AMENDMENTS
241 - 510

Draft report
Sophia in 't Veld
(PE738.492v03-00)

Investigation of alleged contraventions and maladministration in the application of Union law in relation to the use of Pegasus and equivalent surveillance spyware (2022/2077(INI))
Amendment 241
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 23 a (new)

Amendment

23 a. Moreover, its vague provisions do not clearly outline the types of crimes or criteria that warrant surveillance. These deficiencies concern some of the most basic provisions regarding spyware required under EU law, along with proper oversight and scrutiny to prevent abuse and effective avenues for redress, which are also nowhere to be found in the text of the Act.

Or. en

Amendment 242
Sophia in 't Veld

Motion for a resolution
Paragraph 23 b (new)

Amendment

23 b. With respect to the practical element of conducting surveillance through the use of spyware, telecommunications companies have a significant role to play. There are countless instances of victims being infected through links sent via SMS, and the wealth of data that telecommunications companies have access to is a goldmine for those wishing to conduct surveillance. In the case of Hungary, the situation has become more dangerous as the Hungarian government recently bought Vodafone Hungary... With support from the Hungarian government, the company 4iG bought 51
per cent of Vodafone through a subsidiary. In addition, the Hungarian government bought 49 per cent of Vodafone’s shares through another company. The links between 4iG and the government are evident. The current chair of the company was a close associate of Hungarian oligarch Lőrinc Mészáros, a childhood friend of Viktor Orbán. The total acquisition costs 1.7 billion euros and will grant the government easy and direct access to the data of more than 3 million customers\(^1\). Additionally, resulting from this purchase the state will have an access point to the decades-old global messaging system known as SS7\(^2\). This system allows mobile operators to connect users around the world. The Hungarian state will also be able to lease such an access point further, as was the case for Rayzone\(^3\).


\(^4\) footnote missing

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Amendment 243
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
Motion for a resolution
Paragraph 23 b (new)

23 b. With respect to the practical element of conducting surveillance through the use of spyware, telecommunications companies have a significant role to play. There are countless instances of victims being infected through links sent via SMS, and the wealth of data that telecommunications companies have access to is a goldmine for those wishing to conduct surveillance. In the case of Hungary, the situation has become increasingly more dangerous as the Hungarian government recently bought Vodafone Hungary. This will grant the government easy and direct access to the data of more than 3 million customers. Additionally, resulting from this purchase the state will have an access point to the decades-old global messaging system known as SS7. This system allows mobile operators to connect users around the world. The Hungarian state will also be able to lease such and access point further, as was the case for Rayzone.

Or. en

Amendment 244
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 23 c (new)

23 c. There is a legal framework for the legal interception of calls in Hungary, which is contained in Act CXXV of 1995
on National Security Services. Specifically, section 56 states that ‘based on an external permission, national security services ... may secretly intercept and record the content of communications conducted through an electronic communications network or device using an electronic communications service, or through an information system.’


Or. en

Amendment 245
Sophia in 't Veld

Motion for a resolution
Paragraph 23 c (new)

23 c. There is a legal framework for the legal interception of calls in Hungary, which is contained in Act CXXV of 1995 on National Security Services. Specifically, section 56 states that ‘based on an external permission, national security services ... may secretly intercept and record the content of communications conducted through an electronic communications network or device using an electronic communications service, or through an information system.’

Amendment 246
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 23 d (new)

Motion for a resolution
Amendment

23 d. In addition to this relative free rein, the Counter Terrorism Centre agency of Hungary can employ almost any known ways of surveillance. For the unit to exercise these powers they do not need any prior legal authorisation. In this case, a ministerial approval is sufficient.

Amendment 247
Sophia in 't Veld

Motion for a resolution
Paragraph 23 d (new)

Motion for a resolution
Amendment

23 d. In addition to this relative free rein, the Counter Terrorism Centre agency of Hungary can employ almost any known ways of surveillance. For the unit to exercise these powers they do not need any prior legal authorisation. In this case, a ministerial approval is sufficient.\(^1\)

Amendment 248
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 24

24. Per the Act, surveillance carried out by the Special Services for National Security (SNSS) using spyware is dependent on the permission of the Minister of Justice in the majority of instances, and on the judge designated by the President of the Budapest-Capital Regional Court in some specific cases. No appeal can be made against these decisions and there is virtually no oversight of the process.

Amendment 249
Sophia in 't Veld

Motion for a resolution
Paragraph 24 a (new)

24 a. Despite the gravity of such a decision, when she is not available the current Minister of Justice Judit Varga delegates responsibility for the authorisation of spyware use against citizens to the Secretary of State of the Ministry of Justice, a position currently held by Robert Repassy. This was confirmed by Repassy himself in a response he authored to written questions on the issue. It is widely reported that Varga regularly passed off the responsibility to Repassy’s predecessor Pal Volner, who was forced to resign from the role in December 2021 as a result of a major corruption scandal. It was widely reported that he accepted millions of Hungarian forint in bribes from a number of high profile stakeholders in return for favourable decisions and appointments to key positions by Volner in his capacity as Secretary of State.


1b https://telex.hu/belfold/2022/01/27/varga-judithoz-kerulhetett-vissza-a-titkos-megfigyelésekre-engedélyezése

1c https://telex.hu/belfold/2021/12/13/itt-vannak-a-reszletek-mirol-is-szol-a-
Amendment 250
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 24 a (new)

24 a. Despite the gravity of such a decision, when she is not available Minister of Justice Judit Varga delegates responsibility for the authorisation of spyware use against citizens to the Secretary of State of the Ministry of Justice, a position currently held by Robert Repassy. This was confirmed by Repassy himself in a response he authored to written questions on the issue. It is widely reported that Varga regularly passed off the responsibility to Repassy’s predecessor Pal Volner, who was forced to resign from the role in December 2021 as a result of a major corruption scandal. It was widely reported that he accepted millions of Hungarian forint in bribes from a number of high profile stakeholders in return for favourable decisions and appointments to key positions by Volner in his capacity as Secretary of State.

64a
https://telex.hu/belfold/2021/12/10/repassy-robert-igazsagugyi-allamtitkar-varga-judit-igazsagugyi-miniszterium Europe’s
Amendment 251
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 24 b (new)

Motion for a resolution

24 b. While the Interior Minister Sandor Pinter insists that this authorisation procedure through the Minister or the Courts is always followed without exception\textsuperscript{64b}, the weak legal provisions of the Act also make it possible for the directors-general of the SNSS to grant interim permission for the conducting of surveillance without consent until such time as official permission can be granted. This essentially allows the SNSS to operate as they see fit so long as they claim that the delay in obtaining permission would harm their operation. In such a case, the unauthorised surveillance can continue without

\textsuperscript{64b} https://telex.hu/belfold/2022/01/27/varga-judithoz-kerulhetett-vissza-a-titkos-megfigyelesek-engedelyezese

\textsuperscript{64c} https://telex.hu/belfold/2021/12/13/itt-vannak-a-reszletek-mirol-is-szol-a-fideszes-volner-pal-korrupcios-ugye

\textsuperscript{64d} https://hungarytoday.hu/444-key-figure-in-volner-corruption-case-gyorgy-schadl-judge-fired-judiciary-obh/
oversight until permission is granted or denied.\textsuperscript{64f}

\textsuperscript{64e} AP, https://apnews.com/article/technology-europe-hungary-malware-spyware-ccacf6da9406d38f29f0472ba44800e0, 4 November 2021.


Amendment 252
Sophia in 't Veld

Motion for a resolution
Paragraph 24 b (new)

\textit{Motion for a resolution} \hspace{2cm} \textit{Amendment}

24 b. While the Interior Minister Sandor Pinter insists that this authorisation procedure through the Minister or the Courts is always followed without exception\textsuperscript{1a}, the weak legal provisions of the Act also make it possible for the directors-general of the SNSS to grant interim permission for the conducting of surveillance without consent until such time as official permission can be granted. This essentially allows the SNSS to operate as they see fit so long as they claim that the delay in obtaining permission would harm their operation. In such a case, the unauthorised surveillance can continue without oversight until permission is granted or denied\textsuperscript{1b}.

\textsuperscript{1a} AP, https://apnews.com/article/technology-europe-hungary-malware-spyware-

Amendment 253
Sophia in 't Veld

Motion for a resolution
Paragraph 24 c (new)

Amendment
24 c. This loophole is particularly troubling given that it would be very possible in theory to cite urgency and complete the necessary surveillance within a matter of hours, theoretically never needing to officially obtain permission at all. This type of hacking leaves many questions unanswered regarding the processing and retention of data gathered during such a period.

Amendment 254
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 24 c (new)

Amendment
24 c. This loophole is particularly troubling given that it would be very possible in theory to cite urgency and complete the necessary surveillance within a matter of hours, theoretically
never needing to officially obtain permission at all. This type of hacking leaves many questions unanswered regarding the processing and retention of data gathered during such a period.

Amendment 255
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 24 d (new)

Motion for a resolution  Amendment

24 d. The legal limit of a maximum of 90 days for surveillance imposed in the Act is in itself a contradiction and only presents to give the appearance of legal oversight, given that the Act subsequently allows for a further 90-day extension upon a simple request from the director-general to the permitting officer. Moreover, contrary to conventional wiretapping, the use of spyware allows to access files (i.a. document, images) created in the past, as well as the metadata of past communications. That renders a date of entry and a time limit rather meaningless. Information dating from before the start of the authorised surveillance, can be retrieved without limit.

Amendment 256
Sophia in 't Veld

Motion for a resolution
Paragraph 24 d (new)

24 d. The legal limit of a maximum of 90 days for surveillance imposed in the Act is in itself a contradiction and only presents to give the appearance of legal oversight, given that the Act subsequently allows for a further 90-day extension upon a simple request from the director-general to the permitting officer1. Moreover, contrary to conventional wiretapping, the use of spyware allows to access files (i.a. document, images) created in the past, as well as the metadata of past communications. That renders a date of entry and a time limit rather meaningless. Information dating from before the start of the authorised surveillance, can be retrieved without limit.


Amendment 257
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 24 e (new)

24 e. In addition, the NAIH are theoretically supposed to oversee all
surveillance by the secret services. The body was created as part of a reforms to scale down the office of the Ombudsman and to take over the work of the abolished office of the Parliamentary Commissioner for Data Protection. However, given that the head of the NAIH is selected by the Prime Minister and appointed by the President, all pretence of independent oversight is eradicated. The ECtHR has ruled on the matter in October 2022 in a case of Hüttl v. Hungary taken by HCLU lawyer Tivadar Hüttl when after he was hacked with Pegasus spyware, his complaint to the National Security Committee was blocked, and an investigation was denied. The Court clearly stated in their judgement that the NAIH, though entitled to investigate the actions of the secret services, were completely incapable of conducting independent oversight of the use of mercenary spyware. The Court held that the NAIH lacked the necessary competence to do so, given that the secret services are entitled to deny access to certain documents on the basis of secrecy. In such an instance, it would fall to the Minister responsible for the secret services to conduct an audit, which could not be deemed independent oversight in any way.


$^{64i}$ https://hclu.hu/en/pegasus-whats-new

$^{64j}$ https://hudoc.echr.coe.int/fre#{%22tabview%22:[%22document%22],[%22itemid%22:[%222001-219501%22]]}

$^{64k}$ https://tasz.hu/cikkek/valoszinusithetoen-lehallgattak-pert-nyert-strasbourgban-tasz-ugyvedje

$^{64l}$ https://444.hu/2022/10/12/ember-
Amendment 258
Sophia in 't Veld

Motion for a resolution
Paragraph 24 e (new)

Motion for a resolution

24 e. In addition, the NAIH are theoretically supposed to oversee all surveillance by the secret services. The body was created as part of a reforms to scale down the office of the Ombudsman and to take over the work of the abolished office of the Parliamentary Commissioner for Data Protection\textsuperscript{1a}. However, given that the head of the NAIH is appointed by the Prime Minister, all pretence of independent oversight is eradicated\textsuperscript{1b}. The ECtHR has ruled on the matter in October 2022 in a case of Hüttl v. Hungary\textsuperscript{1c} taken by HCLU lawyer Tivadar Hüttl when after he was hacked with Pegasus spyware, his complaint to the National Security Committee was blocked, and an investigation was denied\textsuperscript{1d}. The Court clearly stated in their judgement that the NAIH, though entitled to investigate the actions of the secret services, were completely incapable of conducting independent oversight of the use of mercenary spyware. The Court held that the NAIH lacked the necessary competence to do so, given that the secret services are entitled to deny access to certain documents on the basis of secrecy\textsuperscript{1e}. In such an instance, it would fall to the Minister responsible for the secret services to conduct an audit, which
could not be deemed independent oversight in any way.  

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1b https://hclu.hu/en/pegasus-whats-new

1c https://hudoc.echr.coe.int/fre#%22tabview%22:%22document%22,%22itemid%22:%222001-219501%22}

1d https://tasz.hu/cikkek/voloszinusithetoen-lehallgattak-pert-nyert-strasbourgban-a-tasz-ugyvedje

1e https://444.hu/2022/10/12/emberi-jogok-birosaga-az-adatvedelmi-hatosag-alkalmatlan-a-lehallgatasok-ellenorzesere

1f https://444.hu/2022/10/12/emberi-jogok-birosaga-az-adatvedelmi-hatosag-alkalmatlan-a-lehallgatasok-ellenorzesere

Or. en

Amendment 259
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 25

Motion for a resolution

25. In November 2021, at the insistence of the opposition, two committees in the Senate conducted hearings into the use of spyware in Hungary and the alleged politically motivated targeting of citizens by the government in particular. It was subsequently reported that the government representatives insisted that all surveillance was authorised through appropriate channels, but refused to comment as to whether or not journalists

Amendment

25. In November 2021, at the insistence of the opposition, two committees in the Senate conducted hearings into the use of spyware in Hungary and the alleged politically motivated targeting of citizens by the government in particular.
or politicians were targeted. It is not possible to know exactly what was said however, as the ruling party have classified the minutes of the meeting until the year 2050.

