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## Snowden spyware revelations: we need to unmask the five-eyed monster

**With revelations of spyware planted on 50,000 networks, the "Five Eyes" states have been allowed to trample over their citizens' privacy for far too long**

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Hillary Clinton condemned China's monitoring of its citizens, yet 'how can we possibly reconcile repeated American appeals to internet freedom and condemnation of Chinese internet monitoring with US-sponsored network hacking?' Photograph: Alex Brandon/Associated Press

As the global public reels from yet another Snowden revelation – this time, that the US and UK intelligence forces have hacked into and planted spyware on more than 50,000 computer networks worldwide – the hypocrisy of the US and British governments is brought into sharp relief. Less than four years ago Hillary Clinton, chastising China, declared that "countries or individuals that engage in cyber attacks should face consequences and international condemnation. In an interconnected world, an attack on one nation's networks can be an attack on all." Given what we now know to be the "Five Eyes" complete stranglehold on the world's internet infrastructure, how can we possibly reconcile repeated American appeals to internet freedom and condemnation of Chinese internet monitoring with US-sponsored network hacking?

Intelligence agencies and the governments that operate them have been revealed to be not merely secretive, but also hypocritical, and dismissive of any legitimate public concerns. It is time to

bring these practices, and the covert agreements that underpin them, into the light. For more than 60 years, the secret patchwork of spying arrangements and intelligence-sharing agreements that makes up the Five Eyes alliance has remained obfuscated by the states that it benefits – Australia, the US, Canada, New Zealand and the UK. Save for one critically important release of declassified documents in 2010, the Five Eyes states have spent almost 70 years concealing from their citizens the scope and extent of their global surveillance ambitions – eroding the public's ability to communicate privately and securely without examination or question.

That's why today, Privacy International has written to the governments of the Five Eyes states demanding the publication of the treaties and agreements that underpin the alliance. At the same time, a group of civil society actors are launching a Campaign to End Mass Surveillance, enlisting citizens from around the world to urgently call on their governments to put down this mysterious arrangement. While these arrangements have been in existence for decades, the alliance is now coming out of the shadows to block UN resolutions condemning the mass surveillance that has been revealed over the summer.

Despite the fact that the Five Eyes comprises democratic governments, the rules that govern the arrangement – rules that have allowed the infiltration of every aspect of the modern global communications systems – are entirely hidden from the public. Providing for a complex division of roles, responsibilities and lines of authority, and the establishment of jointly run operations centres, the Five Eyes arrangement creates a signals intelligence architecture vaster than Nato. And while its actions implicate the private communications of every connected individual across the globe, the arrangement was executed and operates clandestinely, hidden from the scrutiny of public oversight mechanisms and – until recently – the public.

We do not live in the same world today as when the Five Eyes arrangement was founded. Our communications are not confined by borders, our interests not defined by our nationality. Yet in seeking to justify their global surveillance practices the Five Eyes alliance relies on outdated legal frameworks that arbitrarily purport to distinguish between nationals and foreigners, as if the internet required a passport to move through its corridors.

These legal frameworks – which attempt to provide one standard of privacy of communications for citizens of Five Eyes states, and another for the rest of the world's population – violate the internationally recognised right to privacy. An individual does not need to reside within a country's borders for that state to violate their privacy rights when intelligence services intercept their emails, phone calls, and text messages. We know now that Five Eyes governments can remotely spy into communications and computers across borders with impunity.

What these governments do not seem to understand is this: human rights obligations apply to all individuals under a state's jurisdiction, regardless of their physical location.

A fundamental principle of a democratic society is that people should know the laws and rules that govern the society in which they live. We cannot allow the Five Eyes to continue to operate shrouded in vague justifications of promoting security and defending against terrorism. There is an urgent need to unmask this two-faced, five-eyed monster and subject it to the rigours of modern democratic criticism and scrutiny. The Five Eyes must be held to a new legal framework

that respects the rights of all individuals, not just the citizens that live within a respective government's borders. Without acting swiftly, the five-eyed monster will continue to grow in ambition, size, and scale, swallowing up everything in its path until we have no privacy left.