EU Parliament votes nonbinding resolution to protect Edward Snowden

Alex Lantier
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On Thursday, the European Parliament narrowly voted a nonbinding resolution calling on European Union (EU) member states to offer “protection” to Edward Snowden.

By 285 to 281 votes, it recommended that EU states “drop any criminal charges against Edward Snowden, grant him protection and consequently prevent extradition or rendition by third parties, in recognition of his status as whistle-blower and international human rights defender.”

The vote amounted to official confirmation that Snowden, by exposing mass extra-legal electronic spying on the world’s population by the National Security Agency in the United States and allied spy agencies across Europe, was defending fundamental democratic rights against a mortal threat posed by the governments of the United States and Europe.

Amid escalating divisions on international policy between Washington and the EU, the European Parliament was keen to be seen as sympathetic to mass anger at illegal government spying.

The EU’s gesture is fundamentally bankrupt and hypocritical, however: the passage of its resolution changes nothing in Snowden’s situation. The parliament has no executive authority, which lies with the EU Commission and the national governments of the EU member states, who have made clear their determination to stop at nothing to capture Snowden and render him to the US government.

The last time EU governments suspected that Snowden might be in European jurisdiction—on board the plane of Bolivian President Evo Morales, flying from Russia across Europe towards Latin America, in 2013—they worked together to seal off their airspace to Morales’s plane and force it to land in Vienna, where it was subjected to a patently illegal search for Snowden.

Describing the current resolution, the New York Times gloated, “the resolution has no legal force and limited practical effect for Mr. Snowden … Whether to grant Mr. Snowden asylum remains a decision for the individual European governments, and none have done so thus far.”

Despite rising divisions between the ruling classes of the US and Europe, they remain united in the persecution of Snowden and the onslaught against the democratic rights of their populations.

Thursday’s resolution was sparked by the case of Maximilian Schrems, an Austrian citizen who complained to the European Court of Justice (ECJ), based on Snowden’s revelations that the Facebook data of European citizens was being transferred from Facebook’s Irish subsidiary to the United States.

On October 6, the ECJ ruled in favor of Schrems. It invalidated a 2000 ruling by the European Commission allowing US companies to comply with the so-called Safe Harbor program, under which US companies, particularly Internet giants such as Facebook, transmit personal data about their European users to the US government.

Based on this, a resolution was moved by Claude Moraes, the deputy leader of the Labour Party in the European Parliament who authored the body’s report on NSA spying last year, impotently criticizing the EU Commission for its inactivity on the matter and voicing its support for Snowden. It called upon the EU Commission to “immediately take the necessary measures to ensure that all personal data transferred to the US are subject to an effective level of protection that is essentially equivalent to that guaranteed in the EU.”

In fact, there is no protection for personal data either in Europe or America: in both continents, spy agencies
store all personal transmissions and data sent to Internet
or telecommunications firms.

US authorities dismissed the cynical political shadow-
boxing from the ECJ and EU Parliament, making clear
they were confident there would be no legal challenge
to their spying activities by the European authorities.

Shortly after the ECJ ruling, the US Department of
Commerce issued a notice on its web site stating that it
would keep running the Safe Harbor program—both the
US-Swiss program, which was not challenged by the
courts and which the US and Swiss governments
continue to jointly administer, and the now-illegal US-
EU Safe Harbor program.

Claiming “the United States takes a different
approach to privacy from that taken by the EU,” the
Department of Commerce stated that it “will continue
to administer the Safe Harbor program, including
processing submissions for self-certification to the Safe
Harbor Framework. If you have questions, please
contact the European Commission, the appropriate
European national data protection authority, or legal
counsel.”

As European states step up mass spying—the French
surveillance law and the UK counterterrorism bill
passed this year with broad support in the ruling
elite—Washington assumes that European governments
and intelligence agencies will block any moves against
its own illegal activities.

Behind the backs of the population, however,
tensions are rising between the NATO powers over the
spying they carry out against each other.

On October 23, Der Spiegel revealed that the
German Federal Prosecutor’s Office had initiated a
new investigation into the NSA and the British spy
agency Government Communications Head Quarters
(GCHQ), after the private laptop of a high-ranking
official in the Federal Chancellery was found to be
infected with “Regin,” a highly sophisticated piece of
malware.

“Regin” had been found last year on computers at
Belgian telecommunications firm Belgacom. According
to analysis of the code by Kaspersky Lab, it contains
large amounts of software drawn from the Flame,
Duqu, and Stuxnet programs—the latter having been
designed and released by US and Israeli intelligence to
infect the computers running Iranian nuclear
centrifuges.