Amendment 260
Anna Júlia Donáth

Motion for a resolution
Paragraph 25

25. In November 2021, at the insistence of the opposition, two committees in the Senate conducted hearings into the use of spyware in Hungary and the alleged politically motivated targeting of citizens by the government in particular. It was subsequently reported that the government representatives insisted that all surveillance was authorised through appropriate channels, but refused to comment as to whether or not journalists or politicians were targeted. It is not possible to know exactly what was said however, as the ruling party have classified the minutes of the meeting until the year 2050.

Amendment

25. In November 2021, at the insistence of the opposition, two committees in the National Assembly conducted hearings into the use of spyware in Hungary and the alleged politically motivated targeting of citizens by the government in particular. The governmental party, Fidesz and its MPs prevented any meaningful and democratic scrutiny about the use of Pegasus and the government representatives insisted that all surveillance was authorised through appropriate channels, but refused to comment as to whether or not journalists or politicians were targeted. They also refused to comment on the fact that the authorisations were delegated by the Minister of Justice to the Secretary of State, Pál Völner, who is under investigation based on the charges of corruption and abuse of power. It is not possible to know exactly what was said however, as the ruling party have classified the minutes of the meeting until the year 2050.

Amendment 261
Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García
Del Blanco, Juan Fernando López Aguilar, Sándor Rónai, Katarina Barley, Łukasz Kohut

Motion for a resolution
Paragraph 25

Motion for a resolution

25. In November 2021, at the insistence of the opposition, two committees in the Senate conducted hearings into the use of spyware in Hungary and the alleged politically motivated targeting of citizens by the government in particular. It was subsequently reported that the government representatives insisted that all surveillance was authorised through appropriate channels, but refused to comment as to whether or not journalists or politicians were targeted. It is not possible to know exactly what was said however, as the ruling party have classified the minutes of the meeting until the year 2050.

Amendment

25. In November 2021, at the insistence of the opposition, two committees (National Security Committee and committee on Defence and Security) in the Parliament conducted hearings into the use of spyware in Hungary and the alleged politically motivated targeting of citizens by the government in particular. At the first meeting of the National Security Committee, the Committee was inquorate because its MPs from the Fidesz party did not show up at the session. It was subsequently reported that the government representatives insisted that all surveillance was authorised through appropriate channels, but refused to comment as to whether or not journalists or politicians were targeted. It is not possible to know exactly what was said however, as the ruling party have classified the minutes of the meeting until the year 2050.

Or. en

Amendment 262
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 25

Motion for a resolution

25. In November 2021, at the insistence of the opposition, two committees in the Senate conducted hearings into the use of spyware in Hungary and the alleged politically motivated targeting of citizens by the government in particular. It was subsequently reported that the government representatives insisted that all surveillance was authorised through appropriate channels, but refused to comment as to whether or not journalists or politicians were targeted. It is not possible to know exactly what was said however, as the ruling party have classified the minutes of the meeting until the year 2050.

Amendment

25. In November 2021, two committees in the Senate conducted hearings into the use of spyware in Hungary and the alleged politically motivated targeting of citizens by the government in particular. It was subsequently reported that the government representatives insisted that all surveillance was authorised through appropriate
representatives insisted that all surveillance was authorised through appropriate channels, but refused to comment as to whether or not journalists or politicians were targeted. *It is not possible to know exactly what was said however, as the ruling party have classified the minutes of the meeting until the year 2050.*

Or. fr

Amendment 263
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 25 a (new)

Motion for a resolution

Amendment

25 a. An NAIH investigation was launched following allegations of at least ten lawyers, the President of the Hungarian Bar Association, and at least five journalists being targeted. The resulting report was published on 31 January 2022 and concluded that the use of Pegasus was strictly for reasons of national security. Furthermore, according to President of the NAIH Attila Péterfalvi, the investigation did not uncover any illegal activity or anything inconsistent with the terms of sale of NSO Group. That is remarkable in view of the fact that it is widely assumed that Hungary is one of the two countries that have been struck off the list of fourteen EU countries to which NSO sells its products.


64o Euractiv, Hungary employed Pegasus spyware in hundreds of cases, says
Amendment 264
Sophia in 't Veld

Motion for a resolution
Paragraph 25 a (new)

25 a. An NAIH investigation was launched following allegations of at least ten lawyers, the President of the Hungarian Bar Association, and at least five journalists being targeted\(^1a\). The resulting report was published on 31 January 2022 and concluded that the use of Pegasus was strictly for reasons of national security. Furthermore, according President of the NAIH Attila Péterfalvi, the investigation did not uncover any illegal activity or anything inconsistent with the terms of sale of NSO Group\(^1b\). That is remarkable in view of the fact that it is widely assumed that Hungary is one of the two countries that have been struck off the list of fourteen EU countries to which NSO sells its products.


\(^1b\) Euractiv, Hungary employed Pegasus spyware in hundreds of cases, says government agency’, 1 February 2022.

Amendment 265
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline
Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 25 b (new)

25 b. Similarly, the Hungarian prosecution service concluded its investigation into the targeting on 15 June 2022, concluding that no unauthorised surveillance had taken place.

Or. en

Amendment 266
Sophia in 't Veld

Motion for a resolution
Paragraph 25 b (new)

25 b. Similarly, the Hungarian prosecution service concluded its investigation into the targeting on 15 June 2022, concluding that no unauthorised surveillance had taken place.

Or. en

Amendment 267
Sophia in 't Veld

Motion for a resolution
Paragraph 25 c (new)

25 c. Considering that authorisation power rests within the Justice Ministry, and the Fidesz backed Prosecutor General, Peter Polt, was re-elected in
2019 for a further nine years (having already served for a combined period of 15 years over two different terms up to that point), it is very difficult to conclude that all of this governmental oversight is anything other than a charade for appearances sake.

Amendment 268
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 25 c (new)

Motion for a resolution

Amendment

25 c. Considering that authorisation power rests within the Justice Ministry, and the Fidesz backed Prosecutor General, Peter Polt, was re-elected in 2019 for a further nine years (having already served for a combined period of 15 years over two different terms up to that point), it is very difficult to conclude that all of this governmental oversight is anything other than a charade for appearances sake.

Amendment 269
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 25 d (new)

Motion for a resolution

Amendment

25 d. There is no support to be found within the Hungarian anti-corruption
framework in response to this given that the Ministry of the Interior, who initially purchased Pegasus from NSO Group, is responsible for the coordination of all anti-corruption policy and oversight.  


Amendment 270
Sophia in 't Veld

Motion for a resolution
Paragraph 25 d (new)

25 d. There is no support to be found within the Hungarian anti-corruption framework in response to this given that the Ministry of the Interior, who initially purchased Pegasus from NSO Group, is responsible for the coordination of all anti-corruption policy and oversight1a.


Amendment 271
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 26
When the Pegasus scandal erupted in Hungary, it became clear that journalists were one of the groups most targeted by the government, though it refuses to either confirm or deny this. As a result, in early 2022 a group of six journalists and activists initiated legal proceedings in Hungary against both the State and the NAIH. The Hungarian Civil Liberties Union (HCLU) will represent journalists Brigitta Csikász, Dávid Dercsényi, Dániel Németh and Szabolcs Panyi in addition to Adrien Beauduin, a Belgian-Canadian PhD student and activist. The sixth party has chosen to remain anonymous. The HCLU is also working with Eitay Mack in Israel to file a case with the Attorney General in order to trigger an investigation into NSO Group.


Amendment 272
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 26

When the Pegasus scandal erupted in Hungary, it became clear that journalists were one of the groups most targeted by the government, though it refuses to either confirm or deny this. As a result, in early 2022 a group of six journalists and activists initiated legal proceedings in Hungary against both the State and the NAIH. The Hungarian Civil Liberties Union (HCLU) will represent journalists Brigitta Csikász, Dávid Dercsényi, Dániel Németh and Szabolcs Panyi in addition to Adrien Beauduin, a Belgian-Canadian PhD student and activist. The sixth party has chosen to remain anonymous. The HCLU is also working with Eitay Mack in Israel to file a case with the Attorney General in order to trigger an investigation into NSO Group.


Or. en
State and the NAIH. The Hungarian Civil Liberties Union (HCLU) will represent journalists Brigitta Csikász, Dávid Dercsényi, Dániel Németh and Szabolcs Panyi in addition to Adrien Beauduin, a Belgian-Canadian PhD student and activist. The sixth party has chosen to remain anonymous. The HCLU is also working with Eitay Mack in Israel to file a case with the Attorney General in order to trigger an investigation into NSO Group.

Amendment 273
Hannes Heide, Sylvie Guillaume, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Sándor Rónai, Katarina Barley, Łukasz Kohut

Motion for a resolution
Paragraph 26

26. When the Pegasus scandal erupted in Hungary, it became clear that journalists were one of the groups most targeted by the government, though it refuses to either confirm or deny this. As a result, in early 2022 a group of six journalists and activists initiated legal proceedings in Hungary against both the State and the NAIH. The Hungarian Civil Liberties Union (HCLU) will represent journalists Brigitta Csikász, Dávid Dercsényi, Dániel Németh and Szabolcs Panyi in addition to Adrien Beauduin, a Belgian-Canadian PhD student and activist. The sixth party has chosen to remain anonymous. The HCLU is also working with Eitay Mack in Israel to file a case with the Attorney General in order to trigger an investigation into NSO Group.

trigger an investigation into NSO Group\textsuperscript{65}.


Amendment 274
Sophia in 't Veld

Motion for a resolution
Paragraph 26 a (new)

\textit{Motion for a resolution} \hspace{2cm} \textit{Amendment}

26 a. Many technicalities are blocking the path for this case in the Hungarian courts. Given that there is not a wealth of case law in this area, the procedures are unclear. For example, there are issues arising regarding jurisdiction. Such actions and relentless delays as these are mainly viewed as attempts to have the case dismissed on a technicality or procedural issue.

Or. en

Amendment 275
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 26 a (new)

\textit{Motion for a resolution} \hspace{2cm} \textit{Amendment}

26 a. Many technicalities are blocking the path for this case in the Hungarian courts. Given that there is not a wealth of
case law in this area, the procedures are unclear. For example, there are issues arising regarding jurisdiction. Such actions and relentless delays as these are mainly viewed as attempts to have the case dismissed on a technicality or procedural issue.

Or. en

Amendment 276
Sophia in 't Veld

Motion for a resolution
Paragraph 26 b (new)

Motion for a resolution
Amendment

26 b. There is also a long-standing battle over the last two years regarding access to information. In order to request access files containing all data gathered on any one citizen, you must know the exact name of the file to which your request relates, which is almost impossible information to acquire. Having been inevitably rejected by the Supreme Court in their requests, the HCLU sought a ruling from the Constitutional Court declaring this practice, and the ruling of the Curia unconstitutional. However, in 2021, the Constitutional Court rejected the HCLU’s motion.

Or. en

Amendment 277
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 26 b (new)

Motion for a resolution
Amendment

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26 b. There is also a long-standing battle over the last two years regarding access to information. In order to request access files containing all data gathered on any one citizen, you must know the exact name of the file to which your request relates, which is almost impossible information to acquire. Having been inevitably rejected by the Supreme Court in their requests, the HCLU sought a ruling from the Constitutional Court declaring this practice, and the ruling of the Curia unconstitutional. However, in 2021, the Constitutional Court rejected the HCLU’s motion.

Amendment 278
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 26 c (new)

26 c. In addition to its lawsuits before the courts, the HCLU has also pursued other avenues to access their data. An administrative procedure was initiated and accepted under the Classified Data Act and the Data Protection Act. However, there will be a yearlong review by the Constitution Protection Office in each individual case before any results will be known. Additionally, the spyware attacks have been reported to the Commissioner for Fundamental Rights (Ombudsman). The Constitutional Court has stipulated that the responsibility lies with the Ombudsman to investigate abuses by the secret services, but it is very likely that the procedure will only result in the Ombudsman pushing responsibility on to the government controlled NAIH.
Amendment 279
Sophia in 't Veld

Motion for a resolution
Paragraph 26 c (new)

Amendment

26 c. In addition to its lawsuits before the courts, the HCLU has also pursued other avenues to access their data. An administrative procedure was initiated and accepted under the Classified Data Act and the Data Protection Act. However, there will be a yearlong review by the Constitution Protection Office in each individual case before any results will be known\textsuperscript{1a}. Additionally, the spyware attacks have been reported to the Commissioner for Fundamental Rights (Ombudsman). The Constitutional Court has stipulated that the responsibility lies with the Ombudsman to investigate abuses by the secret services, but it is very likely that the procedure will only result in the Ombudsman pushing responsibility on to the government controlled NAIH\textsuperscript{1b}.

\textsuperscript{1a} https://hclu.hu/en/pegasus-case-hungarian-procedures

\textsuperscript{1b} https://hclu.hu/en/pegasus-whats-new

Amendment 280
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 26 d (new)

Motion for a resolution

Amendment

26 d. In another attempt to achieve some transparency, the HCLU has requested access to the data being collected and processed resulting from the hacking of the six victims in a process that is conducted outside the courts system. However, the entitlement to this information only exists as long as providing the data to the subjects does not interfere with national security. This creates another pretext for the Hungarian authorities to once again fall back on national security reasons. So far, the Constitution Protection Office has rejected 270 Freedom of Information (FOI) requests submitted by the HCLU between 2018 and May of 2022.

