

**Question for written answer E-002774/2022
to the Commission**
Rule 138
Lucia Vuolo (PPE)

Subject: Who is spying on Europeans and how many are under surveillance

Privacy breaches caused by spyware have reached even the highest levels of government. In setting up¹ the PEGA Committee, Parliament gave it a clear remit: to safeguard the right to privacy² and the freedom of expression and information – priority areas where the Commission has a duty to investigate. The PEGA Committee is responsible for analysing information to ascertain the use and dissemination of spyware in Europe.

In view of the above:

1. Could the Commission provide an estimate of the number of European entities and/or citizens that have been, directly or indirectly, affected by cyberattacks constituting a violation of Regulation (EU) 2016/79 and the values enshrined in Article 2 of the Treaty on European Union?
2. Does it consider it necessary to look closely into concerns regarding companies similar to NSO, such as the Macedonian firm Cytox or Israel's Candiru, also in view of PEGA's further investigations, given that the 'terrorist threat' set as a condition in the contracts that NSO enters into with its clients is too open to discretion, in view of the shakiness of the concept of an 'act of terrorism' in international and domestic law, and could therefore be used to attack citizens' freedom?

¹ European Parliament decision of 10 March 2022 on setting up a committee of inquiry to investigate the use of the Pegasus and equivalent surveillance spyware, and defining the subject of the inquiry, as well as the responsibilities, numerical strength and term of office of the committee (2022/2586(RSO)).

² Charter of Fundamental Rights of the European Union and EU Regulation 2016/679.