereignty of the Irish state. Gay Mitchell of Fine Gael called the operation of the tower an "offensive act". Green MEP Patricia Reynolds also called for a government investigation, claiming that its operation "poses alarming consequences not just for the basic civil liberties of the Irish public, but also for the economy".

The so-called "Electronic Test Facility" at Capenhurst cost nearly 20 million pounds to build in 1989. According to senior UK intelligence sources, although the primary justification of the interception network was to obtain information about terrorism, the station also obtained useful economic intelligence. It and others like it targeted commercial and diplomatic communications from the Irish republic, and homed in on the personal communications of prominent Irish citizens using voiceprint recognition systems and lists of target telephone numbers. The tapping may have been of particular economic importance to the British when the punt came under pressure in the 1992/93 financial crisis.

From 1990 until 1998 the Capenhurst ETF tower mainly intercepted the international communications of the Republic crossing from Dublin to Anglesey on a new undersea cable called UK-Ireland 1. On reaching Anglesey, the links were transferred to radio beams.

When the UK-Ireland 1 was being planned, intelligence specialists at GCHQ realised that the radio beams would pass directly over a nuclear processing plant at Capenhurst. During 1988, a temporary interception system was built on the roof of the nuclear site. When trials of the Irish interception system proved successful, GCHQ decided to go ahead with a full-scale system.

British Nuclear Fuels Ltd, on whose land the ETF tower was built, was never told what it was for. Chester-based architects Lovelock Mitchell and Partners, who were contracted to design the tower, say that they too were kept completely in the dark. Staff in the firm were positively vetted and required to sign the UK Official Secrets Act before being allowed to prepare plans. Once it was complete, they were never allowed inside.

The Ministry of Defence held a meeting with local residents early in 1989 and urged them not to talk about the site. In return, they were given free fencing and double glazing.

During installation in 1989 and 1990, defence officials were concerned to hide the equipment going into the tower. To disguise what was really happening, contractors' vans were repainted in the livery of British Telecom (BT) and other public utilities.

Details of the operation began to come to light three months ago when the British Ministry of Defence offered to sell the Capenhurst tower as surplus to requirements. It had ceased to be useful after Telecom Eireann enormously expanded its international links in 1998 and 1999, using optical fibre cables instead of radio. These cannot be intercepted using aerials.

Intelligence specialists say that bugging of Irish external communications is still going on, by other means. The tower has been superseded by a powerful network of Ministry of Defence owned optical fibre cables which run in a ring around England. These collect international communications going to, from and through the UK and pass them to GCHQ for analysis.

Besides the Capenhurst tower, communications between the Republic and the north were intercepted by GCHQ facilities in County Armagh. These sites, including a station at Drumnadd Barracks, Armagh intercept microwave radio and other links between Dublin and Belfast.

A third GCHQ station at Morwenstow near Bude in Cornwall, intercepts satellite communications. The Bude station, now the largest in the GCHQ network, copies all information sent to and from western communications satellites such as Intelsat and Eutelsat. These satellites are used by Irish companies and by TE to provide direct connections to Africa, Europe, and North and South America. Everything sent to these satellites, however, is listened to by GCHQ.

Under the British Interception of Communications Act 1985, Foreign Secretary Robin Cook and his predecessors can legally issue warrants requiring any or all “external” communications going in and out of Britain to be intercepted.

But it appears that the activities performed at Capenhurst were not legal, even under British law. If so, according to intelligence sources, British Telecom could have saved the MoD the expense of building the tower by simply piping all Irish communications directly to GCHQ.

This would however only be legal if the communications were first selected to prevent staff reading or hearing messages that did not fall within special criteria, covering (British) purposes of national security, preventing or detecting serious crime, or were read “in the interests of the economic well-being of the United Kingdom”. It appears that British Telecom may have regarded the tower plan as unlawful because all Irish communications were potentially to be examined, not just a selected handful.

Legal specialists say that the activity at the Cheshire tower clearly contravened the European Convention on Human Rights, and that its legality even under British law was “questionable”.

Madeleine Colvin, director of legal policy for the human rights organisation Justice, said that warrants issued to GCHQ to spy on international communications appeared to breach the Human Rights Act because there was no way to complain about them.

“What went on at Capenhurst is wholesale information piracy”, according to Nicholas Bohm, a solicitor specialising in telecommunications and the legal adviser to Cyber Rights and Cyber Liberties (UK). He pointed out that the UK depended on European partners including Ireland to implement critical agreements on electronic commerce and on law enforcement. These would be jeopardised by the continued electronic spying on allies and friendly countries’ communications.

The Irish and British civil liberties organisations ICCL and Liberty are planning to challenge the legality of the bugging operation at the European Court of Human Rights. The two organisations have been extensively in touch throughout the 1990s, and now fear that sensitive phone calls and messages may have been compromised to British security authorities.