65c  https://hclu.hu/en/pegasus-case-hungarian-procedures
65e  https://hclu.hu/en/pegasus-whats-new

Or. en

Amendment 281
Sophia in 't Veld

Motion for a resolution
Paragraph 26 d (new)

Motion for a resolution

Amendment

26 d. In another attempt to achieve some transparency, the HCLU has requested access to the data being collected and processed resulting from the hacking of the six victims in a process that is conducted outside the courts system.
However, the entitlement to this information only exists as long as providing the data to the subjects does not interfere with national security\textsuperscript{1a}. This creates another pretext for the Hungarian authorities to once again fall back on national security reasons\textsuperscript{1b}. So far, the Constitution Protection Office has rejected 270 Freedom of Information (FOI) requests submitted by the HCLU between 2018 and May of 2022\textsuperscript{1c}.

\textsuperscript{1a} https://hclu.hu/en/pegasus-case-hungarian-procedures
\textsuperscript{1b} https://hclu.hu/en/pegasus-whats-new
\textsuperscript{1c} https://hclu.hu/en/pegasus-whats-new

Amendment 282
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 26 e (new)

\textit{Motion for a resolution}

26 e. \textit{The ECtHR has already ruled on the situation in Hungary in the case of Szabo and Vissy v. Hungary in 2016 and held in its judgement that there was insufficient judicial supervision of the authorisation of covert surveillance in Hungary. It was also outlined by the Court that there was a gap in the legal framework regarding effective remedy. The ruling parties have yet to act on this judgement however, and as a result, they are under heightened supervision by the Council of Europe.}

\textit{Amendment}

Or. en
Amendment 283
Sophia in 't Veld

Motion for a resolution
Paragraph 26 e (new)

Amendment

26 e. The ECtHR has already ruled on the situation in Hungary in the case of Szabo and Vissy v. Hungary in 2016 and held in its judgement that there was insufficient judicial supervision of the authorisation of covert surveillance in Hungary. It was also outlined by the Court that there was a gap in the legal framework regarding effective remedy. The ruling parties have yet to act on this judgement however, and as a result, they are under heightened supervision by the Council of Europe.

Or. en

Amendment 284
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 27

Amendment

27. The political control over the use of surveillance in Hungary is complete and total. The Orbán-led Fidesz regime has made it so that they can target lawyers, journalists, political opponents and civil society organisations with ease and without fear of recourse. In addition, their control over almost all Hungarian media outlets allows them to continue pushing their own version of the truth, stopping much of the public scrutiny conducted by the media from reaching Hungarian citizen.

deleted

Or. fr
Amendment 285
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 27

27. The political control over the use of surveillance in Hungary is complete and total. The Orbán-led Fidesz regime has made it so that they can target lawyers, journalists, political opponents and civil society organisations with ease and without fear of recourse. In addition, their control over almost all Hungarian media outlets allows them to continue pushing their own version of the truth, stopping much of the public scrutiny conducted by the media from reaching Hungarian citizen.

Amendment 286
Hannes Heide, Sylvie Guillaume, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Sándor Rónai, Katarina Barley, Łukasz Kohut

Motion for a resolution
Paragraph 27

27. The political control over the use of surveillance in Hungary remains in the hands of a democratically constituted government.

Amendment 286
Hannes Heide, Sylvie Guillaume, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Sándor Rónai, Katarina Barley, Łukasz Kohut

Motion for a resolution
Paragraph 27

27. The political control over the use of surveillance in Hungary is complete and total. The Orbán-led Fidesz regime has made it so that they can target lawyers, journalists, political opponents and civil society organisations with ease and without fear of recourse. In addition, their control over almost all Hungarian media outlets allows them to continue pushing their own version of the truth, stopping much of the public scrutiny conducted by the media.

Or. en
from reaching Hungarian citizen. conducted by independent media from reaching Hungarian citizen.

Amendment 287
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 27 a (new)

Motion for a resolution

Amendment

27 a. The Minister of the Interior was responsible for the purchase of Pegasus spyware in the first instance, and the Minister for Justice remains in charge of authorising its use. However, the ruling party classified results of the investigations into the use of spyware that were conducted by special committee hearings until 2050. It can only be deduced from this that the findings were not favourable to Fidesz. The legislative framework of Hungary regarding the surveillance of its citizens has been repeatedly found lacking, however the ruling party make no moves to alter it as it suits their own agenda.

Amendment 288
Sophia in 't Veld

Motion for a resolution
Paragraph 27 a (new)

Motion for a resolution

Amendment

27 a. The Minister of the Interior was responsible for the purchase of Pegasus spyware in the first instance, and the Minister for Justice remains in charge of authorising its use.
authorising its use. However, the ruling party classified results of the investigations into the use of spyware that were conducted by special committee hearings until 2050. It can only be deduced from this that the findings were not favourable to Fidesz. The legislative framework of Hungary regarding the surveillance of its citizens has been repeatedly found lacking, however the ruling party make no moves to alter it as it suits their own agenda.

Amendment 289
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 27 b (new)

27 b. The Prime Minister selects the head of the NAIH, the body supposedly responsible for the independent oversight of Pegasus use by the secret services. Given that he is a political appointee, the illusion of independence is destroyed. Hungary and the Fidesz government are no strangers to these types of political appointments. In fact, over the years of Orban’s rule, Hungary has become the de facto European capital of cronyism. Fidesz has systematically placed party loyalists into leading roles in bodies such as Constitutional Court, the Supreme Court, the Court of Auditors, the prosecution service, the National Bank of Hungary and the National Election Committee. This ensures that any institution created with the intent of conducting oversight of the executive branch cannot carry out its role in an independent manner.


Or. en

Amendment 290
Sophia in 't Veld
Motion for a resolution
Paragraph 27 b (new)

27 b. The Prime Minister selects the head of the NAIH, the body supposedly responsible for the independent oversight of Pegasus use by the secret services. Given that he is a political appointee, the illusion of independence is destroyed. Hungary and the Fidesz government are no strangers to these types of political appointments. Fidesz has systematically placed party loyalists into leading roles in bodies such as Constitutional Court, the Supreme Court, the Court of Auditors, the prosecution service, the National Bank of Hungary and the National Election
Committee. This ensures that any institution created with the intent of conducting oversight of the executive branch cannot carry out its role in an independent manner.

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Amendment 291
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 28

28. **It has been very clear that the government’s actions were politically motivated from the moment that the spyware scandal broke in Hungary. It was reported that the phone numbers of over 300 persons were included in the findings of the Pegasus Project**. Among those were at least five journalists, ten lawyers and an opposition politician as well as activists and high profile business owners. **While** the appearance of phone numbers on this list does not necessarily mean that hacking of those phones took place, **it is a revealing insight into the methodical and systematic actions and attitude of Orbán’s**

Amendment
28. **According to** the Pegasus Project, at least five journalists, ten lawyers and an opposition politician as well as activists and high profile business owners is on the list of potentially hacked phones. **It must be noted that** the appearance of phone numbers on this list does not necessarily mean that hacking of those phones took place.
government towards fundamental rights and media freedom. Since that time in 2021, a number of targets have been confirmed as having been successfully hacked with spyware.


Amendment 292
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 28

Motion for a resolution

28. It has been very clear that the government’s actions were politically motivated from the moment that the spyware scandal broke in Hungary. It was reported that the phone numbers of over 300 persons were included in the findings of the Pegasus Project. Among those were at least five journalists, ten lawyers and an opposition politician as well as activists and high profile business owners. While the appearance of phone numbers on this list does not necessarily mean that hacking of those phones took place, it is a revealing insight into the methodical and systematic actions and attitude of Orbán’s government towards fundamental rights and media freedom. Since that time in 2021, a number of targets have been confirmed as having been successfully hacked with spyware.

Amendment

28. It was reported that the phone numbers of over 300 persons were included in the findings of the Pegasus Project. Among those were at least five journalists, ten lawyers and an opposition politician as well as activists and high profile business owners. It should be noted that the appearance of phone numbers on this list does not necessarily mean that hacking of those phones took place. Since that time in 2021, a number of targets have been confirmed as having been successfully hacked with spyware.
targets have been confirmed as having been successfully hacked with spyware.


Amendment 293
Anna Júlia Donáth

Motion for a resolution
Paragraph 28

Motion for a resolution

28. It has been very clear that the government’s actions were politically motivated from the moment that the spyware scandal broke in Hungary. It was reported that the phone numbers of over 300 persons were included in the findings of the Pegasus Project66. Among those were at least five journalists, ten lawyers and an opposition politician as well as activists and high profile business owners67. While the appearance of phone numbers on this list does not necessarily mean that hacking of those phones took place, it is a revealing insight into the methodical and systematic actions and attitude of Orbán’s government towards fundamental rights and media freedom. Since that time in 2021, a number of targets have been confirmed as having been successfully hacked with spyware.

Amendment

28. It has been very clear that the government’s actions were politically motivated from the moment that the spyware scandal broke in Hungary. It was reported that the phone numbers of over 300 persons were included in the findings of the Pegasus Project66. Among those were at least five journalists, ten lawyers, the opposition mayor of Gödöllő, employee of the opposition party as well as activists and high profile business owners67. However, none of them were a target of any criminal investigations or accused of anything. While the appearance of phone numbers on this list does not necessarily mean that hacking of those phones took place, it is a revealing insight into the methodical and systematic actions and attitude of Orbán’s government towards fundamental rights and media freedom. Since that time in 2021, a number...
of targets have been confirmed as having been successfully hacked with spyware.


Amendment 294
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Subheading 30

Motion for a resolution Amendment

Szabolcs Panyi deleted

Or. en

Amendment 295
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 29

Motion for a resolution Amendment

29. The hacking of the phone of journalist and editor Szabolcs Panyi occurred through the course of his work at Direkt36. As one of the few remaining independent news sources in Hungary, it

deleted
is a major target of the ruling party. Panyi is a well-known, well-regarded journalist, so it follows that in addition to collecting key information directly from Panyi himself, many of the contacts and sources on his phone would be valuable by-catch for the government.

Amendment 296
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 29

Motion for a resolution

29. The hacking of the phone of journalist and editor Szabolcs Panyi occurred through the course of his work at Direkt36. As one of the few remaining independent news sources in Hungary, it is a major target of the ruling party. Panyi is a well-known, well-regarded journalist, so it follows that in addition to collecting key information directly from Panyi himself, many of the contacts and sources on his phone would be valuable by-catch for the government.

Amendment 297
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 29 a (new)

Motion for a resolution

29 a. It was confirmed by Amnesty International that Panyi’s phone was consistently hacked in 2019 over a period
of seven months. These attacks were pointed and often occurring at a time when Panyi had requested the government to provide a comment on issues. A specific and concerning example of this occurred on 3 April 2019. Panyi contacted the government requesting a comment on the article he wrote detailing the move of a Russian bank to the Hungarian capital which was a high-profile story given that there were questions about whether or not the bank was in fact a front for Russian intelligence services. Amnesty International confirmed that Panyi’s phone was hacked the following day, and additionally verified that there were eleven other such instances of hacking in the immediate aftermath of a request for comment from Orban’s administration. That equates to over half of Panyi’s requests resulting in being targeted within that seven month period. This is an abhorrent violation of media freedom.


Amendment 298
Sophia in 't Veld

Motion for a resolution
Paragraph 29 a (new)

29 a. It was confirmed by Amnesty International that Panyi’s phone was consistently hacked in 2019 over a period of seven months\textsuperscript{1a}. These attacks were pointed and often occurring at a time when Panyi had requested the government to provide a comment on issues. A specific and concerning example of this occurred on 3 April 2019. Panyi contacted the government requesting a comment on the article he wrote detailing the move of a Russian bank to the Hungarian capital which was a high-profile story given that there were questions about whether or not the bank was in fact a front for Russian intelligence services\textsuperscript{1b}. Amnesty International confirmed that Panyi’s phone was hacked the following day, and additionally verified that there were eleven other such instances of hacking in the immediate aftermath of a request for comment from Orban’s administration\textsuperscript{1c}. That equates to over half of Panyi’s requests resulting in being targeted within that seven month period\textsuperscript{1d}. This is an abhorrent violation of media freedom.


Amendment 299
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 29 b (new)

29 b. The ruling party have feigned ignorance with regard to the targeting of Panyi and will not confirm nor deny that they were responsible. However, the government has previously attacked Panyi publicly, with Orban’s spokesperson alleging that he was a fanatical political activist as well as accusing him of Orbanophobia and Hungarophobia. This is a blatant attempt to discredit Panyi and paint both his sources and himself as the ‘enemy’ through the government’s own state-controlled media.

67m The Guardian,

Or. en
Amendment 300
Sophia in 't Veld

Motion for a resolution
Paragraph 29 b (new)

29 b. The ruling party have feigned ignorance with regard to the targeting of Panyi and will not confirm nor deny that they were responsible. However, the government has previously attacked Panyi publicly, with Orban’s spokesperson alleging that he was a fanatical political activist as well as accusing him of Orbanophobia and Hungarophobia\(^1\). This is a blatant attempt to discredit Panyi and paint both his sources and himself as the ‘enemy’ through the government’s own state-controlled media.


Or. en

Amendment 301
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk on behalf of the ECR Group

Motion for a resolution
Subheading 31

Zoltán Varga deleted

Or. en
Amendment 302
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 30

Motion for a resolution

30.  As CEO and Chairman of Central Media Group, Zoltán Varga is the owner of Hungary’s largest remaining independent news site 24.hu. After the Orbán government initiated a takeover of its main competitor, Index.hu, in 2020, Varga was left as ‘the last man standing’ in defiance of the ruling party.

