

STUDY

Requested by the PEGA committee



Briefing for the PEGA mission to Cyprus and Greece

1-4 November 2022



Policy Department for Citizens' Rights and Constitutional Affairs
Directorate-General for Internal Policies
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Briefing for the PEGA mission to Cyprus and Greece

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Abstract

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.

This document was requested by the European Parliament's Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware.

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CONTENTS

LIST OF ABBREVIATIONS	4
LIST OF BOXES	5
LIST OF FIGURES	5
LIST OF TABLES	5
INTRODUCTION	6
1. PREDATOR, INTELLEXA, TAL DILIAN	8
2. CYPRUS	14
2.1. General institutional and political information	14
2.2. Cyprus, Tal Dilian, Intellexa, Predator and Greece	14
2.3. Black Cube hired by NSO to spy on lawyers	16
3. GREECE	17
3.1. General institutional and political information	17
3.2. The European Parliament and Greece	17
3.3. The 2002 Commission Rule of Law report on Greece and spyware / surveillance	18
3.4. The Predator scandal and its victims	19
3.4.1. Journalist Stavros Malichoudis and others	19
3.4.2. Journalist Thanasis Koukakis	20
3.4.3. MEP and President of PASOK Nikos Androulakis	23
3.4.4. Further victims: EYP employees, MP and former Minister Spirtzis, InsideStory	25
3.5. The reactions by the Greek State	26
3.5.1. The audit by the National Transparency Authority (18 April to 22 July 2022)	27
3.5.2. The Hellenic Authority for Communication Security and Privacy (ADAE)	28
3.5.3. The judicial inquiries	29
3.5.4. The Special Permanent Committee on Institutions and Transparency	30
3.5.5. The Committee of Inquiry (29 August to 10 October 2022)	30
3.6. Spyware and the State in Greece	34
3.6.1. Table of alleged (secret) contracts concluded by (or related to) Krikel	34
3.6.2. Greece spyware	37
ANNEX I: FLOWCHART OF INTELLEXA (PREDATOR) AND FOUNDER TAL DILIAN	42
ANNEX II: GREECE SPYWARE	43
ANNEX III: TIMELINE	45

LIST OF ABBREVIATIONS

ADAE	Hellenic Authority for Communication Security and Privacy
ELA	Hellenic Police
EYP	Εθνική Υπηρεσία Πληροφοριών, ΕΥΠ, <i>Ethnikí Ypiresía Pliroforión</i> , Greek National Intelligence Service
KKE	Communist Party of Greece
NTA	National Transparency Authority
PASOK	Panhellenic Socialist Movement
SYRIZA	Coalition of the Radical Left – Progressive Alliance

Flowcharts key

Shapes

Rectangle: people

Oval: companies

Square: state entities

Arrows

Green arrow: full ownership

Orange arrow: partial ownership

Black arrow: contractual relationship

Red arrow: partnership

Dotted arrow: relationship that is not contractual

Colours

Entities that are highlighted the same colour have at some point had the same address registered on the Greek Registry of Companies (GEMI).

LIST OF BOXES

Box 1: Surveillance of Koukakis	20
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LIST OF FIGURES

Figure 1: Flowchart of Intellexa (Predator) and founder Tal Dilian	12
Figure 2: Flowchart of the alleged spyware connections in Greece	37

LIST OF TABLES

Table 1: Detection of Predator	8
Table 2: Surveillance of Nikos Androulakis	23
Table 3: Contracts concluded by Krikel	34

INTRODUCTION

The European Parliament Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware (PEGA) decided to send a delegation to Cyprus and Greece from 1 to 4 November 2022 in order to examine the situation in relation to the alleged use of surveillance spyware and notably of Predator in the two countries

CitizenLab of the University of Toronto and international media have revealed that the **Pegasus** software produced by the Israeli firm **NSO** had been widely used across Europe and abroad to spy on the opposition, politicians, human rights defenders, journalists and lawyers. CitizenLab also revealed the use of another software called **Predator** in various countries, and notably in **Greece**. The emergence of a string of recent revelations on surveillance activities in Greece allegedly carried out by State authorities against journalists and opposition politicians, including MEP [Nikos Androulakis \(S&D, EL\)](#), the leader of the Greek opposition party PASOK-KINAL, led to the creation of a **Committee of inquiry in the Greek Parliament**. This has led the PEGA committee to hold the [hearing on "the use of spyware in Greece" \(8 September 2022\)](#), the EP to hold a [plenary debate on 12 September 2022](#) and a PEGA session to hear Androulakis on 6 October 2022. The spyware market in Greece furthermore seems to be closely connected to that of **Cyprus**. The Committee consequently decided to send a mission to Cyprus and Greece to examine the situation in the countries by holding a series of meetings with institutional representatives, companies and victims.

This briefing examines and summarizes the public information available in relation to spyware activities in Cyprus and Greece. It presents Predator, Intellexa and Tel Dilian, its founder, before providing for each of the two countries general institutional information, including from the Commission annual Rule of Law reports for 2022 and the related recommendations, before examining more in detail the available information (and revelations) on the relations between the State and the spyware market companies and related persons. Concerning Greece, information is provided on the victims, on the reactions by the State, notably by the government, as well as the audits and inquiries by the NTA, the ADAE, judicial inquiries, the Special permanent parliamentary committee on Institutions and Transparency and the Committee of Inquiry established by the Greek Parliament. Finally, the alleged contacts and contracts between the State, spyware companies and relevant persons in the market are presented - and flowcharts and tables are presented to help to follow these links.

As an introduction to better understand the spyware market and its relationship with the States, their secret services and law enforcement bodies, it is relevant to know that, in general:

- **States** do their best to keep their surveillance activities **secret**, as well as the spywares and the methods used, as well as the targets of such monitoring;
- **Spyware companies** are subjected to a regime of authorisations by the States where they are based, and some of them might **move to other countries** from where they can carry out activities more freely, with less controls and in more States, which explains why companies often move from a State to another;¹
- also for this reason, a relatively small group of people involved in the spyware industry have built up a **galaxy of shell companies** to "hide" themselves - and notably their beneficial owners, products and

¹ See for instance the case of Intellexa: "Intellexa is not under Israeli supervision. The sources say that, as a result, the company can provide services that officially Israeli companies cannot, due to fears that defence know-how or secrets will leak, and do business with states that Israelis are forbidden to sell, for security or diplomatic reasons." <https://insidestory.gr/article/prosohi-den-dimosieyetai-wifi-aerodromion-kai-hakarisma-kiniton-telefonon-i-skoteini-pleyra>

services - and avoid accountability / responsibilities and “protect” the States purchasing their products, creating an opaque and complicated network of companies;²

- another reason is that the newest spyware products like NSO’s Pegasus and Predator, sold by Intellexa are extremely powerful instruments of intrusion in the target’s private life, and consequently their **legality and conformity to the privacy and data protection guarantees are very dubious**, leading the companies to hide (and the States to hide the fact that they use them, and how);

- spyware companies also try to **evade regulations** imposing the requirement to obtain an export license from the State for dual-use products like spyware; and for instance, Tal Dilian companies appear to have not requested approvals neither at the Cyprus Ministry of Commerce, nor at the Greek Ministry of Foreign Affairs, with both States having taken no measure following such revelations despite the violation of EU and national law;³

- unless there is a legal regime that includes strong guarantees and ex ante and ex post parliamentary and judicial controls that are efficaciously enforced, there is a huge **risk of abuse** in good and/or bad faith, with serious impact not only on individual fundamental rights, but more generally on **democracy**, as there could be temptations of abusing legal exceptions (such as “national security”) to carry out political or private economic espionage, or widespread citizens’ social control, etc;

- while States and governments have denied the use of such intrusive spywares, **investigative journalists and media** have revealed how specific events of surveillance through Predator and Pegasus are connected to companies producing or marketing these spywares, and to the States purchasing and (ab)using them, and the flowcharts in this briefing mirror the information revealed in such articles;

- any judicial or other type of inquiry will consequently have to determine whether the use of a certain spyware against a target is legal or not, and in the latter case **ascertain the facts and the responsibilities** of those who have enacted, aided, allowed or hidden violations of fundamental rights, notably the right to privacy, the rule of law and democracy (and these might be privates, companies or State actors); measures will also have to be taken to ensure such events do not happen in the future;

- among the main companies acting in the market are the Israeli **NSO Group, producing Pegasus** and the competing alliance of companies **Intellexa, marketing Predator**, the latter being at the centre of the Cyprus and Greece events, as described in this briefing.

² Both Intellexa and NSO have a complex corporate ownership structure.

³ <https://insidestory.gr/article/oi-exagoges-spyware-apo-ellada-kai-kypro>

1. PREDATOR, INTELLEXA, TAL DILIAN

CitizenLab revealed the existence of Predator in the forensic report entitled “**Pegasus vs. Predator: Dissident’s Doubly-Infected iPhone Reveals Cytrox Mercenary Spyware**”,⁴ looking into the case of two Egyptians (exiled politician Ayman Nour and the anonymous exiled host of a popular news program) whose phones were hacked with **Predator** spyware.

Predator is a software that allows the monitoring of a target by giving access to the victim’s mobile device, including passwords, files, photos, browsing history, and identity data. It can also take screen captures, record user input and activate the device’s camera and microphone. It is consequently similar to NSO’s Pegasus, except for the fact that while Pegasus is zero-click and does not require any action by the target to infect the phone, Predator needs a user action: for instance, Nour was sent a malicious link over WhatsApp and when opened, the spyware can access a phone’s cameras and microphone and can extract data. Still, Predator is more persistent and can survive the iPhone reboot.⁵

Table 1: Detection of Predator

Report by	Predator / Cytrox detected in
Citizens’ Lab 16 December 2021	Greece , Armenia, Egypt, Indonesia, Madagascar, Oman, Saudi Arabia and Serbia
META 16 December 2021	As in Citizens’ Lab, but also Colombia, Côte d'Ivoire, Vietnam, Philippines, and Germany
GOOGLE 19 May 2022 Threat Analysis Group TAG	As above, but also Côte d'Ivoire and Spain (Oman not listed)

The CitizenLab report, from which we take the following information, explains that (see also Flowchart on Intellexa and Tal Dilian):

- Predator is built and sold by **Cytrox**, which was founded in **2017** as **North Macedonian** intelligence and spyware start-up.
- Cytrox has a corporate presence in **Israel and Hungary**. The Israeli companies, also founded in 2017, were Cytrox EMEA Ltd. and Cytrox Software Ltd, and renamed in 2019 to Balinese Ltd. and Peterbald Ltd., respectively. The Hungarian entity, also formed in 2017, was Cytrox Holdings Zrt.
- **Tal Dilian**, a former Israel Defence Forces (IDF) Unit 81 [commander](#), operated in Cyprus from 2013 until around 2020.⁶ In 2013, in Limassol, Cyprus, he founded **WiSpear** (which then changed its name to Passitora Ltd). WiSpear is a “wifi interception firm”.

⁴ By [Bill Marczak](#), [John Scott-Railton](#), [Bahr Abdul Razzak](#), [Noura Al-Jizawi](#), [Siena Anstis](#), [Kristin Berdan](#), and [Ron Deibert](#), <https://citizenlab.ca/2021/12/pegasus-vs-predator-dissidents-doubly-infected-iphone-reveals-cytrox-mercenary-spyware/>

⁵ https://techcrunch.com/2021/12/16/cytrox-predator-phone-hacking-meta/?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xILmNvbS8&guce_referrer_sig=AQAAAJyIWqnx4dRqRWRRsY2GhS2-jucb-nf8896TpC4ZpOvzm07y1RBfiC8tk3NkaY1ya2NmXsw7DcW5hW-lvBpvyY3q7RhK26u98gsfbQJeTK79PS3IHHRuXqOrJfcMpWUauHkhM6uX-xjWpusffcpDlXrM-CITDRdd_i5zZ0H7kRD

⁶ <https://insidestory.gr/article/i-kypros-kai-o-tal-dilian>

- in 2018 **WiSpear** ([renamed Passitora Ltd.](#)) reportedly **acquired Cytrox** in 2018
- Tal Dilian is also the [founder](#) of **Circles**, a prominent cellular network surveillance company with a number of governments as clients,⁷ and [founder](#) of **Intellexa**.
- **Circles is a group of companies** present in Cyprus (CS-Circles Solutions Ltd, 2014) and Bulgaria (Circles Bulgaria, 2017).⁸ The Circles group was acquired by US private equity firm Fransisco Partners in 2014 via **NSO Group**. UK private equity firm Novalpina Capital then acquired NSO Group in 2019.⁹
- The **Intellexa** alliance is - according to CitizensLab - a consortium of companies that includes Nexa Technologies (formerly Amesys), WiSpear/Passitora Ltd., Cytrox, and Senpai, as well as other unnamed entities, aiming to compete with NSO Group and Verint.
- Intellexa was initially based in **Cyprus**, but now operates from [Greece](#) as Intellexa S.A. ([LinkedIn location](#) of its [founder](#), Dilian), with a corporate presence also in [Ireland](#) as Intellexa Limited (registered in the British Virgin Islands) . [Sara-Aleksandra Fayssal Hamou](#) (or [Sara Hamou](#)) is reported as key principal in both companies and [reportedly](#) Dilian's second wife.
- The **Aliada Group** Inc. (an entity registered in the British Virgin Islands) owns Cytrox (after a series of transfers of shares to it from the various Cytrox corporate entities) and WiSpear/Passitora. "Mivtah Shamir Technologies (2000) Ltd" owns part of the Aliada Group and is listed as a director of Passitora Ltd., with Dilian.
- According to *Haaretz*, Oz Liv (also a commander in Unit 81), Meir Shamir (of Mivtah Shamir Technologies (2000) Ltd), Avi Rubinstein (a "high-tech entrepreneur") and Tal Dilian, are all shareholders in **Aliada Group Inc. Rubistein filed a suit against Dilian** in Tel Aviv District Court, accusing Dilian, Liv, and Shamir of acting *"illegally to dilute [Rubinstein's] own shares through a pyramid of companies set up overseas. Some of those companies were established via front men connected to Dilian, including his second wife, Sara Hamou"*. The lawsuit also reportedly claimed that *"this transfer of Aliada's activities out of Israel via shell companies, first to the British Virgin Islands and later Ireland, violated both Israeli and foreign defense export control laws."* Aliada Group Inc. is described in the litigation as *"a group of cyberweapon companies whose products are branded under the name Intellexa."*
- The Intellexa website claimed that it is "EU-based and regulated... with six sites and R&D labs throughout Europe"
- CitizenLab also reported that "in June 2021, **executives of Intellexa consortium Amesys and Nexa Technologies were indicted** by investigating judges with the crimes against humanity and war crimes unit of the Paris Judicial Court for complicity in torture in relation to product sales to the Libyan government and complicity in torture and forced disappearance in relation to product sales to the Egyptian government. **Dilian** has also been followed by [reports](#) of legal and other irregularities, both during his time in the Israeli military and in his new career as a mercenary surveillance tech vendor.
- In 2019, after courting publicity with a demonstration to [Forbes](#) of a "\$9 million signals intelligence **van**" with communications hacking capabilities in **Cyprus**, WiSpear and Tal Dilian attracted police interest. The van was confiscated by Cypriot authorities, several WiSpear/Passitora Ltd. [employees were arrested](#) and briefly detained, and Dilian was [wanted for questioning](#).

