

微软胜诉：无义务向美国政府提供外国服务器浏览权限

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导读:美国法院做出了判决，裁定政府无权强迫微软赋予其查看外国服务器的权限。



The decision is being seen as a precedent for protecting the privacy of cloud computing services.

这一判决目前正被看作是保护云计算服务隐私的一个先例。

The US Department of Justice had wanted to access a server in Ireland, as part of an investigation into a drugs case.

作为针对一起毒品案件调查的一部分，美国司法部想要获取权限查看微软位于爱尔兰的一个服务器。

The ruling, made by an appeals court, overturns an order granted by a court in Manhattan in 2014.

一家上述法庭做出了这一裁决，驳回了一家曼哈顿法庭在2014年做出的“准许”判决。

The DoJ said it was disappointed by the decision and was considering what it would do next. If it appeals, the case could then move to the US Supreme Court.

美国司法部表示对这一判决感到失望，并且正在考虑接下来的打算。如果司法部上诉的话，这件案子将移交美国最高法院审理。

Microsoft said it welcomed the ruling.

微软方面表示说欢迎这一裁决。

"It makes clear that the US government can no longer seek to use its search warrants on a unilateral basis to reach into other countries and obtain the emails that belong to people of other nationalities," Brad Smith, president and chief legal officer, of Microsoft told the BBC.

微软总裁和首席法律部门官员布拉德·史密斯告诉BBC说：“这份判决很清楚地表明，美国政府再也不能够单方面地使用搜查令进入其他国家、获得属于其他国家公民的电子邮件了。”

"It tells people they can indeed trust technology as they move their information to the cloud," he said.

他说道：“这份判决告诉人们，在他们把自己的信息上传到云服务器上的时候，他们可以真正信任科技。”

Microsoft thanked the companies that had backed its appeal, which included the likes of Amazon, Apple and Cisco.

微软对那些支持它上诉的公司表示感谢，包括像亚马逊、苹果和思科等公司。

No bullying

不再有欺凌。

Another of Microsoft's backers was the Open Rights Group, a UK-based organisation that campaigns for digital rights.

微软的另一个支持者是“开放权利组织”，这是一家英国机构，他们致力于争取数字权利。

"The US Court's decision has upheld the right to individual privacy in the face of the US State's intrusion into personal liberty," the group's legal director Myles Jackman said on Thursday.

本周四，该组织法律主管迈尔斯·杰克曼表示说：“在面对美国政府侵犯个人自由的问题上，美国法庭的这一裁决支持了个人隐私权利。”

"As a consequence, US law enforcement agencies must respect European citizens' digital privacy rights and the protection of their personal data.

“因此，美国执法部门必须尊重欧洲公民的数字隐私权，并且保护他们的个人数据。”

"States should not arbitrarily reach across borders just because they feel they can bully companies into doing so."

“美国不应该因为觉得自己可以欺压公司，就单方面地越界。”

Microsoft had warned that allowing the search warrant to be conducted could open up a global privacy "free for all". Other countries, the company said, would perhaps seek to apply their own search warrants to servers located in the US.

微软此前曾作出警告，说如果允许执行这次的搜查令，那么就将开启全球隐私“不设防”。微软表示说，其他国家也许也将申请他们自己的搜查令，来查看位于美国的服务器。

Echoing a constant concern of those in tech industry, Microsoft said the laws were simply too outdated to be effective.

微软回应了那些对高科技行业公司的持续性关注，表示说目前的法律真是太过时了，起不了作用。

"The protection of privacy and the needs of law enforcement require new legal solutions that reflect the world that exists today - rather than technologies that existed three decades ago when current law was enacted."

“对隐私的保护和执法的需要要求新的、能够反映当今世界的法律解决方案--而不是三十年前现行法律制定时候存在的技术。”