Amendment 303
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 30

Motion for a resolution

30.  As CEO and Chairman of Central Media Group, Zoltán Varga is the owner of Hungary’s largest remaining independent news site 24.hu. After the Orbán government initiated a takeover of its main competitor, Index.hu, in 2020, Varga was left as ‘the last man standing’ in defiance of the ruling party.

Amendment 304
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 30 a (new)
Motion for a resolution

30 a. Fidesz has been conducting a smear campaign against Varga via the government-controlled media for some time in order to discredit both his personal public figure and the publication, despite its popularity, with an audience of over 7.5 million per month. Varga alleges that he was both enticed and threatened to sell on different occasions, including offers for generous state advertising subsidies in return for hiring the government’s choice of editorial staff. Varga first suspected his phone was infected with Pegasus when he began hearing a playback of the call in while in mid-conversation. Subsequently in 2021, it was discovered by Amnesty International that Varga had indeed most likely been hacked by Pegasus, but it could not be confirmed owing to the fact that the phone had since been replaced.


Sophia in 't Veld

Amendment 305

Motion for a resolution
Paragraph 30 a (new)

Motion for a resolution

30 a. Fidesz has been conducting a smear campaign against Varga via the government-controlled media for some time in order to discredit both his personal public figure and the publication, despite its popularity, with an audience of over 7.5 million per month\(^a\). Varga alleges that he was both enticed and threatened to sell on different occasions, including offers for generous state advertising subsidies in return for hiring the government’s choice of editorial staff\(^b\). Varga first suspected his phone was infected with Pegasus when he began hearing a playback of the call in while in mid-conversation. Subsequently in 2021, it was discovered by Amnesty International that Varga had indeed most likely been hacked by Pegasus, but it could not be confirmed owing to the fact that the phone had since been replaced\(^c\).


Motion for a resolution  
Paragraph 30 b (new)  

Motion for a resolution  
Amendment

30 b. Additionally, shortly after the 2018 elections, the re-elected Orban attempted to get to Varga indirectly. Following a dinner party to discuss the government media takeover hosted by Varga in spring 2018, which included Attila Chikan, a former Fidesz Minister turned Orban critic, it was verified that all those present were recorded as being candidates for surveillance\textsuperscript{1a}. It was subsequently confirmed that one guest was hacked at the time of the party, while other phones showed traces of potential Pegasus hacks but no proof of successful infection\textsuperscript{1b}. The hacking was all but confirmed by a government affiliated acquaintance of Vargas who directly referenced the dinner party in conversation and warned against socialising with people who could be “dangerous”\textsuperscript{1c}.


Or. en

Amendment 307
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 30 b (new)

Motion for a resolution

30 b. Additionally, shortly after the 2018 elections, the re-elected Orban attempted to get to Varga indirectly. Following a dinner party to discuss the government media takeover hosted by Varga in spring 2018, which included Attila Chikan, a former Fidesz Minister turned Orban critic, it was verified that all those present were recorded as being candidates for surveillance. It was subsequently confirmed that one guest was hacked at the time of the party, while other phones showed traces of potential Pegasus hacks but no proof of successful infection. The hacking was all but confirmed by a government affiliated acquaintance of Vargas who directly referenced the dinner party in conversation and warned against socialising with people who could be “dangerous.”


Or. en

Amendment 308
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 30 c (new)
Motion for a resolution

Amendment

30 c. Varga has also been the subject of traditional surveillance. Eavesdropping in the business setting, cars lingering outside his home and helicopters hovering over his home and making several incursions into his garden have warranted him engaging full time security.

Or. en

Amendment 309
Sophia in 't Veld

Motion for a resolution
Paragraph 30 c (new)

Motion for a resolution

Amendment

30 c. Varga has also been the subject of traditional surveillance. Eavesdropping in the business setting, cars lingering outside his home and helicopters hovering over his home and making several incursions into his garden have warranted him engaging full time security.

Or. en

Amendment 310
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Subheading 32

Motion for a resolution

Adrien Beauduin deleted

Or. en
Amendment 311
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 31

Motion for a resolution

31. Adrien Beauduin appeared on the radar of the Orbán regime in 2018 while completing a PhD in gender studies at the Central European University (CEU). The institution was founded by George Soros and the government was trying to remove it from Hungary at the time, along with the entire subject of gender studies. After attending a protest in Budapest, Beauduin was arrested in what is seen as a highly politically motivated move, and faced charges for assault of a police officer, which he vehemently denies. It was reported that there was essentially no evidence against Beauduin, and the evidence that was submitted had been copied verbatim from the police testimony in another case.


Amendment 312
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 31

31. Adrien Beauduin appeared on the radar of the Orbán regime in 2018 while completing a PhD in gender studies at the Central European University (CEU). The institution was founded by George Soros and the government was trying to remove it from Hungary at the time, along with the entire subject of gender studies. After attending a protest in Budapest, Beauduin was arrested in what is seen as a highly politically motivated move, and faced charges for assault of a police officer, which he vehemently denies. It was reported that there was essentially no evidence against Beauduin, and the evidence that was submitted had been copied verbatim from the police testimony in another case.


Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Sándor Rónai, Katarina Barley, Łukasz Kohut

Motion for a resolution

Paragraph 31

Motion for a resolution

31. Adrien Beauduin appeared on the radar of the Orbán regime in 2018 while completing a PhD in gender studies at the Central European University (CEU). The institution was founded by George Soros and the government was trying to remove it from Hungary at the time, along with the entire subject of gender studies. After attending a protest in Budapest, Beauduin was arrested in what is seen as a highly politically motivated move, and faced charges for assault of a police officer, which he vehemently denies. It was reported that there was essentially no evidence against Beauduin, and the evidence that was submitted had been copied verbatim from the police testimony in another case.

Amendment

31. Adrien Beauduin appeared on the radar of the Orbán regime in 2018 while completing a PhD in gender studies at the Central European University (CEU). The institution was founded by George Soros and the government was trying to remove it from Hungary at the time, along with the entire subject of gender studies. After attending a protest in Budapest, Beauduin was arrested in what is seen as a highly politically motivated move, and faced charges for assault of a police officer, which he vehemently denies. It was reported that there was essentially no evidence against Beauduin, and the evidence that was submitted had been copied verbatim from the police testimony in another case. In 2020, the criminal proceeding against Adrien Beauduin, who was represented by HCLU in the case, was terminated.


Amendment 314
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 31 a (new)

Motion for a resolution

31 a. At the time, government representatives publically condemned so-called “pro-immigration Soros network” for orchestrating “violent demonstrations in Budapest”\(^{70a}\). Subsequently, traces of Pegasus were found on Beauduin’s phone, but it was not possible to confirm whether there had been a successful infection.


Or. en

Amendment 315
Sophia in 't Veld

Motion for a resolution
Paragraph 31 a (new)

Motion for a resolution

31 a. At the time, government representatives publically condemned so-called “pro-immigration Soros network” for orchestrating “violent demonstrations in Budapest”\(^{1a}\). Subsequently, traces of Pegasus were found on Beauduin’s phone, but it was not possible to confirm whether there had been a successful infection.
Amendment 316
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 31 b (new)

Motion for a resolution  

Amendment

31 b. Given that Beauduin was a Belgian citizen living in Hungary at that time of these incidents, the importance of the cross-border element in this case cannot be overstated. It is critical as it affects the sovereign rights of EU citizens, such as freedom of movement and the right to work. The Commission has a complaints procedure in place that any person can avail of if their Charter rights have been breached. Adrien Beauduin lodged such a complaint on 24 January 2022, however seven months later, in a letter of response dated 17 August 2022 addressed to his lawyer it was outlined that it would not be possible for the Commission to do anything as it does not have the competence.  

70b European Commission letter of response from Cathrin Bauer-Bulst, Head of Unit Directorate General for Migration and Home Affairs, dated 17 August 2022.
Amendment 317
Sophia in 't Veld

Motion for a resolution
Paragraph 31 b (new)

31 b. Given that Beauduin was a Belgian citizen living in Hungary at that time of these incidents, the importance of the cross-border element in this case cannot be overstated. It is critical as it affects the sovereign rights of EU citizens, such as freedom of movement and the right to work. The Commission has a complaints procedure in place that any person can avail of if their Charter rights have been breached. Adrien Beauduin lodged such a complaint on 24 January 2022, however seven months later, in a letter of response dated 17 August 2022 addressed to his lawyer the Commission claimed it does not have the competence.1a

1a European Commission letter of response from Cathrin BauerBulst, Head of Unit Directorate General for Migration and Home Affairs, dated 17 August 2022.

Or. en

Amendment 318
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk on behalf of the ECR Group

Motion for a resolution
Subheading 33

Ilona Patócs deleted

Or. en
Amendment 319
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk on behalf of the ECR Group

Motion for a resolution
Paragraph 32

32. **Lawyer Ilona Patócs was a suspected victim of Pegasus surveillance in the summer of 2019 while she was representing a client in a high profile, long-running murder case**. However, owing to the type of mobile device she was using, it was not possible to confirm whether the hack was fully successful or when exactly it occurred. Her client, István Hatvani, had already served seven years for an assassination, which Patócs claims was a ‘politically motivated’ conviction. Despite another party later claiming responsibility for the murder, the Hungarian Court of Appeal sent Hatvani back to prison to complete his original sentence. Many other lawyers’ phone numbers have been listed as potential targets of Pegasus, including President of the Hungarian Bar Association János Bánáti. This targeting in particular shows a clear disregard from the government for the privilege that exists between lawyers and their clients.

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73 Direkt36, https://www.direkt36.hu/en/pegasus-
Amendment 320
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 32

32. Lawyer Ilona Patócs was a suspected victim of Pegasus surveillance in the summer of 2019 while she was representing a client in a high profile, long-running murder case. However, owing to the type of mobile device she was using, it was not possible to confirm whether the hack was fully successful or when exactly it occurred. Her client, István Hatvani, had already served seven years for an assassination, which Patócs claims was a 'politically motivated' conviction. Despite another party later claiming responsibility for the murder, the Hungarian Court of Appeal sent Hatvani back to prison to complete his original sentence. Many other lawyers’ phone numbers have been listed as potential targets of Pegasus, including President of the Hungarian Bar Association János Bánáti. This targeting in particular shows a clear disregard from the government for the privilege that exists between lawyers and their clients.

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Amendment 321
Anna Júlia Donáth

Motion for a resolution
Paragraph 32 – subparagraph 1 (new)

Amendment

György Gémesi

György Gémesi, the mayor of Gödöllő, was also targeted by the Pegasus spyware at the end of 2018, just as he was under severe governmental pressure and unknown persons broke into his home and his children's homes. At the same time as the opposition mayor, at the end of 2018, a government acquaintance of Gémesi was also chosen as the target of the spyware. In addition, two phone numbers linked to his party colleagues and former deputy mayor of Gémesi also appeared on the list.

Amendment 322
Anna Júlia Donáth

Motion for a resolution
Subheading 33 a (new)
Amendment 323
Anna Júlia Donáth

Motion for a resolution
Subheading 33 b (new)

Amendment 324
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Subheading 34

Other Targets deleted

Amendment 325
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 33

33. People inside the ruling party’s circle have also been targeted with
spyware. It was reported by the independent Hungarian outlet Direkt36 in December 2021 that a bodyguard to János Áder, the President and close ally of Orbán, was hacked with Pegasus spyware. Direkt36 journalist and victim of spyware Szabolcs Panyi has reported that this kind of spying is mainly as a result of the growing paranoia of the Hungarian Prime Minister.

Amendment 326
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 33

Motion for a resolution
Amendment

33. People inside the ruling party’s circle have also been targeted with spyware. It was reported by the independent Hungarian outlet Direkt36 in December 2021 that a bodyguard to János Áder, the President and close ally of Orbán, was hacked with Pegasus spyware. Direkt36 journalist and victim of spyware Szabolcs Panyi has reported that this kind of spying is mainly as a result of the growing paranoia of the Hungarian Prime Minister.

Amendment 327
Anna Júlia Donáth

Motion for a resolution
Paragraph 33

Motion for a resolution
Amendment

33. People inside the ruling party’s circle have also been targeted with

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spyware. It was reported by the independent Hungarian outlet Direkt36 in December 2021 that *a bodyguard to János Áder, the President and close ally of Orbán, was hacked with Pegasus spyware. Direkt36 journalist and victim of spyware Szabolcs Panyi has reported that this kind of spying is mainly as a result of the growing paranoia of the Hungarian Prime Minister.

Or. en

Amendment 328
Anna Júlia Donáth

Motion for a resolution
Paragraph 33 – subparagraph 1 (new)

Motion for a resolution

Cecilia Szilas, former ambassador of Hungary to China was targeted with Pegasus, shortly before becoming senior advisor to Viktor Orbán.

Or. en

Amendment 329
Sophia in 't Veld

Motion for a resolution
Paragraph 33 a (new)

Motion for a resolution

33 a. Additionally, both the son and lawyer of one of Orban’s oldest friends, Lajos Simicska, were hacked with Pegasus¹a. Simicska went from being a close friend of Orban to being an opponent. He was in the process of selling his media consortium that had fuelled much of the feud following Orban’s electoral victory in 2018 when this
relational targeting occurred\textsuperscript{1b}. Simicska himself was not target for the simple reason that he does not use a smartphone, thus rendering impossible infection through spyware such as Pegasus\textsuperscript{1c}. Ajtony Csaba Nagy, Simicska’s lawyer, suspected an infection where he heard a playback of his conversation with Simicska during a phone call. Later, those suspicions were seemingly confirmed when information only discussed on those calls appeared in Hungarian media\textsuperscript{1d}. Given that the majority of news outlets in Hungary are state owned, it is likely that the government provided the information directly to the media themselves.