⁷ <https://citizenlab.ca/2020/12/running-in-circles-uncovering-the-clients-of-cyberespionage-firm-circles/>

⁸ <https://www.amnesty.org/en/documents/doc10/4182/2021/en/>

⁹ <https://www.amnesty.org/en/documents/doc10/4182/2021/en/>

- from **May to November 2019** (about six months), **WiSpear**, as the courts in Cyprus found, **collected information through three access points** it had installed at the **airport**, supposedly to help boost the wireless signal and provide faster internet to travellers. The company, which, according to the court, collected the information only for demonstration purposes, was fined 26,000 euros for the incident.
- According to a 2020 *Reuters* [article](#) Dilian—who [characterized](#) the Cypriot investigation as a “witch hunt” against him—**fled Cyprus after an arrest warrant was issued in his name**. An article in *CyprusMail* from November 2021 [notes](#) that **the Attorney-General’s office decided to “drop all charges” against all three individuals involved in the “spy van” case (the case against WiSpear/Passitora Ltd. was not dropped)**. Reporting from the same month notes that WiSpear was fined almost 1 million Euros for privacy violations.”
- On 16 December 2021, Meta published a “[Threat Report on the Surveillance-for-Hire Industry](#)”, whereby it announced that it was taking action against Cobwebs Technologies, Cognyte, Black Cube, Blue Hawk CI, BellTroX, **Cytrox** and an unknown Chinese entity.¹⁰ Meta took also enforcement action against Cytrox by removing approximately 300 Facebook and Instagram accounts linked to it. The Meta report states that they believe Cytrox customers include entities in Egypt, Armenia, Greece, Saudi Arabia, Oman, Colombia, Côte d’Ivoire, Vietnam, Philippines, and Germany, and that they identified additional abusive targeting initiated by Cytrox customers around the world.
- On 19 May 2022, researchers from **Google’s Threat Analysis Group TAG** have warned about Predator attacks against Chrome and Android: “We assess with high confidence that these exploits were packaged by a single commercial surveillance company, **Cytrox**, and sold to different government-backed actors who used them in at least the three campaigns discussed below. Consistent with findings from CitizenLab, we assess likely government-backed actors purchasing these exploits are operating (at least) in Egypt, Armenia, **Greece**, Madagascar, Côte d’Ivoire, Serbia, Spain and Indonesia.”¹¹ **Wired** summed up the attacks as follows: “In the three Predator campaigns TAG examined, attackers sent Android users one-time links over email that looked like they had been shortened with a standard URL shortener. The attacks were targeted, focusing on just a few dozen potential victims. If a target clicked on the malicious link, it took them to a malicious page that automatically began deploying the exploits before quickly redirecting them to a legitimate website. On that malicious page, attackers deployed “Alien,” Android malware designed to load Cytrox’s full spyware tool, Predator.”¹²
- On 8 August 2022, the **EP rapporteur Sophie in ’t Veld sent a letter to the CEO of Intellexa, Tal Dilian**, where she raised a series of questions on Intellexa and Thalestris Limited.¹³
- **Thalestris Limited** is the parent company of the Predator spyware vendor Intellexa and is registered in Ireland since 2019 and is part of a complex international web of companies either fully or partly controlled by the Israeli businessman Tal Dilian.
- Thalestris was incorporated in Ireland using a third party company formation service called “Express Solutions Limited”.¹⁴ The director of the company is **Sara Hamou, Dilian’s partner**. Sources report that Dilian met Hamou when he operated Circles.¹⁵ The main activity of the group is to make **intelligence**

¹⁰ See <https://about.fb.com/news/2021/12/taking-action-against-surveillance-for-hire/>

¹¹ <https://blog.google/threat-analysis-group/protecting-android-users-from-0-day-attacks/>

¹² <https://www.wired.com/story/android-spyware-cytrox-predator-google-tag/>

¹³ <https://www.sophieintveld.eu/nl/new-letter-to-intellexa-about-spyware-in-greece>

¹⁴ <https://expressformations.ie/>

¹⁵ <https://www.news247.gr/sunday-edition/ta-prota-vimata-toy-predator-stin-athina-kai-i-gkoyroy-ton-ofsor.9744319.html>

products available to law enforcement authorities and the design, development and licensing of software products and applications.¹⁶

According to its 2020 financial statement, Thalestris is parent to **9 subsidiaries**, some of which are not present in the flowchart below due to space. Thalestris owns **3 “Intellexas”**: Intellexa Limited (Ireland), Intellexa Limited (British Virgin Islands), and Intellexa Single Member SA (Greece). Intellexa Single Member SA reportedly changed its name to drop the “Single Member” when Felix Bitzios’ Santinomo acquired a 35% stake in it in May 2020.¹⁷

It is unclear which of these three “Intellexas” is connected to the “Intellexa Alliance” of WiSpear, Cytrox, Nexa Technologies/Amesys, and Senpai. It is also unclear how any of the Intellexa companies would be connected to the “alliance”, whether by an announced partnership like in 2019,¹⁸ or perhaps a subsequent merger. According to Thalestris’ financial statement of 2020, the most profitable Intellexa firm of all of Thalestris’ subsidiaries is Intellexa Limited (British Virgin Islands), which reported a total profit of over €7 million, close to half of Thalestris’ gross profit.

Dilian is also a Maltese (and therefore EU) citizen as of 2017, according to public records in Malta through the citizenship-for-investment programme.

InsideStory explains that “**Intellexa** consists of **four companies: WiSpear, Cytrox, Nexa and Poltrex**. Although each provides a different limited service, together they form a one-stop-shop digital espionage that ranges from targeted hacks to broad data collection and even includes software to integrate the two with each other.

For example, **Cytrox** extracts data from mobile phones of specific targets, while **WiSpear** does the same via wireless networks (“WiFi surveillance”). **Nexa**, however, does “GSM surveillance” to exploit global mobile communication systems, while also providing “switching solutions” – a term for breaching either devices that connect other devices to the internet, or actual internet service provider systems (such as routers). WiSpear’s “field collection” services, as shown in the presentation, are complemented by “OSINT” data collected from open sources by Nexa. Even geolocation of mobile phones through a communication protocol called SS7 (which Circles did) is also included... What a truck once demanded can now get into a backpack, and any device within a radius of 300 meters from it can be hacked. The product, called **Triton**, appears to be just one of the new means used for cyber purposes, and, according to the presentation, Intellexa also offers “aerial” surveillance (most likely a drone that works the same way as a van – but from the air)...

...The company provides a **three-part service for 8 million euros**. The first part is hacking technology – it comes with a “magazine” of 100 successful mobile phone “interceptions” and the ability to spy on 10 targets at once. The second part is the software that gathers all the data – which in this leaked document is called Nova, but in the past it was also called Nebula and probably has many other names.... Intellexa offers not only installation and initial training in the system (which Israeli companies also do, sometimes through companies registered in Cyprus), but real “technical, operational and methodological” **support** – with the latter term meaning espionage practices...

...The provision of hacker-for-rent services as such is not permitted by Israel’s defence export agency, as it could expose Israeli intelligence tactics or so-called “methodologies.” Although many Israeli companies

¹⁶ <https://thecurrency.news/articles/95068/an-address-in-north-dublin-e20m-in-spyware-sales-and-no-tax-inside-the-predators-irish-lair/> and <https://insidestory.gr/article/predatorgate-o-deyteros-metohos-tis-intellexa-ae>

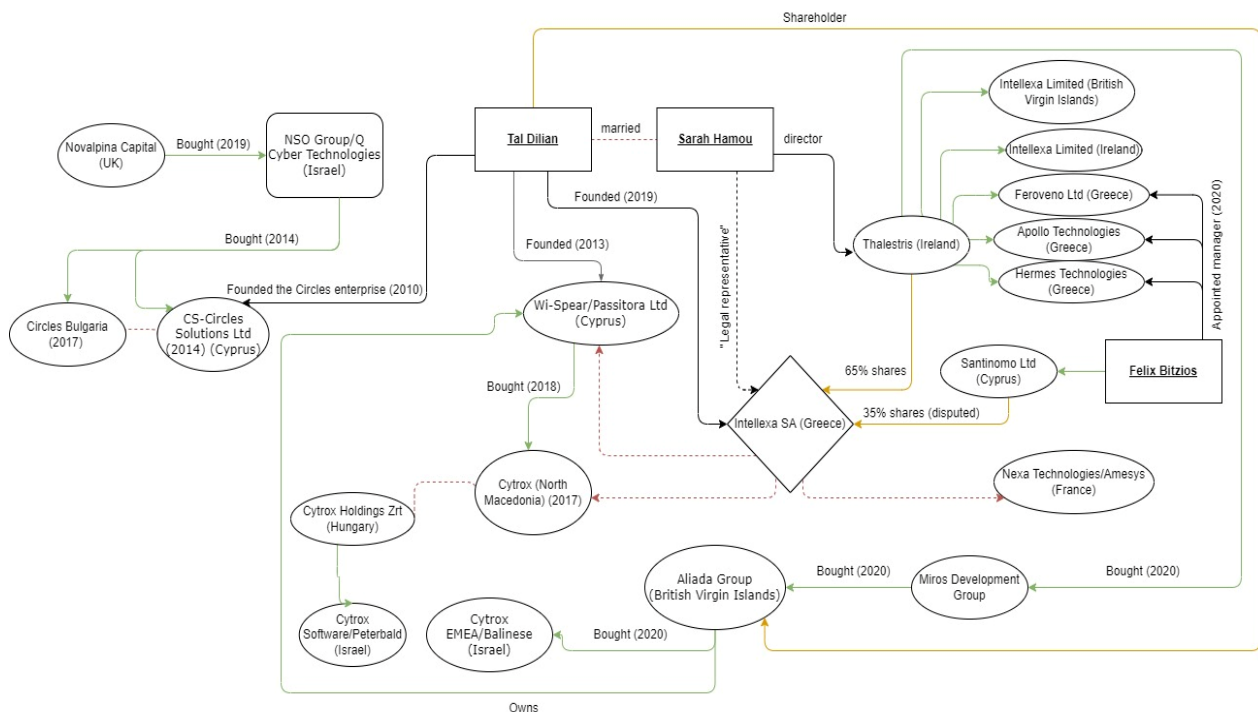
¹⁷ <https://insidestory.gr/article/predatorgate-o-deyteros-metohos-tis-intellexa-ae>

¹⁸ <https://gizmodo.com/the-lucrative-government-spyware-industry-has-a-new-one-1832568791>

have used the so-called "**Cypriot bypass**" to sell their Israeli technologies alongside their services, sources say Intellexa took it a step further in the form of a cyber espionage company for rent."¹⁹

Cypriot and Greek governments remain vague about the **export licenses** that they have granted, saying that they are abiding by Dual Use Regulation and its predecessor. They say that they have not granted export licenses to Intellexa. A Cypriot police report found that the Cypriot authorities granted WiSpear an export license, but the Cypriot government say that they have not given such an export license, but they also do not rule out having made such an export.²⁰

Figure 1: Flowchart of Intellexa (Predator) and founder Tal Dilian



Please refer to page 4 of this briefing for the key of the flowchart. See Annex for a larger version of it.

Ownership issues

There is conflicting information regarding legal ownership of Intellexa SA, WiSpear, and Thalestris.

Intellexa SA (Greece):

- In May 2020, Thalestris sold a 35% stake in Intellexa SA to Felix Bitzios' Cyprus-based company, Santinomo Ltd.
- It is currently disputed whether Bitzios sold Santinomo back to Thalestris. This will be addressed in part 2.6.2 below.

¹⁹ <https://insidestory.gr/article/prosohi-den-dimosieyetaiwifi-aerodromion-kai-hakarisma-kinton-tilefonon-i-skoteini-pleyra>

²⁰ <https://insidestory.gr/article/oi-exagoges-spyware-apo-ellada-kai-kypro>

WiSpear and Thalestris:

- According to Citizen Lab research, an article from Intelligence Online in 2017 notes that WiSpear is owned by Aliada Group.²¹
- The SYRIZA report for the Greek parliamentary Committee of Inquiry set up in 2022 to investigate the use of Predator in notes that in 2020, Aliada Group was allegedly acquired by a company based in the British Virgin Islands called Miros Development Group.²²
- The SYRIZA report claims that 20 days later, Thalestris allegedly purchased Miros Development Group.²³
- The Thalestris 2020 financial statement does not list Miros Development Group or Aliada Group as one of its 9 subsidiaries.
- Instead, the financial statement notes at page 32: "As part of the acquisition of intellectual property intangible assets from Miros Development Group Inc, Thalestris Limited took over a loan, previously owner by Miros Development Group Inc to Davidson Technologies Limited in connection with the same. The loan will be repaid over a 5 year period and it bears interest at 10% compounded annually."
- However, reporting by *News 24/7* on a lawsuit against Dilian by a former close associate alleges that Aliada Group is the parent company of Thalestris and Miros Development Group.²⁴

The flowchart above relies on the information provided by the minority reports and media.²⁵

²¹ <https://citizenlab.ca/2021/12/pegasus-vs-predator-dissidents-doubly-infected-iphone-reveals-cyrox-mercenary-spyware/>

²² <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-syggalypsi>

²³ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-syggalypsi>

²⁴ <https://www.news247.gr/sunday-edition/ta-prota-vimata-toy-predator-stin-athina-kai-i-gkoyroy-ton-ofsor.9744319.html>

²⁵ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-syggalypsi>

2. CYPRUS

2.1. General institutional and political information

The Republic of Cyprus is a **presidential representative republic**, with the President of Cyprus being both Head of State and Head of Government. The House of Representatives holds legislative power, sharing the right of legislative initiative with the ministers. Until the creation of a Supreme Constitutional Court, the Supreme Court is competent to assess the constitutionality of laws in the context of specific cases brought before it. Cyprus has independent authorities, organisations and institutions charged with the protection of human rights.

The current President is **Nicos Anastasiades**, elected in 2013 and re-elected in 2018 (Democratic Rally). The main parties are the **Democratic rally** (DISY, affiliated to EPP), the **Progressive Party of Working People** (AKEL, affiliated to The Left), the **Democratic Party** (DIKO, affiliated to SD), with other centrist parties forming a coalition supporting the President and forming part of the government.

The **2022 Commission Rule of Law report** notes that in Cyprus judicial reforms are in process, albeit with delays, with some issues raising concerns; results on the investigation and adjudication of high-level corruption cases are lacking; there are concerns on the selection and appointment procedures and the pluralism in the composition of the office of the Ombudsperson / Commissioner for Administration and the Protection of Human Rights. The Commission makes 6 recommendations to Cyprus in the fields of justice (2),²⁶ of corruption (2),²⁷ of media²⁸ and on democracy.^{29 30}

2.2. Cyprus, Tal Dilian, Intellexa, Predator and Greece

As we will see in the next chapters, Cyprus and Greece have connections in terms of spyware, as shown by the fact that Tal Dilian first established himself in Cyprus to then move to Greece to continue his business activities - as underlined also in the article by Inside Story entitled "Predator: The 'spy' who came from Cyprus", from which the below information is taken (see also the flowchart above):

- **Tal Dilian** establishes his first companies in Cyprus, in Limassol in 2013, Aveledo Limited founded on January 23, 2013 – an asset management company with 1,000 euros chapter.
- Ten months later, **Wispear** is registered, both companies share the British Virgin Islands company Erdon Partners LTD. Wispear sells electronic equipment and shares the building (the so-called Novel Tower) and its staff with **NCIS** Intelligence Services company.
- **NCIS** is owned by **Shahak Avni**,³¹ an Israeli businessman and former detective in the Israeli police's drug enforcement, and sells spyware, as reported by the police. NCIS cooperated with security

²⁶ Ensure that the reform on the appointment of the Supreme Constitutional Court and High Court judges takes into account European standards on judicial appointments and the opinion of the Venice Commission; Ensure that the reform on the composition of the Supreme Council of the Judicature takes into account European standards regarding Councils for the Judiciary and the opinion of the Venice Commission.

²⁷ Continue to improve the effective investigation and adjudication of high-level corruption cases, including by strengthening the Office of the Attorney General and its budgetary independence; Introduce rules on asset disclosure for elected officials to establish regular and comprehensive filing, combined with effective, regular and full verifications.

²⁸ Strengthen the rules and mechanisms to enhance the independent governance of public service media taking into account European standards on public service media

²⁹ Establish a framework for the effective and timely consultation of stakeholders in the legislative process

³⁰ See 2022 Commission Rule of Law report, chapter on Cyprus, https://ec.europa.eu/info/sites/default/files/31_1_194047_coun_chap_cyprus_en.pdf

³¹ <https://www.shahakavni.com/> : "Philanthropist, Security Expert and Serial Entrepreneur"; among the business activities listed on his website there is also "**Intellexa** – Intellexa develops & integrates technologies empowering law enforcement

companies selling services in shops and public services in Cyprus, while Dilian/Wispear sold to the Cypriot police and the Cyprus Drug Enforcement Agency. This equipment is reportedly now used for "meteorological research".³²

- President Anastasiades went to the Swiss Crans Montana at the end of 2017 and allegedly had spyware with him.

- As recalled above, in 2019, **Tal Dilian advertises the Wispear "magic van"** produced in Israel,³³ which can "infiltrate" smart mobile phones in a video on Forbes in which he and the later director of Intellexa (Wispear's successor) in Athens star.³⁴

- "The video causes embarrassment in Cyprus, but the Cypriot political staff reacts belatedly and only after the matter, three months later, is reproduced by a Cypriot media outlet. Dilian finds himself apologizing, President Anastasiades convenes a conference at the presidential palace on November 22, 2019, and later the equipment is confiscated. Dilian's company Intellexa has applied to the Cyprus Registrar of Companies to be registered in the companies register, but its registration is pending due to developments with the van. Eventually the registration will take place in Cyprus a few weeks later, but the **company will move to Greece in early 2020**."³⁵ The revelations brings also unwanted attention from the law enforcement authorities, who also discovered that **WiSpear was collecting data from the Hermes airport**. Dilian interrupts his activities on the island (but not his corporate presence).

- Authorities launched an **inquiry in November 2019** which led to a **trial** and the [judgement REPUBLIC n. WS WISPEAR SYSTEMS LIMITED](#) was issued in **February 2022**. The court ruled that WiSpear had illegally collected personal data about more than 600 citizens in the form of so-called IMSI numbers (a unique 15-digit code that identifies SIM cards and serves as a kind of identity for mobile devices during international roaming) and MAC numbers (numbers that help identify internet-connected devices). "Between 13/6/18 and 15/11/19, through the system operating in the company's offices, more than 100,000 unique MAC address numbers corresponding to electronic devices... were collected and stored illegally, through access points" at the airport, the decision says.

"During the period from 5/5/19 to 15/11/19, 626 international subscriber identities (IMSI) of the respective SIM card numbers, used on mobile devices of citizens, which entered the range of the antennas, were stolen, through the above system," the decision also noted. WiSpear, the decision explains, 'had a specific computer program called **Spearhead**, which provided, under certain conditions, the possibility of unlawfully intercepting electronic data'. This, when combined with "mobile phone equipment that was also installed in the van... had the ability, under certain conditions, to intercept private communications." Although **the fine in the criminal proceedings was only 26,000 euros, a few months earlier, in November 2021, the Cyprus Data Protection Authority imposed a fine of almost 1 million euros on WiSpear**.³⁶ Charges against Tal Dilian personally were dropped.

agencies & intelligence agencies to collect & analyze data in the most advanced methods, enabling them to form an actionable intelligence image to win the digital race & ensure civilians' safety."

