

EU Parliament votes nonbinding resolution to protect Edward Snowden

Alex Lantier

31 October 2015

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 *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 Maximillian 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.



To contact the WSWWS and the Socialist Equality Party visit:

wsws.org/contact