33 a. Additionally, both the son and lawyer of one of Orban’s oldest friends, Lajos Simicska, were hacked with Pegasus. Simicska went from being a close friend of Orban to being an opponent. He was in the process of selling his media consortium that had fuelled much of the feud following Orban’s electoral victory in 2018 when this relational targeting occurred. Simicska himself was not target for the simple reason that he does not use a smartphone, thus rendering impossible infection through spyware such as Pegasus\textsuperscript{73a}.

Ajtony Csaba Nagy, Simicska’s lawyer, suspected an infection where he heard a playback of his conversation with Simicska during a phone call. Later, those suspicions were seemingly confirmed when information only discussed on those calls appeared in Hungarian media. Given that the majority of news outlets in Hungary are state owned, it is likely that the government provided the information directly to the media themselves.

\textsuperscript{73a} Washington Post, https://www.washingtonpost.com/world/2021/07/18/hungary-orban-spyware/, 18 July 2021

Amendment 331
Anna Júlia Donáth

Motion for a resolution
Paragraph 33 a (new)

\textit{Motion for a resolution}

33 a. President of the Hungarian Bar Association, János Bánáti, criminal defence lawyer and several other lawyers were also targeted with Israeli spyware Pegasus.
Amendment 332
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 34

34. The Hungarian government **has not only purchased and utilised Pegasus spyware against its people, but it has been playing host to other companies in the intelligence market** also. Black Cube is an Israeli private intelligence agency comprised of former employees of Mossad, the Israeli military and Israeli intelligence services\(^{74}\). **Their own company website dubs them as a ‘creative intelligence service’ finding ‘tailored solutions to complex business and litigation challenges’**\(^{75}\). Black Cube have been involved in a number of public hacking controversies including in the US and Romania\(^{76}\). Critically, it has also been uncovered that they are linked with NSO Group and Pegasus spyware. **After much public pressure regarding NSO hiring Black Cube to target their opponents, former NSO CEO Shalev Hulio admitted to hiring Black Cube at in at least one situation in Cyprus.**


\(^{75}\) https://www.blackcube.com/

Amendment 333
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 34

34. The Hungarian government has not only purchased and utilised Pegasus spyware against its people, but it has been playing host to other companies in the intelligence market also. Black Cube is an Israeli private intelligence agency comprised of former employees of Mossad, the Israeli military and Israeli intelligence services. Their own company website dubs them as a ‘creative intelligence service’ finding ‘tailored solutions to complex business and litigation challenges’. Black Cube have been involved in a number of public hacking controversies including in the US and Romania. Critically, it has also been uncovered that they are linked with NSO Group and Pegasus spyware. After much public pressure regarding NSO hiring Black Cube to target their opponents, former NSO CEO Shalev Hulio admitted to hiring Black Cube at in at least one situation in Cyprus.

75 https://www.blackcube.com/
Amendment 334
Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Sándor Rónai, Katarina Barley

Motion for a resolution
Paragraph 34

34. The Hungarian government has not only purchased and utilised Pegasus spyware against its people, but it has been playing host to other companies in the intelligence market also. Black Cube is an Israeli private intelligence agency comprised of former employees of Mossad, the Israeli military and Israeli intelligence services\(^74\). Their own company website dubs them as a ‘creative intelligence service’ finding ‘tailored solutions to complex business and litigation challenges’\(^75\). Black Cube have been involved in a number of public hacking controversies including in the US and Romania\(^76\). Critically, it has also been uncovered that they are linked with NSO Group and Pegasus spyware. After much public pressure regarding NSO hiring Black Cube to target their opponents, former NSO CEO Shalev Hulio admitted to hiring Black Cube at in at least one situation in Cyprus.


\(^75\) https://www.blackcube.com/


Amendment

34. The Hungarian government has not only purchased and utilised Pegasus spyware against its people, but it has been playing host to other companies like **Black Cube and Cytrox** in the intelligence market also. Black Cube is an Israeli private intelligence agency comprised of former employees of Mossad, the Israeli military and Israeli intelligence services\(^74\). Their own company website dubs them as a ‘creative intelligence service’ finding ‘tailored solutions to complex business and litigation challenges’\(^75\). Black Cube have been involved in a number of public hacking controversies including in the US and Romania\(^76\). Critically, it has also been uncovered that they are linked with NSO Group and Pegasus spyware. After much public pressure regarding NSO hiring Black Cube to target their opponents, former NSO CEO Shalev Hulio admitted to hiring Black Cube at in at least one situation in Cyprus.


\(^75\) https://www.blackcube.com/


Or. en
Motion for a resolution
Paragraph 34 a (new)

Motion for a resolution

Amendment

34 a. Black Cube got involved in Hungary during the 2018 elections, during which time they spied upon various NGOs and persons who had any connection to George Soros and reported back to Orban in order for him to spin their actives in a smear campaign. Those targeted included lawyer and member of the leading human rights NGO Hungarian Helsinki Committee, Marta Pardavi. The resulting information from the surveillance of those individuals and NGOs appeared not only in the Hungarian state-controlled media, but also in the Jerusalem Post.


Or. en

Amendment 336
Sophia in 't Veld

Motion for a resolution
Paragraph 34 a (new)

Motion for a resolution

Amendment

34 a. Black Cube got involved in Hungary during the 2018 elections, during which time they spied upon various NGOs and persons who had any connection to George Soros and reported back to Orbán in order for him to spin their activities in a smear campaign\textsuperscript{a}. Those targeted included lawyer and member of the leading human rights NGO Hungarian Helsinki Committee, Marta Pardavi\textsuperscript{b}. The resulting information from the surveillance of those individuals and NGOs appeared not only in the Hungarian state-controlled media, but also in the Jerusalem Post\textsuperscript{c}.


Amendment 337
Sophia in 't Veld

Motion for a resolution

Paragraph 34 b (new)

Motion for a resolution

Amendment

34 b. An additional connection with
Hungary is Cytrox Holdings ZRT which is registered at an address in Budapest. Cytrox, the creator of Predator spyware, was originally founded in North-Macedonia, before it was bought by WiSpear, which is now part of the Intellexa alliance run by Tal Dilian.

Amendment 338
Hannah Neumann, Saskia Bricmont, Diana Riba i Giner, Gwendoline Delbos-Corfield, Jordi Solé, Marcel Kolaja
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 34 b (new)

Motion for a resolution

34 b. An additional connection with Hungary is Cytrox Holdings ZRT which is registered at an address in Budapest. Cytrox was originally founded in North-Macedonia and created the Predator spyware tool before it was bought by WiSpear, which is now part of the Intellexa alliance run by Tal Dilian.

Or. en

Amendment 339
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Subheading I.C a (new)

Motion for a resolution

34a (new) Unless otherwise indicated, value judgements made in this chapter are deduced from publicly available information provided by a group of media friendly to the opposition party of Syriza in Greece.
Amendment 340
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Subheading I.C b (new)

Motion for a resolution

Amendment

34b (new) The chapter on Greece contains a mix of facts and unproven or unfounded allegations. In this framework, facts must be distinguished from fiction.

Or. en

Amendment 341
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 35

35. This year Greece has been shaken by a series of revelations regarding the evidently politically motivated use of spyware. On 26 July 2022, Member of the European Parliament and leader of the Greek opposition PASOK party Nikos Androulakis filed a complaint with the Supreme Court Prosecutor’s Office about attempts to infect his cell phone with Predator spyware. The attempted infection with spyware was discovered during a check of Androulakis’ phone by the European Parliament IT service. The hacking attempts happened while Androulakis was a candidate for the leadership of the opposition party. This revelation brought into the spotlight complaints filed earlier in April and May 2022 by financial journalist Thanasis Koukakis.

Or. en
Koukakis regarding the infection of his phone with Predator. In September, it was revealed that former Minister of Infrastructure and lawmaker for the Syriza party, Christos Spirtzis\textsuperscript{79}, had also been targeted with spyware. Furthermore, it was revealed later that month that Greece’s National Intelligence Service (EYP) had allegedly targeted two of its own employees with spyware\textsuperscript{80}. On 5 and 6 November, the Greek media revealed a list of 33 targets, all of whom were high profile personalities\textsuperscript{81}. The list - if confirmed - reads like a stunning who is who of politics, business and media in Greece. The **impact of this large-scale political use of spyware is infinitely bigger than just the people that appear on the list, as all their respective contacts and connections are indirectly ‘caught’ in the spying operation as well, including their contacts in EU bodies.** The high prevalence of spyware was already visible in the 2021 Meta report, which mentions 310 fake websites links related to the Cytrox spyware company in its annex, 42 of which were set up to mislead targets in Greece alone\textsuperscript{82} \textsuperscript{83}.

\textsuperscript{77} Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.
\textsuperscript{78} Tagesspiegel. Griechenlands Watergate: Ein Abhörskandal bringt Athens Regierung in Not.
\textsuperscript{79} Reuters. One more Greek lawmaker files complaint over attempted phone hacking.
\textsuperscript{80} Efsyn. Targeting the disliked.
\textsuperscript{81} Documento. Apocalpyse: They Watched - This Sunday in Document.
\textsuperscript{83} InsideStory. Who was tracking the mobile phone of journalist Thanasis Koukakis?
Amendment 342
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 35

Motion for a resolution

35. This year Greece has been shaken by a series of revelations regarding the evidently politically motivated use of spyware. On 26 July 2022, Member of the European Parliament and leader of the Greek opposition PASOK party Nikos Androulakis filed a complaint with the Supreme Court Prosecutor’s Office about attempts to infect his cell phone with Predator spyware. The attempted infection with spyware was discovered during a check of Androulakis’ phone by the European Parliament IT service. The hacking attempts happened while Androulakis was a candidate for the leadership of the opposition party. This revelation brought into the spotlight complaints filed earlier in April and May 2022 by financial journalist Thanasis Koukakis regarding the infection of his phone with Predator. In September, it was revealed that former Minister of Infrastructure and lawmaker for the Syriza party, Christos Spirtzis, had also been targeted with spyware. Furthermore, it was revealed later that month that Greece’s National Intelligence Service (EYP) had allegedly targeted two of its own employees with spyware. On 5 and 6 November, the Greek media revealed a list of 33 targets, all of whom were high profile personalities. The list - if confirmed - reads like a stunning who is who of politics, business and media in Greece. The impact of this large-scale political use of spyware is infinitely bigger than just the people that appear on the list, as all their respective contacts and connections are indirectly ‘caught’ in the spying operation.
as well, including their contacts in EU bodies. The high prevalence of spyware was already visible in the 2021 Meta report, which mentions 310 fake websites links related to the Cytrox spyware company in its annex, 42 of which were set up to mislead targets in Greece alone.

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77 Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.
79 Reuters. One more Greek lawmaker files complaint over attempted phone hacking.
80 Efsyn. Targeting the disliked.
81 Documento. Apocalyptic: They Watched - This Sunday in Document.
83 InsideStory. Who was tracking the mobile phone of journalist Thanasis Koukakis?

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Or. en

Amendment 343
Sophia in 't Veld

Motion for a resolution
Paragraph 35

Motion for a resolution

35. This year Greece has been shaken by a series of revelations regarding the evidently politically motivated use of spyware. On 26 July 2022, Member of the European Parliament and leader of the Greek opposition PASOK party Nikos Androulakis filed a complaint with the Supreme Court Prosecutor’s Office about attempts to infect his cell phone with

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Amendment

35. This year Greece has been shaken by a series of revelations regarding the evidently politically motivated use of spyware. On 26 July 2022, Member of the European Parliament and leader of the Greek opposition PASOK party Nikos Androulakis filed a complaint with the Supreme Court Prosecutor’s Office about attempts to infect his cell phone with
Predator spyware. The attempted infection with spyware was discovered during a check of Androulakis’ phone by the European Parliament IT service. The hacking attempts happened while Androulakis was a candidate for the leadership of the opposition party. This revelation brought into the spotlight complaints filed earlier in April and May 2022 by financial journalist Thanasis Koukakis regarding the infection of his phone with Predator. In September, it was revealed that former Minister of Infrastructure and lawmaker for the Syriza party, Christos Spirtzis, had also been targeted with spyware. Furthermore, it was revealed later that month that Greece’s National Intelligence Service (EYP) had allegedly targeted two of its own employees with spyware. On 5 and 6 November, the Greek media revealed a list of 33 targets, all of whom were high profile personalities. The list - if confirmed - reads like a stunning who is who of politics, business and media in Greece. The impact of this large-scale political use of spyware is infinitely bigger than just the people that appear on the list, as all their respective contacts and connections are indirectly ‘caught’ in the spying operation as well, including their contacts in EU bodies. The high prevalence of spyware was already visible in the 2021 Meta report, which mentions 310 fake websites links related to the Cytrox spyware company in its annex, 42 of which were set up to mislead targets in Greece alone.

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77 Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.
78 Tagesspiegel. Griechenlands Watergate:

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End of November 2022, Documento published a list of 498 URLs that had been used to spy with Predator spyware. Some of the URLs cross-referenced with the one published by the 2021 Meta report.
Ein Abhörskandal bringt Athens Regierung in Not.

79 Reuters. One more Greek lawmaker files complaint over attempted phone hacking.

80 Efsyn. Targeting the disliked.

81 Documento. Apocalpyse: They Watched - This Sunday in Document.


83 InsideStory. Who was tracking the mobile phone of journalist Thanasis Koukakis?

83a Documento 27 November 2022.