³² <https://insidestory.gr/article/i-kypros-kai-o-tal-dilian>

³³ It was imported to Cyprus in 2018 declared as equipment for meteorological research.

³⁴ See video "A Multimillionaire Surveillance Dealer And His \$9 Million WhatsApp Hacking Van | Forbes" at <https://youtu.be/TI3mpywMYFA>

³⁵ <https://insidestory.gr/article/oi-dyo-etaireies-kleidia-gia-tin-ereyna-tis-voylis-gia-tis-ypoklopes>

³⁶ <https://insidestory.gr/article/prosohi-den-dimosieyetaiwifi-aerodromion-kai-hakarisma-kiniton-tilefonon-i-skoteini-pleyra>

- according to an MP interviewed, **in Cyprus there is no regulatory framework, neither for manufacturers nor for the use of software** and that is why spyware and surveillance companies work in the country, and that spyware briefcases are used. An MP from the party EDEK, Demetris Papadakis, stated that he was under surveillance, and called the Democratic rally party to explain why and who is under surveillance in Cyprus.
- according to an official of the Cypriot security authorities speaking under anonymity, after 2018 **two or three spywares** were used, **Predator, Pegasus and another application**, while Wispear was experimenting other technical solutions.
- in March 2020, Tal Dilian moved the Intellexa group from Cyprus to **Greece**.
- according to two sources in Athens who took part in the preparation of the setup of Dilian's companies in Greece after 2019, Dilian's lawyer, Andros Pelekanos, who advised him on Wispear and Intellexa, played a role in the move of the Intellexa group from Cyprus to Greece. He allegedly still solves daily problems in Dilian's companies.³⁷
- **Santinomo Limited** was founded in **Cyprus** a few weeks after the 2019 Greek elections, on September 2 of the same year, with **Felix Bitzios** as sole shareholder, and is reported to play an important role in the transfer of Intellexa to Athens. He is manager of **Intellexa SA** and other companies until June 2021 (Intellexa, Apollo Technologies and Hermes Technologies) and until mid-November 2021 at the branch of Feroveno Limited.
- it appears that Bitzios owns Santinomo/Intellexa, as F. Bitzios still has a beneficial ownership in KRIKEL, but tried to retroactively remove his ownership relationship with the company from the relevant register for the whole of '21 to avoid being connected to the spying
- Koukakis, the Greek journalist whose phone was allegedly bugged, said in an interview with Politis newspaper that he holds **Cypriot authorities partly responsible** for Intellexa's activities in Greece: "Had Cypriot justice dealt adequately with the case of the black van and imposed the necessary sanctions for the eavesdropping in Cyprus, Intellexa and Tal Dilian might not have been able to start operating undisturbed in Greece."³⁸

2.3. Black Cube hired by NSO to spy on lawyers

International media reported that in February 2019, Black Cube agents had targeted three lawyers—**Mazen Masri, Alaa Mahajna, and Christiana Markou**—who represented journalists and activists hacked by the NSO, that had sued NSO and an affiliated entity in Israel and Cyprus involved in another suit against NSO Group, as well as a London-based journalist covering the case. One case involves Omar Abdulaziz, and the other Mexican journalists and activists allegedly targeted by the company's spyware. In late 2018, all three received messages from people who claimed to be associated with a rich firm or individual, suggesting meetings in London. Hulio [Shalev Hulio, NSO Group's C.E.O. at the time] acknowledged the connection Black Cube, saying to a journalist during an interview that "For the lawsuit in Cyprus, there was one involvement of Black Cube," because the lawsuit "came from nowhere, and I want to understand." He also said that he had not hired Black Cube for other lawsuits. Black Cube said that it would not comment on the cases, though a source familiar with the company denied that it had targeted Cooley lawyers."³⁹

³⁷ <https://insidestory.gr/article/i-kypros-kai-o-tal-dilian>

³⁸ <https://cyprus-mail.com/2022/09/05/meps-may-visit-cyprus-over-spying-in-greece/>

³⁹ <https://www.newyorker.com/magazine/2022/04/25/how-democracies-spy-on-their-citizens>

3. GREECE

3.1. General institutional and political information

Greece is a **parliamentary democracy** with a unicameral Parliament, which holds legislative power together with the President. The Parliament and the Government have the right to introduce legislation. All courts can review the constitutionality of legislation and are bound to disapply a law whose content they deem contrary to the Constitution. A number of national independent authorities, organisations and institutions are charged with protecting human rights, including the Greek National Commission for Human Rights.⁴⁰

The current President is **Katerina Sakellaropoulou**, a judge elected by the Parliament in 2020 for a 5 years term. Following the 2019 elections, the previous government led by PM **Alexis Tsipras** and his left-wing **Syriza** party (affiliated to The Left), in coalition with a national-social conservative party, was replaced by the current government led by the conservative **New Democracy** party and its leader **Kyriakos Mitsotakis** (affiliated to EPP). The Panhellenic Socialist Movement (**PASOK**, affiliated to SD) is the third largest party, led since by **Nikos Androulakis** (who is MEP) since 12 December 2021.

3.2. The European Parliament and Greece

The **European Parliament** has dealt with the situation in Greece repeatedly:

- the **LIBE Committee** has held regular discussions and hearings on the treatment of **migrants** at the Greek borders and in Greece, including pushbacks (and the role of Frontex);⁴¹ a number of LIBE missions to Greece took place, the last one being in November 2021, with the aim of assessing the situation of migrants and asylum-seekers;⁴²
- the **Democracy, Rule of Law and Fundamental Rights Monitoring Group** held a session in camera on 24 June 2021 on the protection of journalism and safety of journalists in Greece and on 28 April 2022 to discuss journalists' safety, media, the fight against corruption. A series of letters were also exchanged between DRFMG and the Greek government.⁴³
- the **PEGA Committee** held a session on Greece on 8 September 2022,⁴⁴ while Nikos Androulakis spoke at the meeting of 6 October as a victim of surveillance.⁴⁵

⁴⁰ https://ec.europa.eu/info/sites/default/files/21_1_194014_coun_chap_greece_en.pdf

⁴¹ <https://www.europarl.europa.eu/news/en/press-room/20220624IPR33818/allegations-of-pushbacks-in-greece-the-minister-of-migration-in-parliament>

⁴² <https://www.europarl.europa.eu/news/en/press-room/20211104IPR16613/civil-liberties-committee-delegation-concludes-mission-to-greece>

⁴³ See DRFMG website, section on Greece, at <https://www.europarl.europa.eu/committees/en/libe-democracy-rule-of-law-and-fundament/product-details/20190103CDT02662#20190103CDT02662-section-7> and Policy Department briefing requested by LIBE DRFMG briefing [https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/732214/IPOL_IDA\(2022\)732214_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/732214/IPOL_IDA(2022)732214_EN.pdf)

⁴⁴ See agenda of the hearing <https://www.europarl.europa.eu/committees/en/pega-hearing-on-use-of-spyware-in-greece/product-details/20220912CHE10601>; webstreaming https://multimedia.europarl.europa.eu/en/webstreaming/committee-of-inquiry-to-investigate-use-of-pegasus-and-equivalent-surveillance-spyware_20220908-0900-COMMITTEE-PEGA

⁴⁵ <https://www.europarl.europa.eu/committees/en/pega-exchange-of-views-with-members-of-t/product-details/20221003CAN67105>

- the **European Parliament held a debate in plenary** on 12 September 2022 on "Illegal surveillance and predator spyware systems in Greece".⁴⁶

3.3. The 2022 Commission Rule of Law report on Greece and spyware / surveillance

The **2022 Commission Rule of Law report chapter on Greece**⁴⁷ notes that a series of relevant reforms have been adopted in relation to the **justice system** to improve it, but also that "Concerns remain regarding the appointment procedure for the most senior positions of judges and prosecutors, including the lack of judicial involvement in the selection process."; on **corruption**, it remarked that notwithstanding the fact that "A limited number of prosecutions related to corruption was taken forward", "progress on final decisions remains to be established." The report stated that "concerns persist as regards the integrity within the police force." On **media**, the report critically highlighted that "the situation of journalists raises significant concerns due to the fact that they continue to face threats and attacks while their professional environment has further deteriorated. The allocation of state advertising as regards, in particular the non-transparent distribution of state funding, is also an issue. While public service media is regulated by a strong legal framework, there are concerns with regard to potential political influence in the appointment of board members. Challenges persist with regard to the adequacy of the media regulator's financial and human resources." On **democracy and institutions**, the Commission notes that "stakeholders are often left with insufficient time to comment on draft laws" and that "some modalities of the registration requirements, continue to be considered cumbersome by some civil society organisations while a review of the existing legislation is pending before the Council of State."

The Commission issues **5 recommendations** to Greece, as follows:

- Address the need for involvement of the **judiciary** in the appointment of President and Vice-President of the Council of State, the Supreme Court and the Court of Audit taking into account European standards on judicial appointments.
- Ensure the effective and systematic verification of the accuracy of **asset disclosures** filed by all types of public officials.
- Increase efforts to establish a robust track record of **prosecutions and final judgments in corruption** cases.
- Establish legislative and other safeguards to **improve the physical safety and working environment of journalists**, in line with the recently adopted Memorandum of Understanding and taking into account European standards on the protection of journalists.
- Ensure that **registration requirements for civil society organisations** are proportionate in view of maintaining an open framework for them to operate"^{48 49}

⁴⁶ Webstreaming of the debate at https://multimedia.europarl.europa.eu/en/video/illegal-surveillance-and-predator-spyware-systems-in-greece-meps-debate_1229808

⁴⁷ It is interesting to note that the 2021 RoL COM report on Greece was very short, only 17 pages, while the 2022 report is of 27 pages. Footnote 4 of the PolDep study on Greece critically remarked that: "In comparison to reports on other EU MSs, the report is relatively short and does not always seem to mirror appropriately the number, size and depth of critical concerns raised by NGOs, associations, media, etc.", [https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/732214/IPOL_IDA\(2022\)732214_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/732214/IPOL_IDA(2022)732214_EN.pdf).

⁴⁸ https://ec.europa.eu/info/sites/default/files/21_1_194014_coun_chap_greece_en.pdf

⁴⁹ It is surprising that the Commission, notwithstanding the fact that it reported about spyware issues in Member States, decided not address recommendations on the matter to any EU Member States.

Concerning the recent spyware scandals in Greece, the Commission mentions under the section **“Attacks and threats against journalists persist and journalists’ professional environment has deteriorated further”** that:

Since the 2021 Rule of Law Report, 16 alerts have been published for Greece on the Council of Europe’s Platform to promote the protection of journalism and safety of journalists. They range from physical attacks to threats and arbitrary detainment. Journalists also continue to face criminal lawsuits in the form of accusations and lawsuits for defamation or violation of one’s privacy and exposure of personal data. **It was moreover reported that one Greek journalist has been targeted by spyware surveillance software equivalent to Pegasus (Predator), while another journalist was allegedly monitored by the national intelligence service (EYP).** The Media Freedom Rapid Response (MFRR) fact-finding mission to Greece highlighted legal threats as a significant problem for media freedom in Greece, including Strategic Lawsuits Against Public Participation (SLAPP) targeting mostly government-critical outlets and journalists who report on corruption. Such legal threats can lead to self-censorship and pose an additional economic risk to Greek media outlets and journalists who are already under-resourced. Moreover, respect for professional standards is not effectively guaranteed.⁵⁰

On 28 September, **Commissioner Jourova met with Tsipras** to discuss the situation in Greece on the basis of the annual RoL report, including the situation in the media, independence of judiciary and the use of spyware.⁵¹ On 29 September, she met with PM Mitsotakis who informed her “about the government’s initiatives to establish additional checks on the operation of the security services”, according to the government’s press release.⁵² A few days later, also Commission President Ursula von der Leyen met with the PM.

3.4. The Predator scandal and its victims

3.4.1. Journalist Stavros Malichoudis and others

On 13 November 2021, the EfSyn newspaper revealed that the EYP ordered the monitoring and collection of data on journalist **Stavros Malichoudis** (working for Solomon and Reporters United), an **employee of the International Organization for Migration**, a **lawyer** in an immigration case, a migrant 12-years old Syrian **child** named Jamal held at a detention centre on the island of Kos, and other people dealing with the refugees and migration issues.

⁵⁰ The Commission also states that “The Greek Government has recently signed a ‘Memorandum of Understanding on the protection, safety and empowerment of journalists and other media professionals’, which contains a common framework of cooperation among the different ministries including the preparation of proposals for legislative and non-legislative initiatives to ensure the protection of journalists. The MPM 2022 has highlighted the deteriorating conditions faced by journalists as an issue presenting an increased risk. Concerns have been expressed about the risks for the right of journalists to disseminate information of general interest deriving from new legislation amending Article 191 of the Greek Criminal Code¹⁶⁴ aiming at preventing the spread of disinformation. The new provision stipulates that whoever, publicly or through the internet, creates or distributes in any way, fake news that may provoke anxiety or fear in citizens, or shake citizens’ trust in the national economy, or public health, is punishable by a prison sentence of at least three months and a fine. Several associations and interlocutors interviewed by the MFRR fact-finding mission have expressed serious concerns with regard to this provision”. See pages 18-19 at

https://ec.europa.eu/info/sites/default/files/21_1_194014_coun_chap_greece_en.pdf.

⁵¹ <https://twitter.com/VeraJourova/status/1575138788199829505>

⁵² <https://primeminister.gr/en/2022/09/29/30301>

At the same time, orders were given to also monitor the activities of **anti-vaxxers** throughout the country and to gather information on their leaders and ideological background.⁵³

Malichudis has evidence that the EYP was interested in work and sources, but the reasons for the surveillance is not revealed as it is covered by "national security".⁵⁴ He showed such evidence during the **PEGA** meeting with the Greek victims of surveillance.

On 24 February 2022, **Solomon filed a legal complaint** against EYP before the prosecutor of the Supreme Court.⁵⁵

3.4.2. Journalist Thanasis Koukakis

Box 1: Surveillance of Koukakis

1) EYP surveillance for "national security reasons" from 1st June to 12 August 2020

On 1 June 2020, **EYP** submitted a first request to telecom company Cosmote to lift the confidentiality of communications for two months, followed by another request for additional two months, to cover the period **1st June to 1st October 2020**. But this abruptly **ends on 12 August 2020**, when Koukakis asks the Hellenic Authority for Communication Security and Privacy (ADAE) to inform him if his communications were being monitored (which leads to the change of the law in March 2021).

2) Predator infection from 12 July to 24 September 2021 (10 weeks).

Thanasis Koukakis is a Greek financial journalist who worked for many years for CNN Greece, collaborating with other Greek and international media such as American CNBC, the Financial Times, and Greece's Inside Story. Between 2017 and 2019, Koukakis conducted research into issues of corruption and money laundering within the Greek establishment. From 2017 to 2021 he extensively investigated and written about the role of Greek businessman F. Bitzios in various cases under legal investigation.⁵⁶ According to InsideStory, "During the same period Koukakis was investigating cases of fake and fictitious invoices and the **change in the law for the ex officio prosecution of tax evasion crimes** until the final issuance of the fine by the AADE or until the issuance of an irrevocable decision by the administrative courts. He also investigated cases of **expenditure by the Ministry of Migration and Asylum that were regarded as classified (development of IT systems)**. He had gathered information on the amendment of the conditions on guarantees in defence contracts to reduce the maximum participation guarantee threshold from 5% to 2% and the reduction of the performance guarantee threshold from 10% to 5% and the abolition of the participation guarantee requirement in **framework agreements and negotiated procedures without publication of a contract notice**. He was also investigating the inter-state agreement for **Kalamata airport, the DEPA-EFE legal dispute, cases of overpricing of**

⁵³ https://www.efsyn.gr/themata/thema-tis-efsyn/319063_polites-se-kathestos-parakoloythisis-apo-tin-eyyp

⁵⁴ <https://www.euractiv.com/section/digital/news/national-security-curtain-falls-down-on-greek-spyware-scandal-investigation/>

⁵⁵ <https://wearesolomon.com/mag/accountability/solomon-files-complaint-against-intelligence-agency/>

⁵⁶ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-yposethi-predator>

renewable energy sources, money laundering through cooperative banks, and the sending of large remittances by Greeks who were found on foreign banks' tax evasion lists."⁵⁷

In 2019-2020, Koukakis was notably investigating cases related to a **2019 amendment to the penal code**, which allowed **people suspected of criminal fraud and money laundering to recover assets frozen by the court, if they were not brought to trial within 18 months**.⁵⁸ According to members of the Athens Bar Association, It normally takes three to five years in Greece for a criminal case to move from a preliminary investigation to a full court hearing.⁵⁹ Minister George Gerapetritis explained that the amendment helped to align Greek criminal law with the European convention on human rights and the EU charter of fundamental human rights.⁶⁰

Felix Bitzios and Giannis Lavranos were two such people who recovered their assets thanks to this amendment.

Koukakis' reporting in the Financial Times on the penal code change did come to the attention of by Greek authorities. According to the testimony, he gave during a PEGA parliamentary hearing, the Greek government wrote to the FT to complain about these articles.

