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Why Edward Snowden deserves a fair and open trial

23/06/2014



A year after his defection, first to Hong Kong and then to Russia, former National Security Agency contractor Edward Snowden continues to make headlines and expose new secrets.

Snowden obviously remains a highly controversial figure and the American public is deeply divided in defining him as a hero and patriot, or a traitor. There are many different polls on this subject, but practically all of them show this division. For example, one of the latest polls shows that 55 percent think he is a hero for revealing that the NSA collected phone data on millions of ordinary Americans, while 31 percent believe he is a traitor who stole classified files and fled to Moscow and therefore should be prosecuted. Another 14 percent think that he is somewhere in the middle, since they don't know enough about who he gave the files to.

Major whistleblowers on government secrets are always highly controversial. Perhaps there is something in their genes that makes them different from us, the ordinary folks, as we freely admit that we would not do something like that.

In the latest development, Snowden released a new cache of documents to internet publication *The Intercept* and Danish newspaper *Dagbladet*, revealing that the United States had secretly negotiated agreements with 33 third-party countries to access and monitor fiber-optic cables carrying internet data in those nations under a program called RAMPART-A.

Reporter Ryan Gallagher at *"The Intercept"* said that this program *"sweeps up a vast amount of communications at lightning speed."* He said it allows the NSA to tap into broadband internet cables containing web traffic that might not be otherwise easily obtainable from the originating country.

*"It has already been widely reported that the NSA works closely with eavesdropping agencies in the United Kingdom, Canada, New Zealand, and Australia as part of the so-called Five Eyes surveillance alliance,"* Gallagher wrote. *"But the latest Snowden documents show that at least 33 other countries are playing an increasingly*

*important role – by secretly allowing the NSA to install surveillance equipment on their fiber-optic cables.”*

Russian President Vladimir Putin said a year ago, before offering Snowden refuge when he fled the United States, that governments have to act responsibly to monitor, discover and prevent terrorist threats and other challenges to national security. That remains an unchanging verity of the world we live in. US President Barack Obama and his top national security officials are rightly cognizant of it too.

However, the Daniel Elsberegs and Edward Snowdens of the world sometimes perform crucial services as well. Transparency in government is essential to protect civil rights and other fundamental liberties. And that is a battle which must be continually fought. Any bureaucracy, especially the one related to secret services will inevitably try to gather more power and impunity for itself. That is a law of history and human nature as immutable as Isaac Newton's laws of motion in physics. And that unchanging reality explains why the struggles for transparency and accountability are a never-ending battle, and must always remain so.

Therefore, the old questions have to be continually re-asked: Where is the balance between the fighting the real terror threat and total Orwellian surveillance?

Can we trust the people who read our e-mails and listen to our phone conversation that they only care about the common good and will not use this information to their own advantage?

Whether Snowden is right or wrong, at least he is forcing us to think about these issues.

Still, our world is not perfect and there is no universal justice system. Nevertheless, Snowden is an American (his passport was revoked but he is still a US citizen) and therefore only US courts must issue a final verdict on his actions. As far as we know, he is willing to face an open trial and one would assume that the best option for everyone would be for his lawyers to negotiate with the US government conditions for a fair trial.

Needless to say, this would be easier said than done, but at some point this story has to come to its logical end.

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