Or. en

Amendment 344
Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Katarina Barley

Motion for a resolution
Paragraph 35

35. This year Greece has been shaken by a series of revelations regarding the evidently politically motivated use of spyware. On 26 July 2022, Member of the European Parliament and leader of the Greek opposition PASOK party Nikos Androulakis filed a complaint with the Supreme Court Prosecutor’s Office about attempts to infect his cell phone with Predator spyware77. The attempted infection with spyware was discovered during a check of Androulakis’ phone by the European Parliament IT service78. The hacking attempts happened while Androulakis was a candidate for the leadership of the opposition party. This revelation brought into the spotlight complaints filed earlier in April and May 2022 by financial journalist Thanasis Koukakis regarding the infection of his
Phone with Predator. In September, it was revealed that former Minister of Infrastructure and lawmaker for the Syriza party, Christos Spirtzis, had also been targeted with spyware. Furthermore, it was revealed later that month that Greece’s National Intelligence Service (EYP) had allegedly targeted two of its own employees with spyware. On 5 and 6 November, the Greek media revealed a list of 33 targets, all of whom were high profile personalities. The list - if confirmed - reads like a stunning who is who of politics, business and media in Greece. The impact of this large-scale political use of spyware is infinitely bigger than just the people that appear on the list, as all their respective contacts and connections are indirectly ‘caught’ in the spy operation as well, including their contacts in EU bodies. The high prevalence of spyware was already visible in the 2021 Meta report, which mentions 310 fake websites links related to the Cytrox spyware company in its annex, 42 of which were set up to mislead targets in Greece alone. On 20 January 2023 it was revealed that the Hellenic Data Protection Authority has proofs that a bit more than 20 telephone numbers were targeted with Predator.

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77 Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.
79 Reuters. One more Greek lawmaker files complaint over attempted phone hacking.
80 Efysyn. Targeting the disliked.
81 Documento. Apocalyptic: They Watched - This Sunday in Document.
83 InsideStory. Who was tracking the mobile phone of journalist Thanasis
Amendment 345
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 35

Motion for a resolution

Amendment

35. This year Greece has been shaken by a series of revelations regarding the evidently politically motivated use of spyware. On 26 July 2022, Member of the European Parliament and leader of the Greek opposition PASOK party Nikos Androulakis filed a complaint with the Supreme Court Prosecutor’s Office about attempts to infect his cell phone with Predator spyware. The attempted infection with spyware was discovered during a check of Androulakis’ phone by the European Parliament IT service. The hacking attempts happened while Androulakis was a candidate for the leadership of the opposition party. This revelation brought into the spotlight complaints filed earlier in April and May 2022 by financial journalist Thanasis Koukakis regarding the infection of his phone with Predator. In September, it was revealed that former Minister of Infrastructure and lawmaker for the Syriza party, Christos Spirtzis, had also been targeted with spyware. Furthermore, it was revealed later that month that Greece’s National Intelligence Service (EYP) had allegedly targeted two of its own
employees with spyware. On 5 and 6 November, the Greek media revealed a list of 33 targets, all of whom were high profile personalities. The list - if confirmed - reads like a stunning who is who of politics, business and media in Greece. The impact of this large-scale political use of spyware is infinitely bigger than just the people that appear on the list, as all their respective contacts and connections are indirectly ‘caught’ in the spying operation as well, including their contacts in EU bodies. The high prevalence of spyware was already visible in the 2021 Meta report, which mentions 310 fake websites links related to the Cytrox spyware company in its annex, 42 of which were set up to mislead targets in Greece alone.

35. Throughout 2022, Greece has been shaken by a series of revelations regarding the evidently politically motivated use of spyware. On 26 July 2022, Member of the European Parliament and leader of the Greek opposition PASOK party Nikos Androulakis filed a complaint with the Supreme Court Prosecutor’s Office about attempts to infect his cell phone with Predator spyware. The attempted infection with spyware was discovered during a check of Androulakis’ phone by the European Parliament IT service. The hacking attempts happened while Androulakis was a candidate for the leadership of the opposition party. This revelation brought into the spotlight complaints filed earlier in April and May 2022 by financial journalist Thanasis Koukakis regarding the infection of his phone with Predator. In September, it was revealed that former Minister of Infrastructure and lawmaker for the Syriza party, Christos Spirtzis, had also been targeted with spyware. Furthermore, it was revealed later that month that Greece’s National Intelligence Service (EYP) had allegedly targeted two of its own employees with spyware. On 5 and 6 November, the Greek media revealed a list of 33 targets, all of whom were high profile
personalities, The list *which was refuted neither by the government nor by those surveilled*, reads like a stunning who is who of politics, business and media in Greece. The impact of this large-scale political use of spyware is infinitely bigger than just the people that appear on the list, as all their respective contacts and connections are indirectly ‘caught’ in the spying operation as well, including their contacts in EU bodies. The high prevalence of spyware was already visible in the 2021 Meta report, which mentions 310 fake websites links related to the Cytrox spyware company in its annex, 42 of which were set up to mislead targets in Greece alone.

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77 Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.


79 Reuters. One more Greek lawmaker files complaint over attempted phone hacking.

80 Efsyn. Targeting the disliked.

81 Documento. Apocalpyse: They Watched - This Sunday in Document.


83 InsideStory. Who was tracking the mobile phone of journalist Thanasis Koukakis?

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77 Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.


79 Reuters. One more Greek lawmaker files complaint over attempted phone hacking.

80 Efsyn. Targeting the disliked.

81 Documento. Apocalpyse: They Watched - This Sunday in Document.


83 InsideStory. Who was tracking the mobile phone of journalist Thanasis Koukakis?

Or. en

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**Amendment 346**

Gilles Lebreton, Christine Anderson, Mathilde Androuët

**Motion for a resolution**

**Paragraph 35**
35. This year Greece has been shaken by a series of revelations regarding the evidently politically motivated use of spyware. On 26 July 2022, Member of the European Parliament and leader of the Greek opposition PASOK party Nikos Androulakis filed a complaint with the Supreme Court Prosecutor’s Office about attempts to infect his cell phone with Predator spyware. The attempted infection was discovered during a check of Androulakis’ phone by the European Parliament IT service. The hacking attempts happened while Androulakis was a candidate for the leadership of the opposition party. This revelation brought into the spotlight complaints filed earlier in April and May 2022 by financial journalist Thanasis Koukakis regarding the infection of his phone with Predator. In September, it was revealed that former Minister of Infrastructure and lawmaker for the Syriza party, Christos Spirtzis, had also been targeted with spyware. Furthermore, it was revealed later that month that Greece’s National Intelligence Service (EYP) had allegedly targeted two of its own employees with spyware. On 5 and 6 November, the Greek media revealed a list of 33 targets, all of whom were high profile personalities, The list - if confirmed - reads like a stunning who is who of politics, business and media in Greece. The impact of this large-scale political use of spyware is infinitely bigger than just the people that appear on the list, as all their respective contacts and connections are indirectly ‘caught’ in the spying operation as well, including their contacts in EU bodies. The high prevalence of spyware was already visible in the 2021 Meta report, which mentions 310 fake websites links related to the Cytrox spyware company in its annex, 42 of which were set up to mislead targets in Greece alone.
Amendment 347  
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution  
Paragraph 35 a (new)  

35 a. Hatzidakis-Papahelas-Diakopoulos surveillance

On November 20, 2022, it was revealed that Minister of Labour Kostas Hatzidakis, Kathimerini newspaper Director Alexis Papahelas and former National Security Adviser to the Prime Minister Alexandros Diakopoulos, were all under simultaneous surveillance through Predator and by EYP. According to a January 2023 coverage by Inside Story, the Personal Data Protection Authority has detected 40 short mobile phone messages which have been sent to about 20 targeted phone numbers. Furthermore, two business executives have already discovered an infection of their mobile phones and have acquired a
relevant scan certificate, but have decided not to disclose it thus far. This development brings the number of people targeted by the software (either infected or not) above the 7 previously known, with at least another 13 cases yet to be revealed.

Amendment 348
Sophia in 't Veld
Motion for a resolution
Paragraph 35 a (new)

Motion for a resolution

35 a. In August 2022, the Greek government conceded that EYP had indeed been monitoring Androulakis and Koukakis, but it denied the use of Predator spyware in these surveillance operations. In addition, other cases of surveillance by the EYP came to light during this period, such as that of journalist Stavros Malichoudis. To date, the official reasons for the surveillance have not been disclosed.

1a Solomon. Solomon’s reporter Stavros Malichoudis under surveillance for “national security reasons”; Ekathimerini. Wiretapping case: The phone data that triggered developments; EPRS. Greece’s Predatortgate. The latest chapter in Europe’s spyware scandal?
35 a.  In August 2022, the Greek government conceded that EYP had indeed been monitoring Androulakis and Koukakis, but it denied the use of Predator spyware in these surveillance operations. In addition, other cases of surveillance by the EYP came to light during this period, such as that of journalist Stavros Malichoudis. To date, the official reasons for the surveillance have not been disclosed.\footnote{Solomon. Solomon’s reporter Stavros Malichoudis under surveillance for “national security reasons”. Ekathimerini. Wiretapping case: The phone data that triggered developments. EPRS. Greece’s Predatorgate. The latest chapter in Europe’s spyware scandal?}

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\footnote{Solomon. Solomon’s reporter Stavros Malichoudis under surveillance for “national security reasons”. Ekathimerini. Wiretapping case: The phone data that triggered developments. EPRS. Greece’s Predatorgate. The latest chapter in Europe’s spyware scandal?}

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Amendment 350
Emmanouil Fragkos

Motion for a resolution
Paragraph 35 a (new)

35. Deplores the total indifference displayed by the European Commission and the Greek Government to the surveillance of Greek politicians by the Turkish secret services (MIT);

Or. el

Amendment 351
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
35 b. EYP Surveillances

In August 2022, when the Greek government conceded that EYP had indeed been monitoring Androulakis and Koukakis, it denied the use of Predator spyware in the respective surveillance operations. In addition, other cases of EYP surveillance came to light during this period, such as that of journalist Stavros Malichoudis. To date, the official justification for said surveillance has not been disclosed. On 8 August 2022, Prime Minister Mitsotakis issued an ambiguous video message stating that the surveillance of Androulakis was "legal" but "politically unacceptable." He made no reference to the surveillance of Koukakis, nor the alleged other cases. He also stated that he had not been aware of the surveillance, but had he known, he would not have permitted it. It is noted, though, that Prime Minister Kyriakos Mitsotakis has taken EYP under his direct control and supervision, by a legislative amendment he passed the first day after he came to power in July 2019.

Amendment 352
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 35 b (new)
alleged other cases. He also stated that he had not been aware of the surveillance, but had he known, he would not have allowed it\(^{83b}\). It is noted though that the EYP is under the direct control of Prime Minister Kyriakos Mitsotakis following a legislative amendment, passed soon after his party Nέa Dimokratia came to power in 2019.\(^{83c}\)

\(^{83b}\) Reuters. Greek PM says he was unaware of phone tapping of opposition party leader.

\(^{83c}\) Euractiv. Another Greek opposition lawmaker victim of Predator.

Amendment 353
Sophia in 't Veld

Motion for a resolution
Paragraph 35 b (new)

\textit{Motion for a resolution}

35 b. \textit{On 8 August 2022, Prime Minister Mitsotakis issued a video message stating ambiguously that the surveillance of Androulakis was "legal" but "politically unacceptable". He made no reference to the surveillance of Koukakis, nor the alleged other cases. He also stated that he had not been aware of the surveillance, but had he known, he would not have allowed it}\(^{1a}\). It is noted though that the EYP is under the direct control of Prime Minister Kyriakos Mitsotakis following a legislative amendment, passed soon after his party Nέa Dimokratia came to power in 2019\(^{1b}\).

\(^{1a}\) Reuters. Greek PM says he was unaware of phone tapping of opposition party leader.
Amendment 354
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 35 c (new)

Motion for a resolution

Paragraph 35 c
According to the official statement from the Government spokesman Yiannis Oikonomou, as soon as the Prime Minister became aware of Androulakis’s “legal interception”, Minister Gerapetritis sought to fully inform him in private about the reasons behind his surveillance.\(^{83a}\) Androulakis denied to be informed, stating that such a private briefing would be illegal and that the only lawful course was through at the Parliament. Later on, while testifying before the Parliament, Minister Gerapetritis declared that he was never aware of the reasons, appealing to top secret secrecy of any relevant information. The next day, EYP leaked that Ukrainian and Armenian Intelligence Services had requested MEP Androulakis’ surveillance for claimed ties with China. The Embassies of both Armenia and Ukraine in Greece, vehemently refuted the leak after only a few hours.\(^{83b}\)

\(^{83a}\) LIFO: Androulakis denied information in private upon his surveillance

\(^{83b}\) Law and Order: Armenia and Ukraine refute for Androulakis "We never requested"
Amendment 355
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 35 c (new)

Motion for a resolution Amendment

35 c. After the revelations, Grigoris Dimitriadis, nephew of Prime Minister Mitsotakis, and the government’s General Secretary responsible for the cooperation between the Greek government and the EYP, and EYP Chief Panagiotis Kontoleon, resigned.83d

83d POLITICO. PM Mitsotakis feels the heat as two top Greek officials quit in spy scandal.

Amendment 356
Sophia in 't Veld

Motion for a resolution
Paragraph 35 c (new)

Motion for a resolution Amendment

35 c. After the revelations, Grigoris Dimitriadis, nephew of Prime Minister Mitsotakis, and the government’s General Secretary responsible for the cooperation between the Greek government and the EYP, and EYP Chief Panagiotis Kontoleon, resigned1a.
PM Mitsotakis feels the heat as two top Greek officials quit in spy scandal.

Amendment 357
Sophia in 't Veld

Motion for a resolution
Paragraph 35 d (new)

Motion for a resolution

Amendment

35 d. On November 30, 2022, it was revealed that Tal Dilian’s Predator operations in Greece were allegedly connected to a Cessna jet flying from Greek and Cypriot soil to Sudan between April and August 2022. Reportedly, this jet secretly and illegally delivered high-end surveillance technology to the Rapid Support Forces (RSF) militias.