Reporters United revealed on 15 April 2021 that **EYP submitted a request on 1 June 2020** to wiretap Koukakis for two months for reasons of national security. This mandate for wiretapping was **extended** to last until the 1st of October 2022.⁶¹

However, on **12 August 2020**, believing that he was at risk of being under surveillance, Koukakis wrote to the Hellenic Authority for Communication Security and Privacy (**ADAE**), asking them to confirm whether or not he had been placed under surveillance.⁶² He notably mentioned the fact that he had received accurate **transcripts** of his phone conversations from 15 May 2020 to 30 May 2020.⁶³

That same day, **EYP asked for the sudden cessation of Koukakis' surveillance**, even though they had requested to place him under surveillance until 1st of October.⁶⁴

On 10 March 2021, **ADAE asked the EYP Prosecutor**, Vasiliki Vlachou, if the legal conditions had been met for them to inform the journalist that the confidentiality of his communications had indeed been lifted.⁶⁵

On 31 March 2021, **the government proposed an amendment** to Art. 5 of the Law 2225/1994⁶⁶ which **blocked the ADAE, with retroactive effect, from informing citizens if they had been surveilled** in case it had been carried out for national security grounds (with the result that the journalist was blocked from knowing whether or not his phone had been bugged). A further effect of this amendment is that those who monitor others on national security grounds are protected from prosecution.⁶⁷

⁵⁷ <https://insidestory.gr/article/who-was-tracking-mobile-phone-journalist-thanas-koukakis>

⁵⁸ <https://www.euractiv.com/section/politics/podcast/greek-watergate-wiretapping-scandal-explained/>

⁵⁹ <https://www.ft.com/content/37512b46-06b4-11ea-9afa-d9e2401fa7ca>

⁶⁰ <https://www.ft.com/content/37512b46-06b4-11ea-9afa-d9e2401fa7ca>

⁶¹ <https://www.reportersunited.gr/8646/ey-p-koukakis/>

⁶² <https://insidestory.gr/article/who-was-tracking-mobile-phone-journalist-thanas-koukakis>

⁶³ <https://insidestory.gr/article/who-was-tracking-mobile-phone-journalist-thanas-koukakis>

⁶⁴ <https://www.reportersunited.gr/8646/ey-p-koukakis/>

⁶⁵ <https://www.reportersunited.gr/8646/ey-p-koukakis/>

⁶⁶ Law 2225/1994. For the protection of freedom of correspondence and communication and other Provisions ('Για την προστασία της ελευθερίας της ανταπόκρισης και επικοινωνίας και άλλες διατάξεις'), (O.G. A' 121/20.07.1994)

⁶⁷ See SYRIZA minority report stating: "on 31/3/2021, that is, just 20 days after the above question of the ADAE to the EYP, the Parliament, in a time not accidental or unsuspected, voted a multi-bill with "urgent regulations" for the consequences of the

On 7 April 2021, the president of ADAE Christos Rammos and two other members of the Authority (Aikaterina Papanikolaou and Stefanos Gritzalis) [published an article](#) in the scientific journal *Constitutionalism* making the case that this legal amendment violates the constitutionally guaranteed protection of the confidentiality of communications, as well as the right to respect for private and family life of the European Convention on Human Rights (ECHR).

Between 12 July and 24 September 2021, Koukakis' mobile phone was **hacked with Predator** (as later reported by Citizenlab on 28 March 2022).

At the end of July 2021, **ADAE replied** (after almost one year) to Koukakis, confirming only that no violation of the legislation on the confidentiality of communications had taken place.⁶⁸

On 28 March 2022, **Koukakis is informed by CitizensLab** that he had been targeted with Predator the previous year and on 11 April 2022 [Inside story](#) reveals what CitizenLab had discovered: in the summer of 2021, i.e. a year after Koukakis was monitored by EYP, the journalist's mobile phone was **infected with Predator spy software** from 12 July 12 to 24 September 2021.⁶⁹

On 22 July, an **audit** from the **National Transparency Authority (NTA)** is given to Koukakis. The audit checked the Hellenic Police and the EYP and the private companies Intellexa and Krikel. It concludes that the EYP and the Hellenic Police (ELA) did **not have any contractual relations with the companies related to Predator**. However, Inside Story criticises the fact that there are omissions in the report, such as the fact that the NTA did not investigate the bank accounts of such companies, nor did they research any affiliated offshore companies.⁷⁰ Further, it is alleged that the NTA gave their report to EYP for a 10-day "review" prior to publishing their audit.

On 27 July 2022, **Koukakis appealed to the European Court of Human Rights** against Greece.

On 29 July 2022, the **EYP head Kontoleon** states during a parliamentary committee hearing that EYP **had surveilled Koukakis for reasons of "national security"**.

The government denies that it uses Predator or maintains any association with Intellexa.

On 5 August 2022, following the revelations on attempts to infect the phone of Androulakis with Predator, the **EYP head Kontoleon and the government Secretary General Dimitriadis resigned**. The PM office declares that the head of EYP was removed because of "mishandling of legal surveillance operations".

pandemic. The bill, already Law 4790/2021, contained a total of 124 articles, of which article 87§9 comes from the unrelated to the consequences of the pandemic, overdue and without a substantial explanatory statement no. 826/145 amendment by the Deputy Prime Minister and former President of the Council of State, Panagiotis Pikramenos and the Minister of Justice Konstantinos Tsiras (<https://www.hellenicparliament.gr/UserFiles/bbb19498-1ec8-431f-82e6-023bb91713a9/11609081.pdf>), which amended article 5 §9 of Law 2225/1994, prohibiting the ADAE from notifying the affected persons of their surveillance. Following these, the prosecutor again according to the testimony of the President of the Authority replied negatively to the ADAE to its above question on April 17, 2021 while the ADAE informed Mr. Koukakis on 29-7-2021 (ie 11.5 months after the submission of the question) with the no. 2198/2021 its reply letter which stated: 'following a technical inspection carried out by the ADAE ... in the networks of telecommunications providers serving your mobile and fixed telephony connections [...] no fact has been found that constitutes a violation of the applicable legislation on the confidentiality of communications'." <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-syggalypsi>

⁶⁸ <https://www.reportersunited.gr/8646/eyp-koukakis/>

⁶⁹ See Reporters United article of 15 April 2022 "[Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis Koukakis](#)" [Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis Koukakis | Reporters United](#)" that reveals that state documents show that EYP first intercepted the communications of Koukakis through legal methods, and when these ended, Predator was used.

⁷⁰ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-yposhesi-predator>

On the same day, media reported that Supreme Court prosecutor Isidoros Dogiakos had launched a **criminal investigation into the leaks of classified information to journalists** who broke the story.⁷¹

The special committee of inquiry of the Greek Parliament **did not to hear Koukakis**, as the proposal was rejected by the ND majority - but he was heard by the **PEGA Committee** of the EP on 8 September 2022.

On 5 October 2022,⁷² Koukakis **filed a lawsuit with prosecutors in Athens** accusing Intellexa and its personnel (Dilian and another shareholder – Sara Hamou, who is also Dilian’s partner) of criminal offenses, including breaches of privacy and communications laws by allegedly selling their Predator spyware to EYP, supporting that it is illegal in respect of European and Greek law.⁷³ Media had previously reported that a **preliminary investigation** had already been launched by the head of the Athens Prosecutor’s Office, Sotiria Papageorgopoulou, to determine if there has been a criminal violation of communications privacy.⁷⁴

3.4.3. MEP and President of PASOK Nikos Androulakis

Table 2: Surveillance of Nikos Androulakis

Timeline of surveillance	Surveillance
21 September 2021	Failed attempt to infect with Pegasus
September- December 2021	EYP surveillance for “national security reasons”

Nikos Androulakis is a Greek Socialist **MEP, currently leader of PASOK-KINAL**, a centre-left political party affiliated to the S&D. Androulakis announced his candidacy for leadership of the party on 18 July 2021, following the death of former leader Fofi Gennimata on 25 October 2021. Elections for the new leader took place in December 2021, with the main candidates being Andreas Loverdos, George Papandreou and Nikos Androulakis, who was elected leader of PASOK-KINAL on 12 December 2021.⁷⁵

On 28 June 2022, just a few days after the National Transparency Authority cleared the government of any involvement with Predator,⁷⁶ Androulakis asked the **EP Special Cybersecurity Service** to check whether his phone had been hacked with spyware. The service found a suspicious link related to **Predator**, sent with a text message on 21 September 2021, which was the same as the one found on Koukakis’ phone.⁷⁷ Androulakis did not click on the link and averted the infection.

⁷¹ <https://balkaninsight.com/2022/08/23/how-many-greek-spyware-scandal-just-getting-started-says-targeted-reporter/>

⁷² <https://www.news247.gr/koinonia/skandalo-ypoklopon-minysi-kata-tis-intellexa-apo-ton-thanasi-koykaki.9781771.html>

⁷³ <https://www.haaretz.com/israel-news/security-aviation/2022-10-07/ty-article/.premium/criminal-allegations-against-israeli-linked-spyware-ex-intel-commander-in-hacking-scandal/00000183-ad14-d3f8-a9ef-bf5752e60000>

⁷⁴ See <https://govwatch.gr/en/sovares-apokalypseis-kai-diethneis-antidraseis-gia-tin-parakoloythisi-dimosiografoy-apo-tin-eyf-kai-to-logismiko-ypoklopon-predator/>

⁷⁵ <https://www.ekathimerini.com/news/1173644/eu-lawmaker-androulakis-elected-greek-socialist-leader/>

⁷⁶ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

⁷⁷ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

On 26 July 2022, **Androulakis filed a criminal complaint** at the Prosecutor's Office of the Supreme Court for attempting to infect and monitor his cell phone through Predator.⁷⁸

The next day, on 27 July 2022, the **EU Commission spokesperson** stated that "Any attempts by national security services to illegally access data of citizens, including journalists and political opponents, if confirmed, is unacceptable."⁷⁹

On 29 July 2022, at a meeting of the Special Permanent Committee of Institutions and Transparency of the Parliament, the Governor of the EYP at the time, Panagiotis **Kontoleon**, **said that he was completely unaware** of the attempt to spy on Androulakis using Predator. However, he reportedly confirmed that the EYP monitored Koukakis for reasons of national security but did not reveal what these reasons were.⁸⁰

On the same day, **Androulakis' file**, which recorded all of the monitoring the EYP conducted over his communications and the people involved with this decision, **was destroyed**.⁸¹

On 2 August 2022, Ioannis Vrailas, the Greek ambassador to the EU, wrote in a **letter to the EU Commission** DG JUST Director that the Greek National Intelligence Service "[had] not bought or ever used [Predator] or any other illegal surveillance system."⁸²

On 4 August 2022, the ADAE asked to Androulakis' mobile phone company, Wind, for information and they found that **Androulakis had been wiretapped by the EYP**, and that **Vasiliki Vlachou has signed off on this decision in September 2021, around the same time as the attempt to hack Androulakis with Predator**.⁸³

That night, the Prime Minister was informed of the findings of the ADAE's investigation and demanded the resignation of Kontoleon and Dimitriadis. According to government sources, the PM was not aware of the monitoring of Androulakis, even though the EYP responds directly to him.⁸⁴

On 5 August 2022, Panagiotis **Kontoleon**, chief of the EYP intelligence service, **resigned** "following mistaken actions found during lawful wiretapping procedures," (statement from Prime Minister Kyriakos Mitsotakis' office). Also **Grigoris Dimitriadis**, general secretary of the prime minister's office, resigned.⁸⁵

Government spokesperson Economou stated that "As soon as the case of the legal intrusion – following the approval of a prosecutor – concerning Androulakis came to the prime minister's knowledge, the **government sought to brief him** fully through (State Minister Giorgos) Gerapetritis, but Mr. Androulakis **chose not to respond**."⁸⁶

Kontoleon claimed that the surveillance of Androulakis was carried out at the request of the intelligence services of **Ukraine and Armenia**,⁸⁷ an allegation **rejected by the authorities of these States**.

⁷⁸ <https://www.reuters.com/world/europe/greek-socialist-leader-files-complaint-over-attempted-phone-bugging-2022-07-26/>

⁷⁹ <https://www.euractiv.com/section/politics/news/eu-commission-alarmed-by-new-spyware-case-against-greek-socialist-leader/>

⁸⁰ see <https://www.reuters.com/world/europe/greek-intelligence-service-admits-spying-journalist-sources-2022-08-03/>

⁸¹ https://www.euractiv.com/section/politics/short_news/greek-mep-spyware-scandal-takes-new-turn/

⁸² <https://twitter.com/Efkouts/status/1562420519290359816>

⁸³ <https://www.kathimerini.gr/politics/561988786/ypothesi-parakoloythiseon-ta-dedomena-poy-pyrodotisan-tis-exelixeis/>

⁸⁴ <https://www.kathimerini.gr/politics/561988786/ypothesi-parakoloythiseon-ta-dedomena-poy-pyrodotisan-tis-exelixeis/>

⁸⁵ <https://www.reuters.com/world/europe/greek-intelligence-service-boss-quits-amid-wiretapping-scandal-2022-08-05/>

⁸⁶ <https://english.alarabiya.net/News/world/2022/08/05/Greece-s-intelligence-chief-resigns-amid-spyware-scandal>

⁸⁷ <https://www.kathimerini.gr/politics/561988786/ypothesi-parakoloythiseon-ta-dedomena-poy-pyrodotisan-tis-exelixeis/>

On 8 August, **Mitsotakis acknowledged that the EYP had wiretapped Androulakis, but denied having knowledge of these operations and insisted on their legality.**⁸⁸

Again on 26 August 2022, PM Mitsotakis stated that the phone tapping of Androulakis **was legal but "politically unacceptable" operation.**^{89 90}

On 8 September 2022, **Androulakis asked ADAE for his wiretapping file**⁹¹ but on the same day media report that the records of both Nikos Androulakis and Thanasis Koukakis held by the EYP had been **destroyed by EYP officials**, citing official information from the Hellenic Authority for Communication Security and Privacy (ADAE).⁹²

Government sources blame the destruction of Androulakis' file on the EYP's **change in the electronic system** that took place sometime in 2021, when they started using RCS Lab' Mito technology.⁹³ On the contrary, the minority report of the Inquiry committee states that **Kontoleon gave the order** on 29 July 2022 to destroy both Androulakis and Koukakis' files.⁹⁴

On 6 October 2022, Nikos Androulakis spoke at the **PEGA** meeting in his quality of victim of surveillance spyware.⁹⁵

According to the minority report of the Greek committee of inquiry, the dates of his wiretapping suggest that following the failed attempt to spy on Androulakis through Predator, the EYP resorted to the standard surveillance procedures using the national security justification.⁹⁶

3.4.4. Further victims: EYP employees, MP and former Minister Spirtzis, InsideStory

On 6 September 2022, media reported that **two EYP employees** were targeted through (failed) attempts to infect their phones with **Predator**, shortly after the attempts with Nikos Androulakis and after the tapping of Thanasis Koukakis' mobile phone.

A first employee with several years of experience was targeted on Tuesday 23 November 2021 through a text message sent to the mobile phone from an unknown number, accompanied by a link to install Predator.

A second employee (who in the past had a key position in the service) was targeted at the same time and received a text message on the mobile phone, followed by a deceiving link for the installation of Predator. The person also received two more messages from another mobile. In all cases, the attempt failed, as the employee did not click on the link.

In January 2022, the two EYP executives were transferred without explanation by the current government to the Hellenic Police.

⁸⁸ <https://primeminister.gr/2022/08/08/29961>

⁸⁹ <https://www.dw.com/en/greek-pm-defends-secret-service-amid-wiretap-scandal/a-62942095>

⁹⁰ <https://www.euronews.com/my-europe/2022/08/26/greek-spyware-scandal-pits-brussels-against-athens>

⁹¹ <https://www.ekathimerini.com/news/1192820/androulakis-asks-adae-for-his-wiretapping-file/>

⁹² <https://www.tanea.gr/print/2022/09/08/greece/katastrafike-to-arxeio-lftis-parakolouthisis-lftou-nikou-androulaki/>

⁹³ <https://tvxs.gr/news/egrapsan-eipan/o-glabra%CC%81nos-pi%CC%81so-apo%CC%81tin-krikel>

⁹⁴ https://www.euractiv.com/section/politics/short_news/greek-mep-spyware-scandal-takes-new-turn/

⁹⁵ <https://www.europarl.europa.eu/committees/en/pega-exchange-of-views-with-members-of-t/product-details/20221003CAN67105>

⁹⁶ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

On 9 September 2022, **Christos Spirtzis**, former minister and Syriza MP, was informed that his phone had been **hacked by Predator** and **reported it to the chief prosecutor**.⁹⁷

A first message was sent on 15 November 2021, after he had submitted questions relating to the surveillance work of Greece's intelligence service (EYP) related to the spying on migration journalist Malichudis and others. Four days later, on 19 November 2021, he received a second message, which included a link that resembled that of newspaper Efimerida ton Syntakton.⁹⁸

On 24 October, journalist **Tasos Telloglou**, head of the Investigative team "**Inside Story**", described in an article how he was targeted by surveillance and intimidation while he was investigating the wiretapping scandal in Greece.⁹⁹

3.5. The reactions by the Greek State

In a televised State address on 8 August 2022, **Mitsotakis apologised to Androulakis**, saying that he had **no knowledge of his wiretapping**. He said that it was **legal**, but that it was **politically unacceptable and he never would have allowed it**. He announced that the government immediately agreed to the establishment of the Committee of Inquiry.

