

**Question for written answer E-002704/2022
to the Commission**

Rule 138

Clara Ponsatí Obiols (NI), Carles Puigdemont i Casamajó (NI), Antoni Comín i Oliveres (NI)

Subject: 2022 Rule of Law Report: Spyware operation against Catalans

The Spanish chapter of the Commission's 2022 Rule of Law report mentions that the Spanish Ombudsman launched a public investigation into the use of spyware by Spanish secret services to target pro-independence politicians and activists, as well as their associates and families. However, the report fails to mention that the investigation has only examined the use of spyware against 18 people¹, who were supposedly legally targeted. This investigation cannot be verified as it does not provide any information regarding the specific motivations for the espionage².

Besides this brief investigation and the judicial proceedings initiated by the affected persons themselves, no other Spanish institution (the public prosecution, the Spanish Government, the police, etc.) has launched an investigation into the use of spyware against the other targeted individuals (including MEPs) or whether further pro-independence citizens have also been targeted.

1. Does the Commission believe a further investigation should be conducted into the extensive use of spyware in Spain to target political opponents?
2. Does it believe that the motivations for this espionage should be investigated?
3. Has it found evidence of ideological motives in these cases? And if so, why has this not been mentioned in its report?

¹ According to the Citizen Lab Report, which has been validated by Amnesty International, at least 65 individuals targeted or infected with mercenary spyware: <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>

² <https://www.defensordelpueblo.es/wp-content/uploads/2022/05/Escrito-del-Defensor-del-Pueblo-CNI.pdf>