The Commission condemns the illegal access to communication systems and any form of unlawful interception of users’ communications. The Commission is aware of reports in relation to the use of the Predator spyware in Greece.

The EU has legislation to tackle unlawful surveillance and protect data privacy, including the general Data Protection Regulation (GDPR)\(^1\), Directive 2013/40/EU on attacks against information systems\(^2\) and the ePrivacy Directive\(^3\). The monitoring and enforcement of EU data protection and privacy rules fall primarily under the competence of the relevant national authorities and the courts, without prejudice of the role of the Commission as guardian of the Treaties. National authorities should use their supervisory powers to thoroughly investigate any allegations regarding spyware and restore citizens’ trust.

The Commission continues to monitor and gather information in this regard and is looking forward to the results of the European Parliament Inquiry Committee on this issue.

The Commission is aware of the risks sometimes faced by opposition politicians and journalists. In 2021, the Commission adopted a Recommendation on the safety of journalists\(^4\), which stated that Member States should ensure full implementation of the European and national legal frameworks on confidentiality of communications and online privacy, to ensure journalists are not subject to illegal online tracking or surveillance. The Commission will monitor the implementation of these recommendations.

The Commission is working on a proposal for a European Cyber Resilience Act, which will set out cybersecurity requirements for digital products and ancillary services. This will contribute to making digital products more secure and less vulnerable to spyware attacks.

---