The PM also highlighted 4 areas for reform contained in an Act of Legislative Content to be immediately tabled:¹⁰⁰

1. Strengthening the accountability of the EYP and the oversight of the Parliament through the Committee on Institutions and Transparency.
2. Upgrading the role of the National Security Council to make better use of information and EYP.
3. Shielding the framework of legal interceptions for political figures.
4. Changes within EYP to enhance internal control, transparency, extroversion and training of its human resources.

In his statement, the Prime Minister said that the newly appointed head of EYP to replace Kontoleon, Themistoklis Demir, would be competent to oversee the changes needed in the EYP.

Indeed, the next day, 9 August 2022, the **government introduced an Act of Legislative Content**, reinstating **two-prosecutor authorisation for surveillance operations** – previously abolished by SYRIZA in 2018 – and, for the first time, making an opinion from the competent **parliamentary committee** mandatory to **appoint the EYP Director**.¹⁰¹

However, reportedly when the ruling majority of the Committee on Institutions and Transparency endorsed the appointment of Demir as Director of the EYP under the new act, all opposition parties abstained from the vote.¹⁰²

The Act does not repeal the March 2021 amendment that prevents the ADAE from informing, ex post, surveillance targets about surveillance measures taken for reasons of national security, as in Koukakis's case.

⁹⁷ <https://www.euractiv.com/section/digital/news/another-greek-opposition-lawmaker-victim-of-predator/>

⁹⁸ <https://www.ekathimerini.com/news/1192923/former-syriza-minister-says-he-was-targeted-by-predator/>

⁹⁹ <https://gr.boell.org/el/2022/10/24/se-synthikes-apolytis-monaxias>

¹⁰⁰ <https://primeminister.gr/2022/08/08/29961>

¹⁰¹ <https://www.iefimerida.gr/politiki/sarotikes-allages-stin-eyyp-praxi-nomothetikoy-periehomenoy>

¹⁰² <https://www.ft.com/content/733a2316-74a4-4155-82a4-ce60b6b9bd34>

Nor does it change the fact that the EYP is under the direct control of the PM: in 2019, shortly after the elections the supervision of the EYP was transferred from the Minister of Public Order to the Prime Minister, who became institutionally directly responsible for EYP.¹⁰³

3.5.1. The audit by the National Transparency Authority (18 April to 22 July 2022)

The **National Transparency Authority (NTA)**, created by the government in 2019 through the same law bringing EYP under governmental control, is a body mainly charged with fighting corruption, with wide powers of audit and seizure of documents, correspondence, materials.

Following Reporters United's revelation that the EYP was monitoring Koukakis in the summer of 2020,¹⁰⁴ a government spokesperson announced during a press conference on 18 April that the NTA would begin an audit into the matter.¹⁰⁵

Critics noted that the competences of NTA, as defined in Greek law, "do not in any way cover the merits of this case",¹⁰⁶ because not much information on the audit was available¹⁰⁷ and because there are questions on the real independence of the NTA.

The NTA produced its report on 22 July 2022 after almost 3 months of investigations, allegedly sent it to EYP for their check and finally handed it over to Koukakis in a censored version, with names and corporate entities redacted for "data protection" reasons.¹⁰⁸

The NTA's mandate for this audit was to determine whether the EYP or the Hellenic Police had procured Predator or whether they had concluded any contracts with Intellexa or Krikel. The NTA visited the Greek offices of Intellexa on 9 June and the offices of Krikel on 12 June. **The final report concluded that the EYP and the Hellenic Police had not procured Predator.**¹⁰⁹ The government used these conclusions to demonstrate that the State was not involved with Predator and these companies.

A few days after the NTA finished its audit, Inside Story highlighted several flaws in the audit:¹¹⁰

1. According to the NTA, Intellexa did not enter into a supply contract with any company registered in the GEMI, with the Hellenic Police, or with the EYP. The **NTA stopped its investigation** at this conclusion and did not go on to wonder, then, which company, domestic or otherwise, contracted with Intellexa for the procurement of Predator.
2. The NTA only examined the interested companies' tax returns from 2020, even though Koukakis was infected with Predator in **2021**. The NTA did look at Intellexa's tax returns for 2021, but only based on information provided by the company's accountant.
3. The NTA did not look into the **bank accounts** held by Intellexa or Krikel.
4. The audit did not investigate intermediary companies or any companies registered abroad

¹⁰³ See art 21 par 4 of LAW NO. 4622 Issue A' 133/07.08.2019 Executive State: organisation, functioning and transparency of the Government, government bodies and central public administration. "4. The National Intelligence Service (E.Y.P.) is under the Presidency of the Government." <https://www.kodiko.gr/nomothesia/document/545222/nomos-4622-2019> / Presidential Decree 81/2019 (Government Gazette 119 / 8.7.2019).

¹⁰⁴ <https://www.reportersunited.gr/8646/eyp-koukakis/>

¹⁰⁵ <https://www.reportersunited.gr/8730/sygkalypsi-2-pos-i-kyvernisi-mitsotaki-prospathe-i-xana-na-kleisei-tin-yposhesi-koykaki/>

¹⁰⁶ Ibid

¹⁰⁷ Ibid

¹⁰⁸ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-yposhesi-predator>

¹⁰⁹ Ibid

¹¹⁰ Ibid

5. It is unclear whether the NTA's investigations also covered the contracts concluded by **KETYAK**, an independent service within the EYP.
6. The NTA **waited 2 months** to visit the offices of Intellexa and Krikel, at which point most employees were working from home due to Covid. During these visits, the NTA did not meet with legal representatives of the companies but with its accountants and lawyers.

3.5.2. The Hellenic Authority for Communication Security and Privacy (ADAE)

The ADAE, established in 2003, states that its purpose is "to protect the free correspondence or communication in any possible way."¹¹¹ It has the power to audit and monitor the EYP and constitutionally the EYP falls under the control of the ADAE.

Thanasis **Koukakis** first approached the ADAE to verify whether the EYP had placed him under surveillance in June 2020. In March 2021, the ADAE submitted a question to the EYP, asking whether it could provide this information to Koukakis. Twenty days later, the government introduced a **change in the law preventing the ADAE from informing**, ex-post, surveillance targets about surveillance measures taken for reasons of national security.¹¹²

The ADAE finally got back to Koukakis nearly a year after his request replying that "**no fact has been found** that constitutes a violation of the current legislation on the confidentiality of communications."¹¹³

As already mentioned, on 7 April 2021, the president of ADAE Christos Rammos and two other members of the Authority (Aikaterina Papanikolaou and Stefanos Gritzalis) wrote an academic article stating that the amendment to the law was in their opinion **contrary to the Constitution and the ECHR** (see section on Koukakis).

According to the Syriza minority report, it appears that the ADAE stated during a hearing in the committee, as reported in the minutes of its audits of 6-7 and 13 September to EYP, that on 29 July 2022, on the same day that Nikos Androulakis submitted a request to the ADAE for an investigation into his infection with Predator, **the head of the EYP at the time ordered the destruction of the machine that stored the EYP orders for surveillance.**¹¹⁴ It also appears **that any data linking the EYP to Koukakis and Androulakis, electronic or otherwise, has disappeared.**¹¹⁵ Greek news outlet *Ta Nea* confirmed the destruction of these files in September 2022.¹¹⁶

¹¹¹ <http://www.adae.gr/en/>

¹¹² [https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA\(2022\)733637](https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA(2022)733637)

¹¹³ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

¹¹⁴ The report states that "the President of the Independent Authority for The Safeguarding of the Confidentiality of Communications, Mr. Christos Rammos, who, among other things, testified in the minutes the protocols of control of EYP by the ADAE dated 6-7 and 13 September. According to what is described there, it appears that the order to destroy the LI surveillance machine and therefore the digital surveillance file of Nikos Androulakis was given by Mr. Kontoleonas on July 29, i.e. the same day of the meeting of the Committee on Institutions and Transparency of the Parliament but also on the same day that Mr. Androulakis informed the ADAE about the case of his monitoring. He denied that secrecy is objectionable to the ADAE, which according to the Constitution has the control over the EYP, while the same applies to the opposition of secrecy before the Parliament. Mr. Rammos in his testimony stressed that there was a wall of silence around the case of interceptions while at the same time the EYP for refusing to cooperate in the audit work of the authority as reflected in the relevant control protocols."

¹¹⁵ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

¹¹⁶ <https://www.tanea.gr/print/2022/09/08/greece/katastrafike-to-arxeio-lftis-parakolouthisis-lftou-nikou-androulaki/>

On 4 August 2022, the ADAE investigated **Androulakis'** telecommunications provider and found out that his communications had been **intercepted by the EYP** with formal authorisation, signed in September 2021, by public prosecutor Vasiliki Vlachou (see also section on Androulakis).¹¹⁷

On 29 August, ADAE has also decided to launching an investigation into the EYP and two police directorates (the Special Violent Crime Squad, which deals with anti-terrorism, and the Intelligence Division, focuses on serious and organized crime and terrorism), allegedly in relation to the revelations concerning the EYP spying on Nikos Androulakis and the attempt to infect his phone with Predator.¹¹⁸

Rammos also took part in the PEGA hearing dedicated to Greece, where he did not deny destruction of the files but noted that the investigation is still ongoing and that he is not allowed to comment. In addition, from his perspective orders for legal interception for national security ought to be authorised by collegium of judges and not by a single judge, which will helps to specify the balance with national security issues.

3.5.3. The judicial inquiries

The victims of surveillance, but also others, have brought various lawsuits and complaints to the prosecutors and the courts, reported in the media, as follows:

On 24 February 2022, **Solomon filed a legal complaint** against EYP before the prosecutor of the Supreme Court for the spying on their journalists, including **Malichoudis**.¹¹⁹

On 3 May 2022, media reported that a **preliminary investigation** had already been launched by the head of the Athens Prosecutor's Office, Sotiria Papageorgopoulou, to determine if there has been a criminal violation of communications privacy of **Koukakis**.¹²⁰

On 26 July 2022, **Androulakis filed a criminal complaint** at the Prosecutor's Office of the Supreme Court for attempting to infect and monitor his cell phone through Predator.¹²¹

On 27 July 2022, **Koukakis appealed to the European Court of Human Rights** against Greece.

On 5 August 2022, media reported that **Supreme Court prosecutor Isidoros Dogiakos** had launched a **criminal investigation into the leaks of classified information to journalists** who broke the story.¹²²

Dimitriadis has brought five legal defamation claims (that media freedom organisations consider as Strategic Lawsuits Against Public Participation - SLAPPs) against **newspaper Efimerida ton Syntakton (EFSYN)**, **investigative online portal Reporters United** and their reporters **Nikola Leontopoulos** and **Thodoris Chondrogiannos**, and **freelance journalist Thanasis Koukakis**. The lawsuits range from between €150,000 and €250,000. On 20 October Dimitriadis was awarded the 'SLAPP Politician of the Year Award' 2022 by the [CASE Coalition](#) at its European Anti-SLAPP contest 2022.¹²³

¹¹⁷ [https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA\(2022\)733637](https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA(2022)733637)

¹¹⁸ <https://www.ekathimerini.com/news/1192053/wiretapping-communications-watchdog-to-investigate-intelligence-and-police-services/>

¹¹⁹ <https://wearesolomon.com/mag/accountability/solomon-files-complaint-against-intelligence-agency/>

¹²⁰ See <https://govwatch.gr/en/sovares-apokalypseis-kai-diethneis-antidraseis-gia-tin-parakolythisi-dimosiografoy-apo-tin-eyk-kai-to-logismiko-ypoklopon-predator/>

¹²¹ <https://www.reuters.com/world/europe/greek-socialist-leader-files-complaint-over-attempted-phone-bugging-2022-07-26/>

¹²² <https://balkaninsight.com/2022/08/23/how-many-greek-spyware-scandal-just-getting-started-says-targeted-reporter/>

¹²³ <https://www.article19.org/resources/greece-slapp-drop-lawsuits/>

On 9 September 2022, **Christos Spirtzis**, former minister and Syriza MP, was informed that his phone had been **hacked by Predator** and **reported it to the chief prosecutor**.¹²⁴

On 5 October 2022,¹²⁵ **Koukakis filed a lawsuit with prosecutors in Athens** accusing Intellexa and its personnel (Dilian and another shareholder – Sara Hamou, who is also Dilian's partner) of criminal offenses, including breaches of privacy and communications laws by allegedly selling their Predator spyware to EYP, supporting that it is illegal in respect of European and Greek law.¹²⁶

Eliza Triantafyllou, investigative journalist of Inside story, mentioned during her hearing in PEGA that official investigations on privacy violations seemed to **proceed slowly**, while investigations into leaks to the media advanced much faster.

3.5.4. The Special Permanent Committee on Institutions and Transparency

The **Special Permanent Committee on Institutions and Transparency** is one of the four special committees in the Hellenic Parliament and is permanent.¹²⁷ It is in charge of exerting **parliamentary control and oversight over the EYP** and its actions.

The Committee on Institutions and Transparency held several hearings in the summer of 2022 during which it interrogated key figures in this scandal, upon request of PASOK and SYRIZA, and continues its works.

On 29 July 2022, the same day that Androulakis asked the ADAE to investigate the attempt of infection of his phone with Predator, the Committee on Institutions and Transparency interrogated the directors of ADAE and EYP. The head of the EYP, Panagiotis **Kontoleon**, **stated at this hearing that the EYP did indeed carry out surveillance of Koukakis for national security reasons**, but that he **had no knowledge of the attempt to hack Androulakis' phone with Predator**.¹²⁸ The President of the Authority for The Safeguarding of the Confidentiality of Communications, Mr. Rammos, was also invited, in the presence of the Ministers of Digital Governance and State, during which Rammos reportedly gave an important testimony (see previous section on the ADAE).

On 24 August 2022, the Committee on Institutions and Transparency heard the new EYP Commissioner Themistoklis Demiris and voted on his appointment.

On 30 August, the Committee called nine people in for a closed-door hearing, including the recently resigned **former head of EYP Panagiotis Kontoleon, public prosecutor Vasiliki Vlachou and former Secretary General Grigoris Dimitriadis. All three evaded answering questions by invoking confidentiality**.¹²⁹ Former EYP commanders Giannis Roubatis and Theodoros Davillas were also heard, as well as the Prosecutor of the Court of Appeals Konstantinos Tzavelas, and the president of the ADAE Christos Rammos (1 September 2022).

3.5.5. The Committee of Inquiry (29 August to 10 October 2022)

The Committee of Inquiry, which had very wide statutory powers combining parliamentary control with the investigative powers of the prosecutor, was established on the basis of a Pasok proposal during the

¹²⁴ <https://www.euractiv.com/section/digital/news/another-greek-opposition-lawmaker-victim-of-predator/>

¹²⁵ <https://www.news247.gr/koinonia/skandalo-ypoklopon-minysi-kata-tis-intellexa-apo-ton-thanasi-koykaki.9781771.html>

¹²⁶ <https://www.haaretz.com/israel-news/security-aviation/2022-10-07/ty-article/.premium/criminal-allegations-against-israeli-linked-spyware-ex-intel-commander-in-hacking-scandal/00000183-ad14-d3f8-a9ef-bf5752e60000>

¹²⁷ https://en.wikipedia.org/wiki/Special_Permanent_Committee_on_Institutions_and_Transparency

¹²⁸ [https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA\(2022\)733637](https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA(2022)733637)

¹²⁹ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

Greek parliamentary plenary session of 29 August 2022.¹³⁰ Its mandate of one month was to examine the violation of the confidentiality of the communications of Nikos **Androulakis** by the National Intelligence Service (EYP) or by other natural or legal persons, the confirmed attempt to trap his mobile phone with the **Predator** malware, its illegal use in the territory and the investigation into the existence of responsibilities of the Prime Minister Mr. Kyriakos **Mitsotakis** and **any other natural person involved or a legal person**, as well as the of the case of **EYP infection with Predator of the mobile of Athanasios Koukakis** and the case of the call centre of the KKE.

The President, Vice-President, and Secretary of the Committee were all from the New Democracy party. The minority reports on the Committee investigations note that the choice of witnesses to call in for testimony was in the hands of the party majority (New Democracy) and that the bureau of the Committee rejected witnesses proposed by the opposition parties. The refusal to publish the minutes of the Committee and to distribute the minutes and the documents to other members of the Committee were also criticised. They also condemn the refusal of Mr. Demiris, current commander of EYP, to hand over the documents requested, including the Internal Regulation of EYP and all the files related to Androulakis and Koukakis.¹³¹

The Committee began its work on 7 September 2022. It called in the legal representatives of both **Intellexa and Krikel**, Sara Hamou and Stamatis Tribalís respectively, to come in and give a testimony.

On 22 September, **Tribalis** told the Committee that he was also the owner of **Krikel**, and that he had purchased in in 2017 via a company he founded called Eneross Holdings. He denied any knowledge of Giannis Lavranos or Felix Bitzios. Tribalís also denied that Krikel had any relationship to Intellexa, and he denied any knowledge of the Krikel company cars present at KEYTAK headquarters. In a later investigation, Greek outlet TVXS reported that Giannis Lavranos and Felix Bitzios worked together to employ the man who managed Krikel before Tribalís, Pelczar Stanislaw. Further, TVXS reported that Lavranos declared his registered office at the same address as Eneross Holdings.¹³²

Hamou claimed that as she was a permanent resident abroad, she could not come and attend the Committee in person. The Committee allowed her to answer questions in writing, while the opposition parties refused to send her questions in protest of this decision.¹³³

The Committee did not invite the witnesses proposed by the opposition, such as Koukakis, the Prime Minister Mitsotakis, Grigoris Dimitriadis, Vasiliki Vlachou, Giannis Lavranos, Felix Bitzios, and officials who may have participated in asking for the lifting of confidentiality or who signed them off.

