

**Question for written answer E-000440/2022  
to the Commission**

Rule 138

**Sophia in 't Veld** (Renew), **Anna Júlia Donáth** (Renew), **Katalin Cseh** (Renew), **Róza Thun und Hohenstein** (Renew), **Moritz Körner** (Renew)

**Subject:** The independence of the Hungarian data protection authority and the Pegasus investigation

On 31 January 2022, the Hungarian National Authority for Data Protection and Freedom of Information (NAIH) presented the conclusions of its investigation into the use of Pegasus spy software by the Hungarian authorities targeting journalists, lawyers, politicians and other public figures, which started on 5 August 2021. The NAIH concluded that there was no 'information indicating that the persons requesting and conducting the surveillance had violated any laws or regulations, ... as the spy software can be used on the grounds of national security risk'<sup>1</sup>.

The Commission had said earlier that it 'expects the competent national authorities to thoroughly examine the allegations and restore trust'<sup>2</sup>, that it 'will follow the procedure very closely', and that it is 'taking the initiative in different Member States to assure the independence of the authority in charge of the data protection'<sup>3</sup>.

1. Does the Commission consider that the NAIH has restored trust with its investigation and conclusion? If so, what exactly does the Commission consider this trust to consist of?
2. Does it consider that the NAIH is sufficiently independent? If so, on the basis of what criteria or investigation has it concluded this? If not, what concrete actions has it taken or will it take to ensure the independence of the NAIH?

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<sup>1</sup> <https://hungarytoday.hu/pegasus-hungary-spyware-data-authority-naih-peterfalvi/>

<sup>2</sup> [https://www.europarl.europa.eu/doceo/document/P-9-2021-003661-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/P-9-2021-003661-ASW_EN.html)

<sup>3</sup> Commissioner Reynders's speech during the plenary debate on the Pegasus Papers, 15 September 2021.