1a LightHouse Reports. Flight of the Predator.

Amendment 358
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 35 d (new)

Motion for a resolution

Amendment

35 d. Both EYP and the government categorically deny that Predator has ever been purchased or used by the Greek authorities. Despite the fact that the use of spyware is illegal in Greece, there does not appear to be a vigorous search for the
origins of the spyware attacks.

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83e EPRS. Greece’s Predatorgate. The latest chapter in Europe’s spyware scandal?

Amendment 359
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 35 d (new)

Motion for a resolution

Amendment

35 d. Although the Government and the Prime Minister denied any knowledge about Predator, a few months later the New York Times revealed that the Greek government had already licenced Intellexa SA to export Pegasus to third countries as a dual-use good.

Amendment 360
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 35 e (new)

Motion for a resolution

Amendment

35 e. Successive media investigations during November and December 2022 revealed that EYP has monitored 96 individuals, among which include Ministers, Government officials and Members of the Prime Minister’s cabinet, opposition MPs, MEPs, journalists, businessmen and their close associates, judges, high-ranking military officers, as well as family members of the targets. Among the surveilled individuals were
MEPs Giorgos Kyrtos and Eva Kaili, former Prime Minister Antonis Samaras, former Commissioner Dimitris Avramopoulos, Ministers Nikos Dendias, Niki Kerameos, Giorgos Gerapetritis, Aris Skertsos, Nikos Papathanasis, Giannis Oikonomou, Mihalis Chrysochoidis, Nikos Hardalias, Aristotelia Peloni, MPs Christos Spirtzis, Olga Gerovasili, Andreas Loverdos, the then Head of the Hellenic Police Michalis Karamalakis, the Chief of Joint Staffs General Konstantinos Floros, the then Chief of the Hellenic Army Haralambos Lalousis, officers of the General Directorate for Defense Investments and Armaments, the head of the Economic Prosecutor’s Office Christos Bardakis, EYP’s “in-house” Prosecutor Eleni Vlachou, and EYP’s Deputy Chief Vassilis Grizis. It also includes Facebook’s Cybersecurity Manager Artemis Seaford, journalists Thanasis Koukakis, Tasos Teloglou and many others.

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84a The new list of surveillance https://www.documentonews.gr/article/h-nea-lista-parakoloythoymenon-apo-tin-eyp

84b Avgi. 33 of the new list of surveillance https://www.avgi.gr/politiki/431665_oi-33-poy-briskontai-sti-nea-lista-parakoloythiseon


Or. en

Amendment 361
Sophia in 't Veld
Motion for a resolution
Paragraph 35 e (new)

35 e. In December 2022, the Greek government disclosed that it had provided Intellexa with two export licenses on November 15, 2021. According to spokesperson for the Greek Foreign Ministry Alexandros Papaioannou, one of these licenses authorized the sale of Predator to Madagascar. Secretary General of International Economic Relations Ioannis Smyrlis - who authorized the sale of Predator to Madagascar - handed in his resignation after these revelations came to light.

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Or. en

Amendment 362
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 35 f (new)

35 f. ADAE vs Government-Parliament-Supreme Court Prosecutor
The interception of G. Kyrtos and T. Teloglou by the EYP was confirmed in a December 2022 audit of a telecoms provider by the Hellenic Independent Authority for Communication Security and Privacy (ADAE). During the audit and invoking a new law that was hastily passed by the government, Supreme Court
Prosecutor Isidoros Dogiakos attempted to obstruct an ADAE investigation by claiming over the telephone that ADAE lacks competence in such matters. Following harsh criticism, Dogiakos attempted to intimidate the media investigating the scandal by requesting selective tax audits for their owners. Media coverage ensued which reported governmental efforts to remove the President of ADAE or change the composition of its Board. Until then, ADAE only kept data on telephone numbers. At the request of OTE group of companies, Prosecutor Dogiakos issued a written opinion on January 10, 2023, where he advocated that ADAE should not receive any information from the providers. ADAE’s President and former Vice-President to the Council of State, Mr. Rammos responded that the Authority’s constitutional independence was being blatantly violated; a political storm ensued, with Greece’s leading Constitutional Law academics severely criticising Prosecutor Dogiakos’ initiative.

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86a Naftemporiki. EYP was monitoring Kyrtsos and Teloglou https://www.naftemporiki.gr/politics/1418648/euractiv-i-eyp-parakoloythoyse-kyrtso-kai-telogloy/

86b ESIEA Journalists Unions condemn threats from Supreme Court Prosecutor https://www.esiea.gr/oi-dimosiografikes-enoseis-gia-tis-di/

86c TVXS.GR Dogiakos: ADAE is not competent to inform on the interceptions https://tvxs.gr/news/ellada/skandalo-ypoklopon-o-rammos-zita-na-enimeroseiti-boyli-gia-tis-ereynes

Amendment 363
Sophia in 't Veld

Motion for a resolution
Paragraph 35 f (new)

35 f. Besides the export of spyware, Greece reportedly also functions as a testing ground for spyware by third countries. In June 2021, Bangladesh purchased a spyware vehicle from the Cypriot Passitora firm. According to documents from the Ministry of Interior of Bangladesh, personnel of the National Telecommunication Monitoring Centre (NTMS) were trained in Greece between 2021 and 2022 to use the spy vehicle. The vehicle eventually arrived in Bangladesh in June 2022.\(^1\)

\(^1\) Haaretz. Israeli Spy Tech Sold to Bangladesh, World’s Third-largest Muslim Country, Despite Dismal Human Rights Record.

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Amendment 364
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 35 g (new)

35 g. After completing the audit, ADAE President Christos Rammos requested to inform the Parliament about the findings, as obliged to do according to the Constitution.\(^8\) The President of the Parliament rejected the petition and referred the briefing to the competent Permanent Committee on Institutions and...
Transparency. Initially, the President avoided raising the issue for discussion by saying that he had not found time to read Mr. Rammos' letter during his name day. Eventually, the majority in the Parliament refused the briefing of the Committee.\(^{87b}\) In his letter, the President of ADAE highlights that informing the Parliament is his constitutional obligation.\(^{87c}\) The minority would have to request to add the case on the agenda, but the majority could postpone the meeting for up to two months, which means the briefing could be adjourned until the Parliament suspends its operations due to the upcoming national elections, tentatively scheduled for April 9, 2023.

\(^{87a}\) TVXS.GR Rammos is requesting to inform the Parliament on the investigation of ADAE

\(^{87b}\) TVXS.GR ND is blocking the request of ADAE to inform the Committee on the findings

\(^{87c}\) TVXS.GR Rammos to Institution and Transparency Committee: My Constitutional obligation to inform the Parliament

Amendment 365
Sophia in 't Veld

Motion for a resolution
Paragraph 35 g (new)
35 g. Both EYP and the government categorically deny that Predator has ever been purchased or used by the Greek authorities.\textsuperscript{1a} Despite the fact that the use of spyware is illegal in Greece, a search for the origins of the spyware attacks only gained momentum in December 2022 after six months of inertia of the authorities.

\textsuperscript{1a} EPRS. Greece’s Predatorgate. The latest chapter in Europe’s spyware scandal?

Amendment 366
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 35 h (new)

35 h. These recent developments render the separation of powers questionable. There are serious indications that the Executive, Judiciary and Legislative have unified and allied in order to isolate an Independent Authority and ward off disclosures, thus creating a second scandal to cover up the wiretap abuse.
35 i. After the repeatedly denials of the Parliament, to be informed on the findings of his research and the government’s efforts to block the information, President of ADAE on 24/01/2023 sent a letter to the Speaker of the Parliament, Konstantinos Tassoulas, the leaders of the parliamentary parties and the Minister of Justice, Costas Tsiaras. In the letter he quoted the findings that emerged after the controls of the Authority on the telecom providers, following the relevant request that Alexis Tsipras had submitted last December, according to his constitutional obligation and exercising the right given to him by the recently passed government law 5002/2022. Government spokesman Giannis Oikonomou reacted accusing Rammos of performing “activism” and “overstepping” his mandate and on 25/01/2023 SYRIZA leader Alexis Tsipras publicly named those listed in the report at the Parliament. It officially confirms that under surveillance from EYP were The Head of the Armed Forces, The-then- head of the Greek Army, the Minister of Labor, the former PM’s National Security Advisor and two advisors from the the Directorate of Equipment of the Armed Forces.

Or. en

Amendment 368
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 36

36. The revelations about the use of spyware and EYP surveillance of journalists tell a very disturbing story of an intricate and opaque network of relations, political and business interests,

deleted
favourites and nepotism, and political influence. It is easy to get lost in the maze. However, a few patterns emerge. A political majority is being used for the advancement of particular interests rather than the general interest, notably by the appointment of associates and loyalists in key positions such as the EYP, EAD and Krikel. Whereas spyware, possibly combined with legal interception, is used as a tool for political power and control in the hands of the highest political leadership of the country. Ex ante and ex post scrutiny mechanisms have been deliberately weakened and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction and there is no whistleblowers protection.

Amendment 369
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk on behalf of the ECR Group

Motion for a resolution
Paragraph 36

36. The revelations about the use of spyware and EYP surveillance of journalists tell a very disturbing story of an intricate and opaque network of relations, political and business interests, favours and nepotism, and political influence. It is easy to get lost in the maze. However, a few patterns emerge. A political majority is being used for the advancement of particular interests rather than the general interest, notably by the appointment of associates and loyalists in key positions such as the EYP, EAD and Krikel. Whereas spyware, possibly combined with legal interception, is used as a tool for political power and control in the hands of the highest political leadership of the country. There are concerns that ex ante and ex post scrutiny mechanisms have been deliberately weakened and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction and there is no whistleblowers protection.
the hands of the highest political leadership of the country. Ex ante and ex post scrutiny mechanisms have been deliberately weakened and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction and there is no whistleblowers protection.

Amendment 370
Sophia in 't Veld

Motion for a resolution
Paragraph 36

36. **The** revelations about the use of spyware and EYP surveillance of journalists tell a very disturbing story of an intricate and opaque network of relations, political and business interests, favours and nepotism, and political influence. It is easy to get lost in the maze. However, a few patterns emerge. A political majority is being used for the advancement of particular interests rather than the general interest, notably by the appointment of associates and loyalists in key positions such as the EYP, EAD and Krikel. Whereas spyware, possibly combined with legal interception, is used as a tool for political power and control in the hands of the highest political leadership of the country. Ex ante and ex post scrutiny mechanisms have been deliberately weakened and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction and there is no whistleblowers protection.

Or. en

36. **Notwithstanding the denial by the Greek government, there is a growing body of evidence suggesting that the Greek government enables the use of spyware against journalists, politicians and businesspersons, the export of spyware to countries with disastrous human rights records, and provides a training centre for third country agents that want to familiarize themselves with spyware. These revelations about the use and export of spyware and EYP surveillance of journalists tell a very disturbing story of an intricate and opaque network of relations, political and business interests, favours and nepotism, and political influence. It is easy to get lost in the maze. However, a few patterns emerge. A political majority is being used for the advancement of particular interests rather than the general interest, notably by the appointment of associates and loyalists in key positions such as the EYP, EAD and Krikel. Whereas spyware, possibly combined with legal interception, is used as a tool for political power and control in the hands of the highest political leadership of the country. Ex ante and ex post scrutiny mechanisms have been deliberately weakened and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction and there is no whistleblowers protection.**
weakened and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction and there is no whistleblowers protection.

Or. en

Amendment 371
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 36

36. The revelations about the use of spyware and EYP surveillance of journalists tell a very disturbing story of an intricate and opaque network of relations, political and business interests, favours and nepotism, and political influence. It is easy to get lost in the maze. However, a few patterns emerge. A political majority is being used for the advancement of particular interests rather than the general interest, notably by the appointment of associates and loyalists in key positions such as the EYP, EAD and Krikel. Whereas spyware, possibly combined with legal interception, is used as a tool for political power and control in the hands of the highest political leadership of the country. Ex ante and ex post scrutiny mechanisms have been deliberately weakened and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction and there is no whistleblowers protection.

Amendment

36. The revelations about the use of spyware and EYP surveillance of journalists tell a very disturbing story of an intricate and opaque network of relations, political and business interests, favours and nepotism, and political influence. It is easy to get lost in the maze. However, a few patterns emerge. A political majority is being used for the advancement of particular interests rather than the general interest, notably by the appointment of associates and loyalists in key positions such as the EYP, EAD [National transparency authority] and Krikel [company specialised in communication interception systems]. Whereas spyware, possibly combined with legal interception, is used as a tool for political power and control in the hands of the highest political leadership of the country. Ex ante and ex post scrutiny mechanisms have been deliberately weakened and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction and there is no effective whistleblowers protection, despite the entry into force of the Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law due to be effective on 17 December.
36. The revelations about the use of spyware and EYP surveillance of journalists **tell a very disturbing story** of an intricate and opaque network of relations, political and business interests, favours and nepotism, and political influence. It is easy to get lost in the maze. However, a few patterns emerge. A political majority is being used for the advancement of particular interests rather than the general interest, notably by the appointment of associates and loyalists in key positions such as the EYP, EAD and Krikel. Whereas spyware, possibly combined with legal interception, is used as a tool for political power and control in the hands of the highest political leadership of the country. Ex ante and ex post scrutiny mechanisms have been deliberately weakened and transparency and accountability are evaded. Critical journalists or officials fighting corruption and fraud face intimidation and obstruction and there is no whistleblowers protection.
Paragraph 36 a (new)

Motion for a resolution

Amendment

36 a. The status of the individuals under surveillance by Predator and EYP, - among which the leadership of the armed forces - demolishes the pretext of "National Security" that is continuously invoked as grounds for the wiretaps.