The parliamentary political parties all submitted their final reports on the Committee's investigations on 10 October 2022.¹³⁴

New Democracy concluded that the government had properly responded, that the parliament had properly investigated the issue, and that "there was no evidence to suggest that the Prime Minister, his office and his associates were aware of the lifting of secrecy at any stage." Their final report relies on the NTA audit to show that the EYP did not use Predator and highlights the need to strengthen the institutional guarantees for the operation of the EYP by re-introducing the requirement of involving a second prosecutor to lift confidentiality. At the political level, the government also assumed the strict

¹³⁰ <https://www.reuters.com/world/europe/greek-parliament-sets-up-inquiry-commission-probe-phone-tapping-scandal-2022-08-29/>

¹³¹ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygalypsi>

¹³² <https://tvxs.gr/news/egrapsan-eipan/o-glabra%CC%81nos-pi%CC%81so-apo%CC%81tin-krikel>

¹³³ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygalypsi>

¹³⁴ <https://www.politico.eu/article/greek-spyware-inquiry-ends-in-stalemate/>

political responsibility of the Androulakis case, with the resignations of the Secretary General of the Prime Minister and the EYP commander.¹³⁵

SYRIZA concluded, "there is sufficient evidence that EYP used the illegal Predator software", and asked for further investigations by both the Greek parliament and the criminal justice system.¹³⁶ It reached five main conclusions:

"1. It arises from the contradictions of the Prime Minister, his generally hypocritical attitude and the practices followed by both the Greek government and the parliamentary majority to cover up the scandal that his main guiding principle is not the truth and the clarification of the case but its cover-up and the disappearance of elements that could lead to the attribution not only of political but also of possible criminal responsibilities.

2. For the latter in particular, there are sufficient indications as it is now clear that there are no national security reasons for the interceptions under consideration.

3. There is sufficient evidence that the EYP exploited the illegal predator software together with the official interceptions.

4. The Prime Minister's knowledge in this regard is not only objectively presumed due to his relevant competence but also from his very close relationship with his Secretary General and nephew Mr. Grigoris Dimitriadis, from the appointment of Mr. Dionysis Melitsiotis, former Director of his Office to the position of second deputy governor of EYP, from the special treatment of the now former EYP Commander Mr. Kontoleonas who was appointed after the relevant change of the provisions of the law but and from the attitude of Mr. Demiris, who was appointed governor of the EYP by the Prime Minister after Kontoleonas' resignation with the sole purpose of covering up the case, as shown by the treatment he accorded to the supervisory authority, the coverage of the prosecutor Vasiliki Vlachou and his general refusal to cooperate with both the ADAE and the parliamentary committee of inquiry.

5. Knowledge of the Prime Minister is also presumed by the fact that the government through its Vice-President, and a close associate of Mr. Mitsotakis, Mr. Pikrammenos, attempted, even before the revelation of the surveillance of Mr. Androulakis, to create institutional barriers keeping the scandal of the interceptions secret through the unconstitutional amendment of March 31, 2021".

SYRIZA concludes that "In view of all the above, it is necessary for the case to be further investigated both by the Greek Parliament with all available parliamentary means, including the preliminary examination committee, and by the criminal justice system, which must take the necessary initiatives, taking into account all the findings that the committee of inquiry must send them".

The report also states that the "obvious use on behalf of EYP of predator software or information obtained using the software probably through illegal deals (outsourcing)" are clear and that "the official connections of EYP and its general operation were not unrelated to the monitoring function of the predator software. On the contrary, there is sufficient evidence to suggest that the operation of this software was known and was probably still and illegally used by the National Information Service either as a supplement or as a primary means of monitoring."

"It follows from all the above that behind the companies Krikel and Intellexa, and despite the attempt to eliminate their traces with constant acquisitions and transfers, the same faces are hiding. Namely, Giannis Lavranos and Felix Bitzios, who appear to be cooperating with the businessman Tal Dilian and who maintain special and privileged relations with the Greek government, especially with the already

¹³⁵ <https://www.ieidiseis.gr/politiki/167157/nd-gia-eksetastiki-katerrefsan-oi-kataggelies-tis-antipolitefsis>

¹³⁶ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

resigned former Secretary General of the Prime Minister, Mr. Grigoris Dimitriadis. In particular, during his examination before the Committee on Institutions and Transparency, Mr. Dimitriadis admitted that he knows Mr. Lavranos. It should be noted that Mr. Lavranos is Mr. Dimitriadis' best man as he has baptized his second child while the former Secretary General of the Prime Minister has special business relations with Mr. Felix Biggio."

PASOK-KINAL concluding report underlines, among other things, that "the attitude of the MPs of the New Democracy majority in the Committee of Inquiry played an essential role in the organized government plan to cover up the investigated scandal of illegal surveillance", noting that: "The majority of New Democracy excluded all necessary witnesses and evidence. The majority MPs did too little to bring out the truth and too much to cover up the scandal and obfuscate the case."

The report also stressed that "it did not appear that there was a national security reason to lift the confidentiality of the communications of the President of PASOK-MOVEMENT FOR CHANGE, Mr. Nikos Androulakis. Therefore, the lifting of the confidentiality of the communications of the President of PASOK-MOVEMENT FOR CHANGE, Mr. Nikos Androulakis, was illegal. There are therefore serious indications that the group of persons who applied, submitted, recommended, supervised, approved, executed and in any way knew at any time, did not prevent or even contributed by their acts and omissions to illegal surveillance have probably committed criminal acts."

The report also concluded that "it becomes necessary to change the way the National Intelligence Service operates and to strengthen the role of the public prosecutor's office and A.D.A.E. as an independent authority".

The **Communist Party of Greece** (KKE) minority report stated that: "The result of the commission of inquiry was a complete cover-up of the truth and political and other responsibilities for the wiretapping, in all cases. Especially in the case of wiretapping against the KKE, the cover-up was launched in the most blatant way, with the normal elimination of the case from the discussion and any investigation", (MP of the KKE and member of the Committee of Inquiry, Nikos Karathanasopoulos).

"The Committee of Inquiry into interceptions confirmed in the most revealing way the positions and assessments of the Greek Communist Party on the role and effectiveness of these committees, which have now been proven not to lead to the revelation of the truth and the real culprits behind all kinds of 'scandals'", the Greek Communist Party points out.

"The very operation of the committee of inquiry, with the primary responsibility of the government majority, undermined from the outset the substantial investigation into the attribution of all political and other responsibilities regarding the interceptions, to the detriment of both the president of PASOK / KINAL and journalists, as well as of course our Party for the interceptions in the call center of the headquarters of its Central Committee from 2016 until today", the KKE emphasizes. "This served the dual purpose, on the one hand, of completely concealing the truth, and on the other hand the operation of disorienting from the key issues that should and must be brought to the attention of the people, around the confidentiality of their communications, the protection of their personal data, their fundamental rights and freedoms," he adds.

Concluding, the Greek Communist Party emphasizes that "it will continue to reveal all the facts about the case of wiretapping, publicly and widely to the people and the youth, so that the people can draw the necessary conclusions, to face with its action all the reactionary measures that are being taken against it by all the authorities and mechanisms of the state, by all governments."

Perissos notes, at the same time, that "the root of the problem, and in the case of interceptions, lies deep in the system itself. It is the power of capital and its state, which uses surveillance to impose the barbarity

of poverty, exploitation, war. This barbarity, served by the bourgeois parties and governments, is what must be abolished, overthrown by the organized popular struggle, in order to bring to the fore the truth but also the needs and rights of the people.”¹³⁷

3.6. Spyware and the State in Greece

3.6.1. Table of alleged (secret) contracts concluded by (or related to) Krikel

One of the companies that has come under scrutiny over the course of the Greek wiretapping scandal is **Krikel**, allegedly founded in 2017. Krikel's reported function is the “wholesale trade of rice.”¹³⁸ In 2017, Krikel had a turnover of zero.¹³⁹ The **NTA audit** found that Krikel had concluded “seven contracts, of which six are secret” with the ELA.¹⁴⁰ eKathimerini obtained information on 6 contracts, 5 of which were for the maintenance and support of **Tetra** communications systems.¹⁴¹ Tetra communication systems are allegedly an encrypted talks system, “radios”, used by the Hellenic Police.¹⁴²

In 2014, a company called “Lamas Pinto”, which has no proof of existence and whose registered address proved to be wrong, **donated Tetra communication systems to the ELA**. The donation was reported to be of the value of €25 million.¹⁴³ Giannis Lavranos' Ioniki Technologies was allegedly also involved in this donation.¹⁴⁴ The **ELA eventually signed off on this and accepted the donation** in 2017. The final contract was signed by Current Minister of Tourism, Vassilis Kikilias, who was then Minister of Public Order.¹⁴⁵

The donation of Tetra systems by fictional company Lamas Pinto to the Greek state led to a series of **contracts** concluded between the **Hellenic Police (ELA) and Krikel**, most of which were somehow related to the Tetra systems. The table below provides details of the available information on the contracts concluded by Krikel from 2018 onwards, as well as on a related precedent donation.

Table 3: Contracts concluded by Krikel

The table includes all the public available information from various media articles, which presents some differences, with the respective sources.

Year	With	Service	Amount	Source
2014 - 2017	current Minister of Tourism, Vassilis Kikilias, then Minister of Public Order	Donation by "Lamas Pinto" (fictional company) and then final acceptance of the Tetra system of communications to the ELA	25.000	https://www.kathimerini.gr/politics/562025536/parakolythiseis-oi-exi-aporrites-symvaseis-tis-krikel/ https://www.tovima.gr/2016/01/30/society/etaireia-fantasma-dwirse-25-ekat-stin-el-as/

¹³⁷ <https://www.ieidiseis.gr/politiki/167119/ypoklopes-oi-porismatikes-theseis-tou-kke-gia-tin-eksetastiki-epitropi>

¹³⁸ <https://insidestory.gr/article/oi-aoratoi-idiotes-ton-parakolythiseon>

¹³⁹ <https://www.kathimerini.gr/politics/562025536/%20parakolythiseis-oi-exi-aporrites-symvaseis-tis-krikel/>

¹⁴⁰ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

¹⁴¹ <https://www.kathimerini.gr/politics/562025536/%20parakolythiseis-oi-exi-aporrites-symvaseis-tis-krikel/>

¹⁴² <https://insidestory.gr/article/oi-dyo-etaireies-kleidia-gia-tin-ereyna-tis-voylis-gia-tis-ypoklopes>

¹⁴³ <https://www.tovima.gr/2016/01/30/society/etaireia-fantasma-dwirse-25-ekat-stin-el-as/>

¹⁴⁴ <https://insidestory.gr/article/oi-aoratoi-idiotes-ton-parakolythiseon>

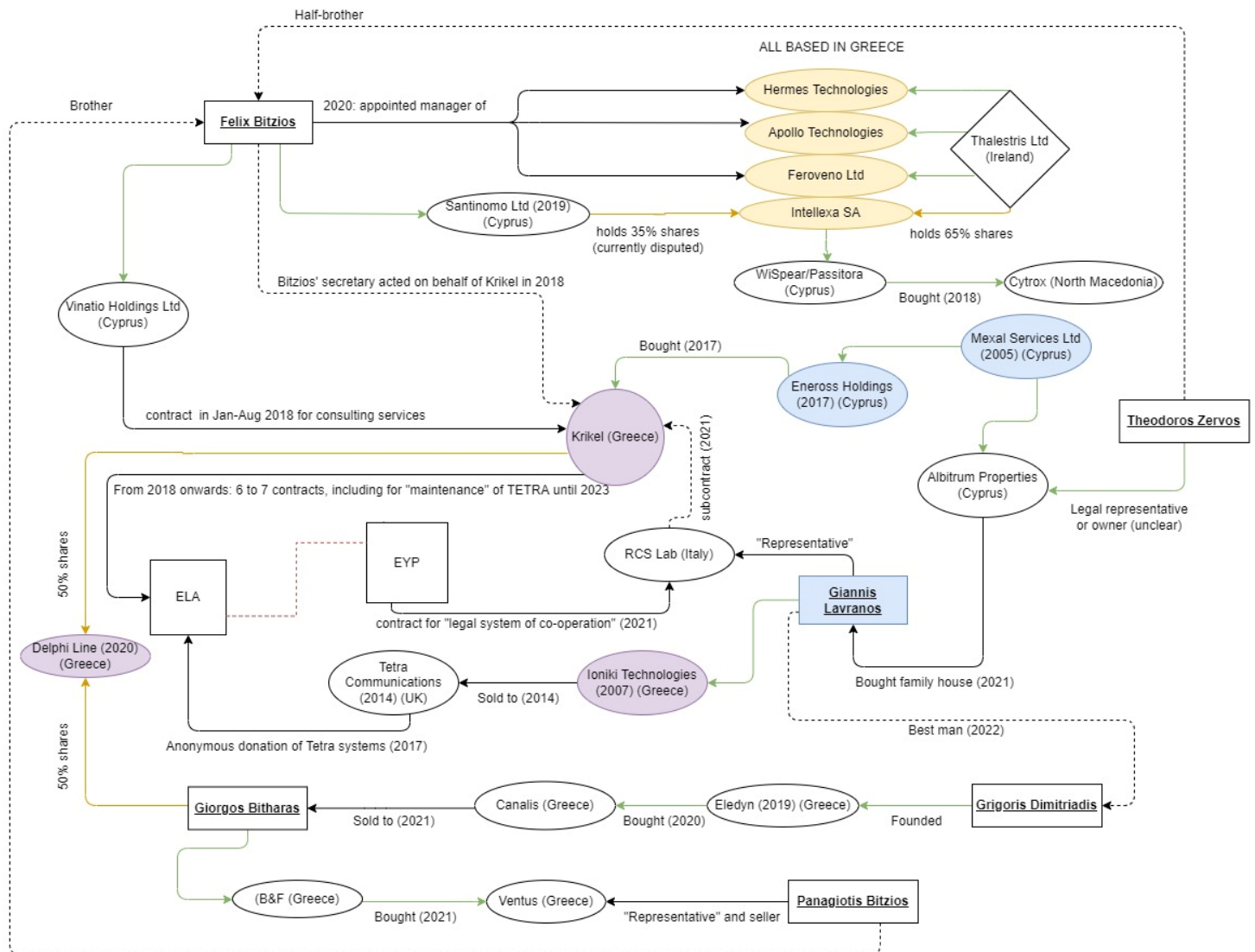
¹⁴⁵ <https://www.kathimerini.gr/politics/562025536/parakolythiseis-oi-exi-aporrites-symvaseis-tis-krikel/>

18 January 2018	Viniato Holdings Ltd	Consulting services until August 2018	€550,000	https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-yposhesi-predator
20118 March	signed by the former Deputy Minister of Citizen Protection Nikos Toskas	four-month bridge contract for the technical maintenance of the Tetra Sepura communications system of the Hellenic Police	€ 495,000	1st contract with Krikel according to https://www.kathimerini.gr/politics/562025536/parakolythiseis-oi-exi-aporrites-symvaseis-tis-krikel/
29 June (1 July) 2018	Hellenic Police (ELA) former General Secretary of Public Order Dimitris Anagnostakis with Peltsar Stanislav Simon for Krikel	Contract for "maintenance and technical support" of TETRA encrypted wireless communication system from 1/7/2018 to 31/12/2023 with possible extension Articles also mention that it is a telecommunications supply contract for the Greek police in the Greek islands and in Evros in 2021; And that the company will make a compensatory donation of a significant number of police cars	€8.8 million (+ 24% VAT 24%) Which corresponds to 1,600,000 euros per year plus 24% VAT: a total of 10.8 million euros including VAT Krikel received an advance of 4.9 million euros within a week of its signing	https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-yposhesi-predator https://insidestory.gr/article/oi-aoratoi-idiotes-ton-parakolythiseon 2nd contract according to https://www.kathimerini.gr/politics/562025536/parakolythiseis-oi-exi-aporrites-symvaseis-tis-krikel/ the advance: https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi
November 2019	Ministry of Citizen Protection on behalf of the Directorate of Information Management and Analysis (DIDAP) of the Hellenic Police, signed by the former General Secretary of Public Order Konstantinos Tsouvalas	purchase from a company in Denmark through KRIKEL a counter-monitoring system (device to detect if "suitcases" and other mobile phone monitoring devices are operating in an area) + training of 10 DIDAP executives	€ 297,000	3rd contract according to https://www.kathimerini.gr/politics/562025536/parakolythiseis-oi-exi-aporrites-symvaseis-tis-krikel/
April 2020	Konstantinos Tsouvalas	procurement of 2,400 new Tetra	€1.8 million	4th and 5th contracts according to https://www.kathimerini.gr/politics/562025536/

	and deputy Minister Nikos Toskas	Sepura portable radios, with KRIKEL committing to deliver another 1,000 in the form of a donation.		parakolythiseis-oi-exi-aporrites-symvaseis-tis-krikel/
April 2021	Former head of the Hellenic Police Michalis Karamalakis	extension of the Tetra Sepura system to Evros and eastern Aegean	€ 7.4 million "A payment of EUR 4.9 million has been made from KRIKEL to a company in the Czech Republic in April 2021, concerns the implementation of this contract."	6th contract according to https://www.kathimerini.gr/politics/562025536/parakolythiseis-oi-exi-aporrites-symvaseis-tis-krikel/
2018-2021	Hellenic Police ELA	"seven contracts, of which six are secret"	according to data collected by inside story, in the fourth month of 2021 the company registers as revenue from the sale of a product a very large amount of 4.9 million euros. The largest amount in the months preceding it is 1.2 million to sell a product in February 2020.	https://insidestory.gr/article/oi-dyo-etaireies-kleidia-gia-tin-ereyna-tis-voylis-gia-tis-ypoklopes
December 2021- January 2022	RCS Labs (subcontract)	"training duties" at KETYAK headquarters		https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-yposhesi-predator

3.6.2. Greece spyware

Figure 2: Flowchart of the alleged spyware connections in Greece



Please refer to page 4 of this briefing for the key of the flowchart. See Annex for a larger version of it.

