



Complaint filed in 32 countries against U.S. bank data mining

Civil liberties group Privacy International demands half to 'unacceptable' monitoring

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LONDON

A civil liberties group on Wednesday asked 32 national governments to block the release of confidential financial records to U.S. authorities as part of American anti-terrorist probes.

London-based watchdog Privacy International demanded a halt to the "completely unacceptable" monitoring of millions of transactions as part of a CIA-U.S. Treasury program.

The Treasury has acknowledged that since the Sept. 11, 2001, terrorist attacks it has tracked millions of financial transactions handled by the Belgium-based Society for Worldwide Interbank Financial Telecommunication, or SWIFT.

Both SWIFT and the U.S. authorities say records were subpoenaed as part of targeted investigations into suspected terrorist activity.

The Belgian government said Wednesday that Washington had only subpoenaed data from SWIFT's U.S. office -- but not its global headquarters outside Brussels.

However, in its complaint, Privacy International said "the scale of the operation, involving millions of records, places this disclosure in the realm of a fishing exercise rather than legally authorized investigation." The complaint, sent to regulators in all 25 European Union nations as well as Canada, Australia, Iceland, New Zealand, Liechtenstein, Switzerland, Norway and the semiautonomous Chinese territory of Hong Kong, asks authorities to "intervene to seek the immediate suspension of the disclosure program pending legal review." "All of these countries have the potential to suspend, disrupt, paralyze the system," said the group's director, Simon Davies.

An industry-owned cooperative, SWIFT oversees about 11 million financial transactions a day among banks and financial institutions worldwide, recording customers' names, account numbers and other identifying information.

In a statement, SWIFT said it had responded to subpoenas from the U.S. Treasury for "limited sets of data" and had received assurances about "the purpose, confidentiality, oversight and control" of the information.

A spokeswoman would not say how many transactions had been disclosed to U.S. authorities, but said "access to and usage of the data is limited and targeted to terrorist investigations." "SWIFT has complied with the laws in the countries in which we operate," she said on condition of anonymity in line company policy.

Davies, however, said the subpoenas issued by the Treasury had no standing in European law.

He said the notion that SWIFT and U.S. authorities could agree to share data "and cut national regulators out of the loop is completely unacceptable." U.S. President George W. Bush has condemned newspapers that broke the story of the program last week, saying the reports made it "harder to win the war on terror." Loretta Napoleoni, an Italian expert on terrorist financing, said U.S. authorities already had significant powers to monitor U.S. financial transactions under the 2001 Patriot Act.

"The U.S. does not need SWIFT to spy on its own citizens' finances," she said.

"The reason they are using SWIFT is that they are not looking at dollar transactions. They are looking at other currency transactions. The U.S. can't look at euro transactions, or Swiss franc transactions. That is something that only the monetary authorities of the countries involved can do.

"The Europeans should say 'no,'" she said.

The European Union's executive branch, the European Commission, has said it has no powers to investigate whether privacy laws had been violated in the transfer of the records. It said it was for individual national authorities to decide whether the

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searches were legal.

Belgian Justice Minister Laurette Onkelinx has ordered an investigation into the U.S. use of data, and Canada's privacy commissioner also said it was investigating.

A spokeswoman for the Information Commissioner's Office in Britain said Wednesday it had not yet received the Privacy International complaint, but would look into it once it had arrived.

Privacy International is a non-governmental organization grouping more than a 100 legal and other experts and human rights organizations from dozens of countries. The group, founded in 1990, monitors violations of privacy and data protection laws by governments and corporations, according to its Web site.

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