

Immune to Accountability: When Lawless Superpower USA Irks its European Allies

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The contemporary American scientist and award-winning author Glen David Brin once made an astutely brilliant statement, which he probably didn't know would come true about one of the most shameful debacles of the recent history for the U.S. government; however, he wisely said: "When it comes to privacy and accountability, people always demand the former for themselves and the latter for everyone else."

It's quite intrinsic and natural that when a member of the international community is never held accountable over the crimes it perpetrates and is allowed to get away with its inattention to the rule of law and the internationally-recognized conventions and regulations, it will grow a lawless, bullying state which buys the anger and draws the protest of even its closest allies.

It's been a long time that the United States, as the world's largest economic superpower, has closed its eyes on the international law, and being the founding member or the main organizer of the majority of the crucial international organizations such as the UN Security Council has made it immune to accountability. Nobody is there to bring it to justice over its violations of the international law and its illegal conducts.

The recent revelations by the computer specialist and former National Security Agency contractor Edward Snowden, who was granted political asylum by Russia earlier in August after being charged by the U.S. government of espionage and theft of state property, have provoked widespread controversy across the world, igniting a diplomatic row between the United States and some of its traditional allies in Europe.

On June 6, a set of documents showing that the United States intelligence organizations including the National Security Agency have been long intercepting and overhearing the phone calls of millions of European nationals and high-ranking officials as well as the U.S. citizens were published by The Washington Post and The Guardian. While working for the U.S. computer giant Dell Inc. in 2012, the ex-CIA employee Edward Snowden began secretly acquiring sensitive NSA materials. By the end of the year, he contacted the prominent British investigative journalist Glenn Greenwald. At the time, Greenwald was residing in Brasilia and working for the Guardian. In January 2013, Snowden also contacted the American documentary filmmaker and producer Laura Poitras and provided these two journalists with the information he had accessed while at the Dell Inc.

A few months later, he started cooperating with Booz Allen Hamilton, a Hawaii-based technology consulting firm which has a long history of cooperating with prominent U.S.

defense and intelligence officials as well as private associates and partners since 1914. The firm gave him the technological capability to gain access to the secret documents that could be leaked.

Snowden managed to furtively send the documents to Greenwald and Poitras, and they published the first set of the disclosures on June 6. According to the reports, the NSA collected the phone records of over 120 million Verizon, AT&T, SBC and BellSouth subscribers in a period of three months. The permission for the mass surveillance was given by the Foreign Intelligence Surveillance Court to the FBI on April 25.

The plan to eavesdrop on the phone conversations of the U.S. citizen was initiated by the Bush administration. In 2006, the best-selling daily USA Today reported that the NSA had “been secretly collecting the phone call records of tens of millions of Americans, using data provided by AT&T, Verizon and BellSouth” and was “using the data to analyze calling patterns in an effort to detect terrorist activity.”

Such proposals to intercept the phone calls and other means of communications used by the U.S. citizens were first put forward following the deadly 9/11 attacks, which although were utterly condemnable and disgusting, were used by the U.S. government to wage a war against the Muslim world and restrict the social and civil freedoms of the American people under the guise of confronting terrorism. For instance, in 2001 the U.S. Congress introduced the USA Patriot Act of 2001, which would allow the government to intercept the phone calls of the citizens without judicial warrant whenever there seems to be a terrorist threat endangering the U.S. national security. The act would cover all aspects of the “surveillance of suspected terrorists, those suspected of engaging in computer fraud or abuse, and agents of a foreign power who are engaged in clandestine activities.” The act would also enable the U.S. government to gather intelligence information from both U.S. and non-U.S. citizens.

Such extrajudicial intelligence operations, however, run counter to the internationally-recognized rules and regulations on privacy and human rights. They kill mutual trust and goodwill between the citizens and raise a specter of constant fear, uncertainty and suspicion on the society. The U.S. surveillance operations violate several agreements recognized by the international community including the Article 8 of the European Convention on Human Rights which stipulates that “everyone has the right to respect for his private and family life, his home and his correspondence” or the Article 17 of the International Covenant on Civil and Political Rights of the United Nations of 1966 that rules, “[n]o one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.”

The interception of the ordinary citizens’ phone calls also starkly infringe on the Fourth Amendment to the United States Constitution that “prohibits unreasonable searches and seizures and requires any warrant to be judicially sanctioned and supported by probable cause.”

The dramatic reality, however, is that they were not simply the American citizens who were subject to the secretive operations of the U.S. intelligence apparatus. It was revealed that the NSA has been long monitoring the phone calls of millions of European citizens and politicians, among them the German Chancellor Angela Merkel, Spanish Prime Minister Mariano Rajoy and high-ranking French diplomats. Moreover, it was reported by the French paper Le Monde that the NSA agents had hacked into the email account of the Mexican

President Enrique Peña Nieto and some Brazilian officials.

On November 7, Germany and Brazil jointly proposed a draft resolution to the Security Council, calling on the 15-member body to adopt measures to fight against privacy violations and recognize the threats mass surveillance poses to human rights. The Guardian's James Ball says that according to the Snowden's leaks, NSA has been monitoring the phone calls of 35 world leaders for several months, many of whom are close U.S. allies. Based on the recent reports, NSA accessed more than 70 million phone records of French citizens in a 30-day period.

Unquestionably, it's a great fiasco for the United States to be accused of involvement in espionage activities that target some of its traditional allies across the world, whether in Western Europe or the Latin Americas.

When it comes to the U.S. discriminatory treatment of independent nations like Iran and Syria and its silence on the felonies being committed by the Israeli regime or the Bahraini government's bloody crackdown on the peaceful protesters, nobody is there to raise a voice in condemnation or criticism. However, now that they are the U.S. allies who have fallen victim to the American lawlessness, everybody is ardently calling on Washington to be held accountable. This is how the obduracy of a bullying superpower irks even its closest allies.

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