Below you can find a **description of the above flowchart**, based on media reports and journalistic inquiries, that depicts the alleged connections between the **Greek State** (EYP and others), **companies** and entities related to spyware (Thalestris, Krikel, Intellexa, etc) and **persons** related to them (Felix Bitzios, Giannis Lavranos, etc), often with connections to **Cyprus**.

Thalestris

According to its financial statement of 2020, Thalestris, based in Ireland, is the parent company to 9 subsidiary companies with registered offices in Ireland, Greece, the British Virgin Islands, Switzerland, and Cyprus. One of the company directors of Thalestris is Sara Hamou, Tal Dilian's second wife.

The financial statement notes that Thalestris has 6 employees and a total revenue of €20,814,079. Roughly, half of this revenue comes from the Middle East and about one quarter comes from Europe.

Thalestris has four subsidiaries incorporated in Greece: Hermes Technologies, Apollo Technologies, Ferrovenio Ltd, and Intellexa SA. Thalestris is the sole shareholder of the first three, but, according to its financial statement, it sold 35% of Intellexa SA shares on 12 May 2020. Felix Bitzios is believed to own the other 35% via his company, Santinomo Ltd.

Felix Bitzios

According to Inside Story, Felix Bitzios was alternate advisor and manager of Intellexa SA, Apollo Technologies, and Hermes Technologies from March 31, 2020 to June 23, 2021. He was also the legal representative of Ferrovenio until November 15, 2021.¹⁴⁶

Inside Story reports that Intellexa SA employs 13 people in Athens, all paid well above market averages, but that its turnover is below €1 million.

Felix Bitzios acquired 35% of Intellexa SA via his Cypriot company Santinomo Ltd, which he founded in September 2019. According to people who worked for Intellexa, Santinomo played an important role in its transfer to Athens.¹⁴⁷

On August 4 2022, a document was filed with the Cyprus Registrar of Companies alleging that a transaction took place in December 2020. On 18 December 2020, Bitzios supposedly transferred back to Thalestris the shares he held in Santinomo, thereby divesting himself from any interest in Intellexa.¹⁴⁸

This disclosure of share transfer by Bitzios took place one day before Androulakis went public with the fact that he had been wiretapped with Predator. According to another document filed at the end of August 2022, Bitzios resigned from Santinomo on 19 December 2020.¹⁴⁹

However, there is conflicting information shedding light on the fact that Bitzios may still own a 35% stake in Intellexa. The Thalestris financial report of 2020, filed in late 2021, made no reference to this transaction and listed that it only had a 65% stake in Intellexa SA by 31 December 2020.

Further, on 28 September 2022, somebody in charge of Santinomo Ltd registered Bitzios as only beneficiary of Santinomo at the Cyprus Registrar of Companies.¹⁵⁰ Therefore, either the statement of the final beneficiary of Santinomo Limited is false, or the declaration of August 4, 2022 for the transfer of shares back to Thalestris is.

Krikel

Krikel is a company whose primary service is allegedly the wholesale trade of rice.¹⁵¹ Extensive reporting in 2022 has revealed that since 2018, Krikel has made 6 to 7 contracts with the ELA for the provision and maintenance of various surveillance products (see Krikel contracts table).¹⁵²

The current administrator of Krikel, Stamatis Tribalas, testified in the Committee of Inquiry in September 2022, and said that he did not know Felix Bitzios or Giannis Lavranos and that Krikel had not had any cooperation with RCS Labs, the EYP's official contractor for surveillance systems.¹⁵³

However, reports connect Bitzios to Krikel in various ways:

¹⁴⁶ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

¹⁴⁷ <https://insidestory.gr/article/predatorgate-o-deyteros-metohos-tis-intellexa-ae>

¹⁴⁸ <https://insidestory.gr/article/predatorgate-o-deyteros-metohos-tis-intellexa-ae>

¹⁴⁹ <https://insidestory.gr/article/predatorgate-o-deyteros-metohos-tis-intellexa-ae>

¹⁵⁰ <https://insidestory.gr/article/predatorgate-paramenei-metohos-tis-intellexa-o-felix-mpitzios>

¹⁵¹ <https://insidestory.gr/article/oi-aoratoi-idiotas-ton-parakolythiseon>

¹⁵² <https://insidestory.gr/article/oi-dyo-etairies-kleidia-gia-tin-ereyna-tis-voylis-gia-tis-ypoklopes>

¹⁵³ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

1. In 2018, Krikel signed a contract with Bitzios' company, Viniato Holdings Limited for the provision of consulting services between January and August 2018 for a fee of €550,000. Krikel had made zero turnover in 2017, and only €840,000 in 2018.¹⁵⁴ Krikel signed its first contract with the ELA in early 2018.¹⁵⁵
2. According to documents obtained by TVXS, in 2018, Krikel sought to acquire corporate vehicles. The relevant offer to AVIS, the car company, was sent from Bitzios' secretary, Lina Katsouda.¹⁵⁶
3. TVXS also has email evidence showing that Giannis Lavranos and Felix Bitzios arranged the placement of Stanislav Simon Pelczar, Tribalis' predecessor, as the manager of Krikel in 2017. Pelczar was manager of Krikel when it signed in 2018a contract with the ELA for the maintenance and support of Tetra Systems.¹⁵⁷

Krikel also appears to have a subcontract with the EYP's official partner for a "system of legal cooperation" deal signed in 2021, RCS Labs.¹⁵⁸ Google's Threat Analysis Group has identified RCS Labs to have the capacity to wiretap both iOS and Android devices with the click of a link.¹⁵⁹ In late 2021, shortly after EYP and RCS Lab concluded this contract, Krikel company cars were seen at KETYAK, an independent subgroup of the EYP, headquarters. Further, a Krikel employee whose LinkedIn profile says provides "training duties" was seen at KETYAK headquarters that day.¹⁶⁰ Krikel said that this was in fact a "pro bono installation of fire walls and other computer protection sustems."¹⁶¹

Krikel is also said to be RCS Lab's "local partner".¹⁶²

The parent company of Krikel is Mexal Services Ltd, a company that is currently dormant. It owns Eneross Holdings, which owns Krikel. Giannis Lavranos, a tax resident of Cyprus, declares his registered office at the same address as Eneross Holdings and Mexal Services.¹⁶³

Giannis Lavranos

A Greek entrepreneur, Giannis Lavranos founded Ioniki Technologies in 2007. In 2014, he sold Ioniki to UK-based Tetra Communications. In 2017, a fictional American company donated Tetra systems, likely a service provided by Tetra Communications, at a value of €25 million to the ELA.¹⁶⁴ Ioniki Technologies was also allegedly involved with this donation.¹⁶⁵

Ioniki and Krikel have the same address on GEMI.¹⁶⁶

Lavranos has several connections of interest here:

¹⁵⁴ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

¹⁵⁵ <https://www.ekathimerini.com/news/1192469/kathimerini-sheds-light-on-krikel-deals/>

¹⁵⁶ <https://tvxs.gr/news/egrapsan-eipan/o-glabra%CC%81nos-pi%CC%81so-apo%CC%81tin-krikel>

¹⁵⁷ <https://tvxs.gr/news/egrapsan-eipan/o-glabra%CC%81nos-pi%CC%81so-apo%CC%81tin-krikel>

¹⁵⁸ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

¹⁵⁹ <https://blog.google/threat-analysis-group/italian-spyware-vendor-targets-users-in-italy-and-kazakhstan/>

¹⁶⁰ <https://insidestory.gr/article/oi-dyo-etaireies-kleidia-gia-tin-ereyna-tis-voylis-gia-tis-ypoklopes>

¹⁶¹ <https://insidestory.gr/article/oi-aoratoi-idiotes-ton-parakoloythiseon>

¹⁶² <https://tvxs.gr/news/egrapsan-eipan/o-glabra%CC%81nos-pi%CC%81so-apo%CC%81tin-krikel>

¹⁶³ <https://tvxs.gr/news/egrapsan-eipan/o-glabra%CC%81nos-pi%CC%81so-apo%CC%81tin-krikel>

¹⁶⁴ <https://www.tovima.gr/2016/01/30/society/etaireia-fantasma-dwri-25-ekat-stin-el-as/>

¹⁶⁵ <https://insidestory.gr/article/oi-aoratoi-idiotes-ton-parakoloythiseon>

¹⁶⁶ <https://insidestory.gr/article/oi-aoratoi-idiotes-ton-parakoloythiseon>

1. He was Grigoris Dimitriadis', Mitsotakis' nephew and Secretary General at the time, best man in May 2022.¹⁶⁷
2. In 2021, he sold his family house at a price below market value to a company called Albitrum Properties. Albitrum Properties' parent company is Mexal Services Ltd. The representative of Albitrum Properties during this sale was Theodoros Zervos, Felix Bitzios' half-brother.¹⁶⁸
3. Lavranos was allegedly the "representative" of RCS Labs during its negotiations with the EYP in 2021.¹⁶⁹

Grigoris Dimitriadis

Grigoris Dimitriadis was Secretary General of Greece from 2019 to 2022, when he resigned during the Androulakis wiretapping scandal. Dimitriadis is Mitsotakis' nephew and is known to be his "right hand man".¹⁷⁰

When Mitsotakis made the change in the law so that the EYP would respond directly to the Prime Minister's cabinet in 2019, he directly appointed Kontoleon.¹⁷¹ During his hearing in the Committee of Inquiry in September 2022, former head of EYP Kontoleon allegedly admitted to having a social relationship with Dimitriadis.¹⁷²

Although Greek constitutional law prohibits the General Secretary from conducting any business activities, Dimitriadis founded a company called Eledyn in 2019, with which he bought another company called Canalis in 2020. He dissolved Eledyn in late 2021.¹⁷³

In 2021, Dimitriadis sold Canalis to Giorgos Bitharas' company, B&F, a clothing company. Bitharas owns half of Delphi Line, a company incorporated in Greece in 2020, which is co-owned by Krikel.¹⁷⁴

Shortly after B&F acquired Canalis, it then acquired a company called Ventus. It appears from the acquisition agreement that the representative and seller of Ventus was Panagiotis Bitzios, Felix Bitzios' brother.¹⁷⁵ This all happened while Bitzios was manager and shareholder of Intellexa.

Dimitriadis replied to Reporters United by stating that his "investment transactions mentioned in your email are completely legal and do not impinge on any incompatibility whatsoever". He also stated that "The labyrinthine and mysterious questions that are exposed in your questions, namely regarding natural and legal persons who did not deal with me, I completely ignore them and for this reason I am unable to contribute anything further to your research. [...] I cannot help but be puzzled by the fact that your questions refer to an imaginative collation of claims, facts, rumors, scenarios and theories with the sole purpose of connecting me with situations and persons that I have nothing to do with, both as an individual and as a government official. I respect journalistic research as much as anyone, as long as she respects herself, so that she serves the truth and does not tarnish people."¹⁷⁶

¹⁶⁷ <https://tvxs.gr/news/egrapsan-eipan/o-glabra%CC%81nos-pi%CC%81so-apo%CC%81-tin-krikel>

¹⁶⁸ <https://insidestory.gr/article/oi-aoratoi-idiotes-ton-parakoloythiseon>

¹⁶⁹ <https://insidestory.gr/article/oi-dyo-etaireies-kleidia-gia-tin-ereyna-tis-voylis-gia-tis-ypoklopes>

¹⁷⁰ <https://cassandravoices.com/current-affairs/global/a-greek-watergate-unfolds/>

¹⁷¹ <https://www.ekathimerini.com/news/243222/national-security-takes-center-stage/>

¹⁷² <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-syngkalypsi>

¹⁷³ <https://www.reportersunited.gr/8948/o-megalos-anipsios-ki-o-megalos-aderfos/>

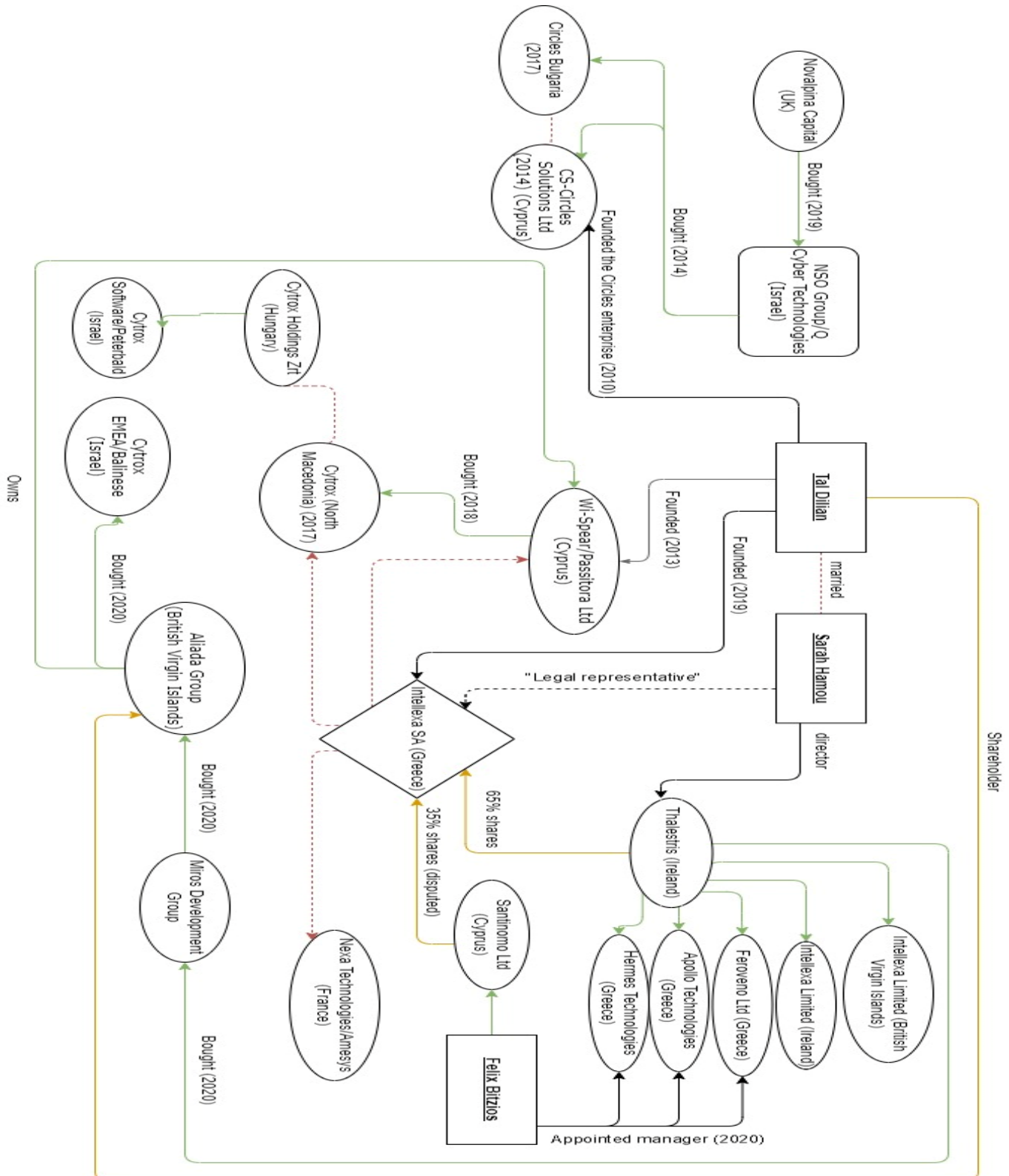
¹⁷⁴ <https://www.reportersunited.gr/8948/o-megalos-anipsios-ki-o-megalos-aderfos/>

¹⁷⁵ <https://www.reportersunited.gr/8948/o-megalos-anipsios-ki-o-megalos-aderfos/>

¹⁷⁶ <https://www.reportersunited.gr/8948/o-megalos-anipsios-ki-o-megalos-aderfos/>

