[US] NSA ordered to stop surveillance of one citizen

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On 9 November 2015, a US appeals court ruled that it was “substantially likely” that the bulk metadata collection program (“Program”) first made public by National Security Agency (NSA) whistleblower Edward Snowden in 2013 is “unlawful,” finding that “the plaintiffs have suffered concrete harm traceable to the challenged program.”

The activist Larry Klayman brought an action against the NSA’s Program, requesting the NSA to stop surveilling him. The judge ordered the NSA to stop the surveillance of the plaintiff, allowed the US government a period of three months to lodge an objection against his decision.

The US government filed an emergency request to allow the National Security Agency to keep collecting telephone metadata, which was granted. The government argued that the order ran the risk of shutting down the whole bulk collection program if a stay was not issued because immediate compliance with the district court’s injunction would effectively require the abrupt termination of the program.

The Court acknowledged that the ruling is largely symbolic because the program was due to end on 29 November 2015. However, the judge said that ruling was still important because of the high stakes involved and that it would not “be the last chapter in the ongoing struggle to balance privacy rights and national security interests under our constitution in an age of evolving technological wizardry.”

The appeals Court’s verdict, Case 1:13-cv-00851-RJL, U.S. District Court for the District of Columbia

http://pdfserver.amlaw.com/nlj/NSA_klayman_20151109.pdf

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