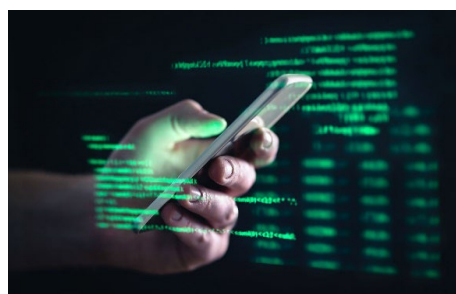


Spyware as a threat to fundamental rights and democracy in the EU

[Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware \(PEGA\)](#) was set up on 10 March 2022. Chaired by [MEP Jeroen LENAERS](#), PEGA Committee investigated infringements and maladministration in application of EU law in relation to the use of Pegasus and equivalent spyware surveillance software.

Spyware and other hacking techniques are critical threats to privacy, data protection and democracy in the EU. They serve oppressive agendas against journalists, political activists and human rights defenders.



On 8 May 2023, PEGA Committee adopted its final report (Rapporteur: [MEP Sophia IN 'T VELD](#)), after 14 months of hearings, studies and fact-finding missions. Following the PEGA Committee's report, on 15 June 2023, the European Parliament adopted its [recommendation](#) calling on the European Commission, the Council, European Ombudsman, the Europol and a number of Member States for a number of actions. In particular, the recommendation calls the European Commission to:

- set up a **special taskforce**, involving the national electoral commissions, dedicated to **protection of the 2024 European elections** across the Union,
- investigate and report on the shortcomings in implementation and enforcement of relevant Union laws and put forward a **roadmap** to correct them **by 1 August 2023** at the latest,
- create an independently run **European interdisciplinary research institute**, with a focus on research and development at the nexus of information and communication technology, fundamental rights and security,
- set up an **EU Tech Lab**,
- to ensure an effective implementation of its **rule of law toolbox** and include information on the use of spyware in its **Annual Rule of Law Report**,
- conduct an in-depth **investigation into the export licences** granted for the use of spyware, and share the results with the Parliament, and
- promptly come forward with **legislative proposals** on the basis of this recommendation.

This briefing provides a list of research studies commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs to support work of the PEGA Committee.



The impact of Pegasus on fundamental rights and democratic processes

This study analyses the impact of the use of Pegasus and similar spyware on Article 2 TEU values, on privacy and data protection, and on democratic processes in Member States. It discusses the application of human rights law and EU law to spyware deployment for alleged national security purposes, focusing on the impact of spyware like Pegasus on democracy and fundamental rights. It introduces various malevolent attacks on digital devices and discusses the legal frameworks applicable to covert surveillance, including human rights instruments and EU law. Key considerations include the collection of personal data, identity theft, ransom demands, and disabling devices.



Read/download the full publication [online](#) or request hard copies by [emailing us](#).

The use of Pegasus and equivalent surveillance spyware - The existing legal framework in EU Member States for the acquisition and use of Pegasus and equivalent surveillance spyware

This study provides a description of the legal framework (including oversight and redress mechanisms) governing the use of Pegasus and equivalent spyware in a selection of Member States. It examines the risks posed by hacking techniques to internet security and fundamental rights, focusing on tools developed by law enforcement authorities.



The study highlights the use of spyware like Pegasus by governments, raising concerns about accountability and oversight mechanisms. It identifies weaknesses in oversight in certain Member States and emphasizes the need for effective redress mechanisms for abuses of spyware. Recommendations include clearer regulation of the market for spyware, support for whistleblowers, and the adoption of clear and effective legal frameworks by Member States to ensure respect for human rights.

Read/download the full publication [online](#) or request hard copies by [emailing us](#).

Pegasus and the EU's external relations

This study analyses the proliferation of new and emerging technologies used for repression and social control. While these technologies still have the potential to positively enhance democratic values and human rights, repressive regimes actively deploy these tools for their own strategic advantage. In particular, the proliferation of commercial spyware, such as Pegasus software, is a big concern. The EU should place a much higher priority in countering government use of these tools.



Read/download the full publication [online](#) or request hard copies by [emailing us](#).

Pegasus and surveillance spyware

This in-depth analysis looks into the confirmed or suspected use of the Pegasus spyware and other similar cybersurveillance instruments in the EU and its Member States or targeting EU citizens or residents, EU reactions and previous activities on issues related to surveillance.



Read/download the full publication [online](#) or request hard copies by [emailing us](#).

PEGA Committee Mission to Poland

This briefing contains background materials for PEGA Committee mission to Poland. Materials collected in the briefing indicate at a large scale legislative overhaul, deep politicisation of executive branch and undermining of judicial independence that led to a paralysis in resolving flagrant violations of law due to illegal acquisition and use of Pegasus spyware in Poland. The briefing has been prepared by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the PEGA Committee.



Read/download the full publication [online](#) or request hard copies by [emailing us](#).

PEGA Committee Mission to Hungary

This briefing contains background materials for PEGA Committee mission to Hungary. The briefing has been prepared by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the PEGA Committee.

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PEGA Committee Mission to Spain

This briefing contains background materials for PEGA Committee's mission to Spain. The briefing has been prepared by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the PEGA Committee.

Read/download the full publication [online](#) or request hard copies by [emailing us](#).



PEGA Committee Mission to Cyprus and Greece

This briefing was prepared by the Policy Department for Citizens' Rights and Constitutional Affairs upon request of the EP Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware for its mission to Cyprus and Greece, from 1 to 4 November 2022.

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