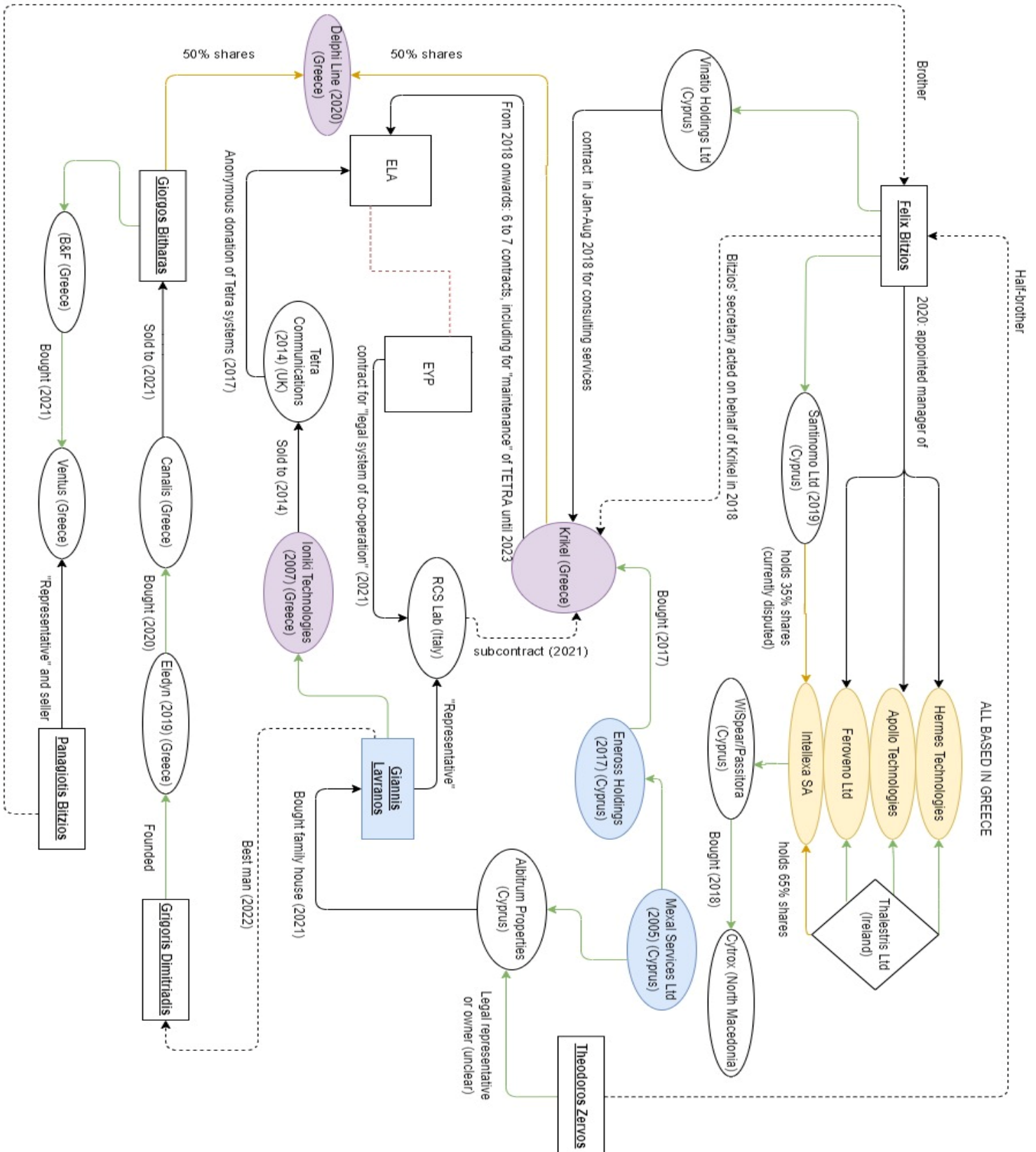
ANNEX I: FLOWCHART OF INTELLEXA (PREDATOR) AND FOUNDER TAL DILIAN

Please refer to page 4 of this briefing for the key of the flowchart.



ANNEX II: GREECE SPYWARE

Please refer to page 4 of this briefing for the key of the flowchart.



ANNEX III: TIMELINE

2019	
	Tal Dilian moves the Intellexa group from Cyprus to Greece following an investigation in Cyprus into “his spy van”
7 July 2019	Greek elections lead to a New Democracy government
	Prime Minister Mitsotakis changes the law in order to bring the National Press Agency, the Hellenic Public Broadcasting Association, and the National Intelligence Services directly under his control . The opposition criticised him of centralising power. ¹⁷⁷ Panagiotis Kontoleon is appointed head of the EYP.
November 2019	New Democracy votes in a change in the penal code allowing people suspected of criminal fraud and money laundering to recover assets frozen by the court, if they are not brought to trial within 18 months. ¹⁷⁸ Felix Bitzios and Giannis Lavranos recover their assets thanks to this amendment.
2020	
1 June 2020	The EYP submits a request to wiretap Thanasis Koukakis’ phone number. The lifting of the secrecy is requested for two months - from 1 June to 1 August 2020 - citing reasons of national security. ¹⁷⁹
13 July 2020	The EYP submits a request to extend the wiretapping of Koukakis until 11 October 2022. ¹⁸⁰
12 August 2020	Koukakis writes to the ADAE to ask them to confirm whether he has been placed under surveillance. ¹⁸¹ That same day, EYP stops the surveillance, before the mandated interception was meant to end. ¹⁸²
2021	
10 March 2021	ADAE ask the Greek public prosecutor , Vasiliki Vlachou, if they are legally permitted inform Koukakis that the confidentiality of his communications had been lifted. ¹⁸³
31 March 2021	20 days later, the Greek government changes a law that had been in effect for 27 years preventing - with retroactive effect - the ADAE from notifying citizens that they have been victims of surveillance for “national security” reasons . ¹⁸⁴
12 July 2021	Koukakis receives a malicious URL linked to Predator. He clicks it and is hacked by Predator until 21 September 2021 (ten weeks).
18 July 2021	Nikos Androulakis announces his candidacy for the leadership of PASOK-KINAL. ¹⁸⁵
29 July 2021	ADAE reply to Koukakis’ information request, saying that no violation of existing legislation on the confidentiality of communications had taken place. ¹⁸⁶

¹⁷⁷ <https://ejpr.onlinelibrary.wiley.com/doi/10.1111/2047-8852.12299>

¹⁷⁸ <https://www.ft.com/content/37512b46-06b4-11ea-9afa-d9e2401fa7ca>

¹⁷⁹ <https://www.reportersunited.gr/8646/eyp-koukakis/>

¹⁸⁰ <https://www.reportersunited.gr/8646/eyp-koukakis/>

¹⁸¹ <https://insidestory.gr/article/who-was-tracking-mobile-phone-journalist-thanasis-koukakis>

¹⁸² <https://www.reportersunited.gr/8646/eyp-koukakis/>

¹⁸³ <https://www.reportersunited.gr/8646/eyp-koukakis/>

¹⁸⁴ <https://www.reportersunited.gr/8646/eyp-koukakis/>

¹⁸⁵ <https://www.ekathimerini.com/news/1164742/mep-androulakis-is-candidate-for-movement-for-change-leadership/>

¹⁸⁶ <https://www.reportersunited.gr/8646/eyp-koukakis/>

21 September 2021	Attempt to install Predator on Androulakis phone -- he does not click it.
24 September 2021	End of Predator hack on Koukakis' phone.
November 2021	Media report that Stavros Malichudis , a journalist following migration issues, has been under surveillance
12 December 2021	Nikos Androulakis is elected PASOK party leader.
16 December 2021	- Forensic report by CitizenLab on Predator . ¹⁸⁷ - META report mentioning Predator . ¹⁸⁸
2022	
28 March 2022	CitizenLab informs Koukakis that he had been targeted with Predator the previous year
11 April 2022	Inside Story breaks the story of the Predator hack of Koukakis. ¹⁸⁹
12 April 2022	Government spokesman Giannis Oikonomou suggests the Predator hack had been carried out by an "individual" or private actor and denied that the Greek government had any role in monitoring Koukakis using the spyware tool.
15 April 2022	Reporters United reveal that state documents show that EYP intercepted the communications of Koukakis in 2020. ¹⁹⁰
18 April 2022	The National Transparency Authority (NTA) audit begins. Its mandate is to find out whether or not the ELAS and the EYP had procured Predator. ¹⁹¹
21 April 2022	Prosecutor opens probe on spying of Koukakis. ¹⁹²
19 May 2022	Google Threat Analysis Group report finds "with a high level of certainty" that entities supported by government authorities used Predator in Greece. ¹⁹³
9 June 2022	NTA visits Intellexa office in Hellinikon but do not meet the legal representatives -- most employees are working from home. ¹⁹⁴
14 June 2022	NTA visits Krikel office but do not meet the legal representatives -- most employees are working from home. ¹⁹⁵
28 June 2022	Check on Androulakis phone by EP services : a suspicious link is found, sent on 21 September 2021. It is the exact link as the one found on Koukakis' phone, connected to Predator. ¹⁹⁶
22 July 2022	Report of the National Transparency Authority (NTA) concludes that neither ELA nor EYP have bought Predator. Inside Story reports that the audit did not examine all the relevant elements (notably the relevant bank accounts). ¹⁹⁷
26 July 2022	Androulakis files a criminal complaint at the Prosecutor's Office of the Supreme Court for attempting to trap and monitor his cell phone through Predator . ¹⁹⁸

¹⁸⁷ <https://citizenlab.ca/2021/12/pegasus-vs-predator-dissidents-doubly-infected-iphone-reveals-cyrox-mercenary-spyware/>

¹⁸⁸ <https://about.fb.com/wp-content/uploads/2021/12/Threat-Report-on-the-Surveillance-for-Hire-Industry.pdf>

¹⁸⁹ <https://insidestory.gr/article/poios-parakolythoyse-kinito-toy-dimosiografoy-thanasi-koykaki>

¹⁹⁰ <https://www.reportersunited.gr/8646/eyp-koukakis/>

¹⁹¹ <https://www.reportersunited.gr/8730/syggalypsi-2-pos-i-kyvernisi-mitsotaki-prospathe-i-xana-na-kleisei-tin-ypothesi-koykaki/>

¹⁹² <https://www.reuters.com/world/europe/greek-prosecutor-probe-alleged-bugging-journalists-phone-2022-04-21/>

¹⁹³ <https://blog.google/threat-analysis-group/protecting-android-users-from-0-day-attacks/>

¹⁹⁴ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

¹⁹⁵ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

¹⁹⁶ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

¹⁹⁷ <https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

¹⁹⁸ <https://www.reuters.com/world/europe/greek-socialist-leader-files-complaint-over-attempted-phone-bugging-2022-07-26/>

27 July 2022	Koukakis appeals to the European Court of Human Rights against the Greek government in relation to the changes in the laws. ¹⁹⁹
29 July 2022	EYP chief reportedly admits spying on Koukakis in the Greek Parliament, for reasons of national security but he does not reveal what these reasons are. ²⁰⁰ However, he says that he is completely unaware of the attempt to spy on Androulakis using Predator. ²⁰¹
	According to reports from the minority parties of the Greek government, Androulakis and Koukakis' files are destroyed . ²⁰² This is later confirmed by Greek news outlet <i>Ta Nea</i> . ²⁰³
2 August 2022	Ioannis Vrailas , the Greek ambassador to the EU, denied Predator itself had been used in the surveillance in a letter to the EU justice directorate on August 2, saying that the National Intelligence Service "[had] not bought or ever used [Predator] or any other illegal surveillance system". ²⁰⁴
4 August 2022	ADAE goes to Androulakis' telecommunications provider and find that he was wiretapped by the EYP . The provision to lift his communications was signed by Vasiliki Vlachou in September 2021. ²⁰⁵
5 August 2022	Panagiotis Kontoleon , chief of the EYP intelligence service, resigns "following mistaken actions found during lawful wiretapping procedures," (statement from Prime Minister Kyriakos Mitsotakis' office). ²⁰⁶ Grigoris Dimitriadis , general secretary of the prime minister's office, also resigns
8 August 2022	In a televised address, Mitsotakis acknowledges that the EYP wiretapped Androulakis from September to December 2021, but he denies having any knowledge of these operations. He insists on the legality of the spying but says that it was politically unacceptable . He announces an upcoming Act of Legislative Content. ²⁰⁷
9 August 2022	The Greek government introduces the Act of Legislative Content , re-instating two-prosecutor authorisation for surveillance operations (previously abolished by SYRIZA in 2018). However, the Act does not repeal the March 2021 amendment preventing the ADAE from informing victims that they have been targeted for reasons of national security. ²⁰⁸
24 August 2022	The Committee on Institutions and Transparency of the Parliament meets and appoints Themistoklis Demiris as the new head of the EYP . The opposition parties abstain in protest. ²⁰⁹
	Mitsotakis explains that from the end of September 2021, the EYP intercepted Androulakis' telephone communications for reasons of national security following the authorisation of Vasiliki Vlachou. He says that as soon as he heard that this had happened, he deemed that this was wrong, fired Kontoleon and Dimitriadis, and introduced the special Act of Legislative Content. ²¹⁰

¹⁹⁹ <https://www.reuters.com/world/europe/greek-socialist-leader-files-complaint-over-attempted-phone-bugging-2022-07-26/>

²⁰⁰ <https://www.reuters.com/world/europe/greek-intelligence-service-admits-spying-journalist-sources-2022-08-03/>

²⁰¹ <https://www.iefimeris.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-syggkalypsi>

²⁰² https://www.euractiv.com/section/politics/short_news/greek-mep-spyware-scandal-takes-new-turn/

²⁰³ <https://www.euractiv.com/section/digital/news/national-security-curtain-falls-down-on-greek-spyware-scandal-investigation/>

²⁰⁴ <https://twitter.com/Efkouts/status/1562420519290359816>

²⁰⁵ <https://www.kathimerini.gr/politics/561988786/ypothesi-parakoloythiseon-ta-dedomena-poy-pyrodotosan-tis-exelixeis/>

²⁰⁶ <https://www.reuters.com/world/europe/greek-intelligence-service-boss-quits-amid-wiretapping-scandal-2022-08-05/>

²⁰⁷ <https://primeminister.gr/2022/08/08/29961>

²⁰⁸ <https://www.iefimeris.gr/politiki/sarotikes-allages-stin-eypraxi-nomothetikoy-periehomenoy>

²⁰⁹ <https://www.ft.com/content/733a2316-74a4-4155-82a4-ce60b6b9bd34>

²¹⁰ <https://www.iefimeris.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-syggkalypsi>

29 August 2022	The Greek Parliament establishes a Committee of Inquiry to investigate the surveillance of Androulakis and Koukakis by the EYP and the attempt to hack them with Predator. The Committee's mandate also focuses on whether or not there is a network of private companies directly or indirectly connected with the EYP. ²¹¹
30 August 2022	The Special Permanent Committee on Institutions and Transparency call nine people in for a closed-door hearing, including the recently resigned former head of EYP Panagiotis Kontoleon, public prosecutor Vasiliki Vlachou and former Secretary General Grigoris Dimitriadis. All three evade answering questions by invoking confidentiality. ²¹²
7 September 2022	The Committee of Inquiry begins its work. The New Democracy majority elects the President, Vice-President, and Secretary of their party, something the oppositions criticise. The majority also rejects the oppositions' proposals for persons to hear. ²¹³
8 September 2022	PEGA Committee hearing 'The use of Spyware in Greece' -- speakers invited include Thanasis Koukakis, Malichoudis and a reporter from Inside Story
22 September 2022	In the Committee of Inquiry , the witnesses begin to give testimonies. The Committee did not invite as witnesses: Thanasis Koukakis, Prime Minister Mitsotakis, Grigoris Dimitriadis, Vasiliki Vlachou, Giannis Lavranos, and Felix Bitzios.
	Stamatis Tribalís , the legal representative of Krikel , claims that he bought Krikel in 2017 via a company which he founded in 2017, Eneross Holdings Ltd. He says that he does not know Lavranos and Bitzios, that Krikel has no relationship with Intellexa and RCS Labs, and that he has no knowledge of Krikel employees providing training to KEYTAK. ²¹⁴ Inside Story denounces the fact that these declarations are false. Sara Hamou , the legal representative of Intellexa SA , does not attend the committee in person and answers MPs questions in writing. Opposition parties refused to send questions in protest. ²¹⁵
28 September 2022	Commissioner Jourova meets with SYRIZA party leader Tsipras to discuss the situation in Greece on the basis of the annual RoL report, including the situation in the media, independence of judiciary and the use of spyware. ²¹⁶
29 September 2022	Jourova meets PM Mitsotakis and government ministers in Athens
5 October 2022	Koukakis files a lawsuit in Greece demanding a criminal investigation into Intellexa . ²¹⁷
10 October 2022	All political parties submit their final reports in the Committee of Inquiry, as it closes its works: - New Democracy's report concludes that the government properly investigated the case and that it acted in an appropriate manner. ²¹⁸ - Syriza highlights the inconsistencies and coincidences in the chain of events in this case, leading to their opinion that there is now sufficient evidence to

²¹¹ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

²¹² <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

²¹³ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

²¹⁴ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

²¹⁵ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi>

²¹⁶ <https://twitter.com/VeraJourova/status/1575138788199829505>

²¹⁷ <https://www.haaretz.com/israel-news/security-aviation/2022-10-07/ty-article/.premium/criminal-allegations-against-israeli-linked-spyware-ex-intel-commander-in-hacking-scandal/00000183-ad14-d3f8-a9ef-bf5752e60000>

²¹⁸ <https://www.ieidiseis.gr/politiki/167157/nd-gia-eksetastiki-katerrefsan-oi-kataggelies-tis-antipolitefs>

	<p>find that the EYP used Predator, and that Mitsotakis must have been aware of this through Dimitriadis.²¹⁹</p> <p>- PASOK's report focuses on the fact that the New Democracy MPs on the Committee "played a key role in the organised government plan of a cover-up" and that there is no support for the claim that Androulakis was spied on for national security reasons.²²⁰</p>
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²¹⁹ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-syggalypsi>

²²⁰ <https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-syggalypsi>

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.