Or. en

Amendment 374
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 37

Motion for a resolution
Amendment

37. Spying for political reasons is not new to Greece, but the new spyware technologies make illegitimate surveillance much easier, in particular in a context of severely weakened safeguards. Unlike other cases, such as Poland, the abuse of spyware does not seem to be part of an integral authoritarian strategy, but rather a tool used on an ad hoc basis for political and financial gains. However, it equally erodes democracy and the rule of law, and gives ample room to corruption, whereas these turbulent times call for reliable and responsible leadership.

Or. fr

Amendment 375
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 37
37. Spying for political reasons is not new to Greece, but the new spyware technologies make illegitimate surveillance much easier, in particular in a context of severely weakened safeguards. Unlike other cases, such as Poland, the abuse of spyware does not seem to be part of an integral authoritarian strategy, but rather a tool used on an ad hoc basis for political and financial gains. However, it equally erodes democracy and the rule of law, and gives ample room to corruption, whereas these turbulent times call for reliable and responsible leadership.

Or. en

Amendment 376
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

37. Spying for political reasons is not new to Greece, but the new spyware technologies make illegitimate surveillance much easier, in particular in a context of severely weakened safeguards. Unlike other cases, such as Poland, the abuse of spyware does not seem to be part of an integral authoritarian strategy, but rather a tool used on an ad hoc basis for political and financial gains. However, it equally erodes democracy and the rule of law, and gives ample room to corruption, whereas these turbulent times call for reliable and responsible leadership.

Or. en
Amendment 377
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Henna Virkkunen, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 37 a (new)

Motion for a resolution

37 a. During their visit to Greece, from 1 to 4 November 2022, the MEPs of PEGA committee had productive meetings with investigative journalists on spyware abuse, and MPs of the Hellenic Parliament representing both the government and opposition parties that have served on the Parliament's inquiry committee on illicit surveillance of the leader of the opposition party PASOK and MEP Nikos Androulakis (S&D, EL). In a meeting with Minister of State George Gerapetritis, MEPs also discussed high-profile surveillance cases and the larger context of media pluralism and the rule of law in Greece. During the visit, they also met with journalist Thanasis Koukakis and other prominent people targeted with spyware, President of the Hellenic data protection authority ADAE Christos Rammos, and NGOs and human rights defenders 83a.

83a European Parliament. Spyware inquiry: MEPs wrap up visit to Cyprus and Greece

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Amendment 378
Sophia in 't Veld

Motion for a resolution
Paragraph 37 a (new)

Motion for a resolution

37 a. On January 15 2023, Prime
Minister Mitsotakis confirmed that the parliamentary elections will take place from April onwards. With a view to this general election due in spring 2023, the situation must be urgently clarified, so as not to cast any doubt on the integrity of the elections.

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1a Politico. Greece to hold elections in spring, Mitsotakis says.

Amendment 379
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 37 a (new)

37 a. Taking the upcoming general elections in spring 2023 into account, the situation must be urgently clarified, in order to ensure that the elections will be conducted with integrity and transparency.

Amendment 380
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 37 a (new)

37 a. With a view to the general election due in spring 2023, the situation must be urgently clarified, so as not to cast any doubt on the integrity of the elections in 2023.
Amendment 381
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Henna Virkkunen, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 37 b (new)

Motion for a resolution

 Amendment

37 b. As underlined during the official press conference after the visit of PEGA Committee in Cyprus and Greece, no outright evidence of corruption or any kind of authoritarian practises was found but more effort needs to be taken to ensure transparency. In this framework, any allegations of abuse of surveillance have to be thoroughly investigated and necessary safeguards should be installed 83b.

83b European Parliament. Spyware inquiry: MEPs wrap up visit to Cyprus and Greece

Amendment 382
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Henna Virkkunen, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 37 c (new)

Motion for a resolution

 Amendment

37 c. Taking into consideration the unwillingness of some other countries to cooperate and face similar incidents, the governments of Cyprus and Greece made significant efforts to actively cooperate with the PEGA Committee, and responded to Members’ questions. Additionally, they shared their proposals for reforms that
could bolster the fundamental rights of the citizens of Cyprus, Greece and the EU. In Greece, the reforms will be subject to public consultation in the coming months. These reforms should improve transparency and ensure appropriate judicial oversight with reference to the use of surveillance.

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83c European Parliament. Spyware inquiry: MEPs wrap up visit to Cyprus and Greece

Or. en

Amendment 383
Sophia in 't Veld

Motion for a resolution
Paragraph 37 b (new)

37 b. At the end of 2019, Secretary General Dimitriadis was in contact with NSO Group for the purchase of the Pegasus spyware. In January 2020, an official proposal submitted by NSO Group concerned a government-to-government agreement of 50 million euros. After the signing of the agreement, the individual would withdraw and the EYP would take over. The EYP would cooperate with the Mossad for the installation of the system. The proposal was eventually called off.

Or. en

Amendment 384
Gilles Lebreton, Christine Anderson, Mathilde Androuët

1a https://insidestory.gr/article/greek-state-and-spyware-vendor-intellexa-they-are-acquainted-after-all
Motion for a resolution

Paragraph 38

38. The government denies the purchase of Predator spyware. However, if it was not the Greek government, then it must be concluded that a non-state actor was responsible for the (attempted) hacks of the phones of Koukakis and Androulakis. That would be a crime under Greek law and one would expect the Greek authorities to immediately and vigorously investigate such a serious case. However, so far there is no police investigation, only prosecutorial inquiries following complaints. No physical evidence has been seized. The hypothesis of private actors behind the Predator attacks is moreover highly implausible, as it would not explain the choice of targets.

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Amendment

38. The government denies the purchase of Predator spyware. So far there is no police investigation, only prosecutorial inquiries following complaints. No physical evidence has been seized.

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84 Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.

84 Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.

Or. fr

Amendment 385
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Henna Virkkunen, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution

Paragraph 38

38. The government denies the purchase of Predator spyware. However, if it was not the Greek government, then it must be concluded that a non-state actor was responsible for the (attempted) hacks of the phones of Koukakis and Androulakis. That would be a crime under Greek law and one would expect the Greek
authorities to immediately and vigorously investigate such a serious case. **However, so far there is no police investigation, only prosecutorial inquiries following complaints. No physical evidence has been seized. The hypothesis of private actors behind the Predator attacks is moreover highly implausible, as it would not explain the choice of targets.**

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84 Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.

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84 Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.

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**Amendment 386**

Hannes Heide, Sylvie Guillaume, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Katarina Barley

**Motion for a resolution**

**Paragraph 38**

38. The government denies the purchase of Predator spyware. However, if it was not the Greek government, then it must be concluded that a non-state actor was responsible for the (attempted) hacks of the phones of Koukakis and Androulakis. That would be a crime under Greek law and one would expect the Greek authorities to immediately and vigorously investigate such a serious case. However, so far there is no police investigation, only prosecutorial inquiries following complaints. No physical evidence has been seized. The hypothesis of private actors behind the Predator attacks is moreover highly implausible, as it would not explain the choice of targets.
Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.

Amendment 387
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 39

Motion for a resolution  Amendment

39. Another possibility is that Predator was acquired through Ketyak, a special entity set up by former EYP boss Kontoleon. It operates at a distance from the EYP.

Amendment 388
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 39

Motion for a resolution  Amendment

39. Another possibility is that Predator was acquired through Ketyak, a special entity set up by former EYP boss Kontoleon. It operates at a distance from the EYP.

Amendment 389
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 39

**Motion for a resolution**

39. Another possibility is that Predator was acquired through Ketyak, a special entity set up by former EYP boss Kontoleon. It operates at a distance from the EYP.

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**Amendment**

39. Another possibility is that Predator was acquired through Ketyak, a special entity set up by former EYP boss Kontoleon. It operates at a distance from the EYP. According to an investigation\(^{89a}\), in a building of the Ministry of Defense intended to house units of the secret services for "cyberspace security", they had installed and operated Predator during 2020-2022. The location hosted police officers who had been transferred to EYP mainly from the Directorate for the Prosecution of Organized Crime of the Attica Security Dpt., but also from other police units, who were recalled after the exposé of the scandal. The head of the group that was managing Predator was allegedly a police officer, who had been serving for many years in the aforementioned Directorate. He had served in key positions within EYP, and was once in charge of "legitimate interceptions", ushered there after the mediation of another police official and close associate to businessman Yiannis Lavranos, who allegedly participated in the negotiations for the activation of Predator in Greece. In addition, the officer in question, who also signed the request for the monitoring of the president of PASOK-KINAL MEP Nikos Androulakis, was considered the closest associate of the then commander of EYP, Panagiotis Kontoleon.

\(^{89a}\) The triangle that installed predator on EYP and the list of operators

Or. en
Amendment 390
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 40

40. In the absence of any evidence on the identity of the buyer and user of Predator in the Greek cases, it cannot be established with certainty if or how the government or another actor had acquired Predator. However, in principle it is not impossible to acquire or make use of spyware without government bodies actually directly purchasing the software. Spyware may be bought via proxies, broker companies or middlemen, as we have seen in other cases, or arrangements may be made with spyware vendors to provide certain spyware-related services. There is no doubt that there were close connections and interdependencies between certain persons and events relating to the government, the EYP and the providers of spyware, notably Krikel, a preferred supplier of communications and surveillance equipment to i.a. the police and the EYP. Krikel is closely connected with persons from the entourage of Prime Minister Mitsotakis.

Amendment 391
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 40

40. In the absence of any evidence on the identity of the buyer and user of Predator in the Greek cases, it cannot be established with certainty if or how the
government or another actor had acquired Predator. *However, in principle it is not impossible to acquire or make use of spyware without government bodies actually directly purchasing the software. Spyware may be bought via proxies, broker companies or middlemen, as we have seen in other cases, or arrangements may be made with spyware vendors to provide certain spyware-related services. There is no doubt that there were close connections and interdependencies between certain persons and events relating to the government, the EYP and the providers of spyware, notably Krikel, a preferred supplier of communications and surveillance equipment to i.a. the police and the EYP. Krikel is closely connected with persons from the entourage of Prime Minister Mitsotakis.*

Amendment 392
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

**Motion for a resolution**
**Paragraph 40**

40. In the absence of any evidence on the identity of the buyer and user of Predator in the Greek cases, it cannot be established with certainty if or how the government or another actor had acquired Predator. However, in principle it is not impossible to acquire or make use of spyware without government bodies actually directly purchasing the software. Spyware may be bought via proxies, broker companies or middlemen, as we have seen in other cases, or arrangements may be made with spyware vendors to provide certain spyware-related services. There is no doubt that there were close connections and interdependencies between certain persons and events relating to the government, the EYP and the providers of spyware, notably Krikel, a preferred supplier of communications and surveillance equipment to i.a. the police and the EYP. Krikel is closely connected with persons from the entourage of Prime Minister Mitsotakis.
between certain persons and events relating to the government, the EYP and the providers of spyware, notably Krikel, a preferred supplier of communications and surveillance equipment to i.a. the police and the EYP. Krikel is closely connected with persons from the entourage of Prime Minister Mitsotakis.

Amendment 393
Hannes Heide, Sylvie Guillaume, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Katarina Barley

Motion for a resolution
Paragraph 40

Motion for a resolution
40. In the absence of any evidence on the identity of the buyer and user of Predator in the Greek cases, it cannot be established with certainty if or how the government or another actor had acquired Predator. However, in principle it is not impossible to acquire or make use of spyware without government bodies actually directly purchasing the software. Spyware may be bought via proxies, broker companies or middlemen, as we have seen in other cases, or arrangements may be made with spyware vendors to provide certain spyware-related services. There is no doubt that there were close connections and interdependencies between certain persons and events relating to the government, the EYP and the providers of spyware, notably Krikel, a preferred supplier of communications and surveillance equipment to i.a. the police and the EYP. Krikel is closely connected with persons from the entourage of Prime Minister Mitsotakis.

Amendment
40. In the absence of any evidence on the identity of the buyer and user of Predator in the Greek cases, it cannot be established with certainty if or how the government or another actor had acquired Predator. However, in principle it is not impossible to acquire or make use of spyware without government bodies actually directly purchasing the software. Spyware may be bought via proxies, broker companies or middlemen, as we have seen in other cases, or arrangements may be made with spyware vendors to provide certain spyware-related services. There is no doubt that there were close connections and interdependencies between certain persons and events relating to the government, the EYP and the providers of spyware, notably Krikel, a preferred supplier of communications and surveillance equipment to i.a. the police and the EYP. Krikel is closely connected with persons from the entourage of Prime Minister Mitsotakis. On 16 January 2023, the Hellenic Data Protection Authority fined Intellexa 50,000 euros for failing to cooperate and refusing to hand over information about its clientele, as part of
its investigation launched in July 2020 following Androulakis' complaint. The investigation is still ongoing.\textsuperscript{85a}

\footnotesize 85a
https://www.dpa.gr/el/enimerwtiko/deltia/epiboli-prostimo-stin-intellexa-ae-gia-mi-synergasia-me-tin-arhi

Amendment 394
Sophia in 't Veld

Motion for a resolution
Paragraph 40 a (new)

\textit{Motion for a resolution} \hspace{1cm} \textbf{Amendment}

40 a. The situation in Greece is of an impenetrable complexity, but there are a few persons and entities that play a key role.

Amendment 395
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 40 a (new)

\textit{Motion for a resolution} \hspace{1cm} \textbf{Amendment}

40 a. The situation in Greece is multifaceted and complex, with a few persons and entities playing an integral role.

Amendment 396
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
Motion for a resolution
Subheading 38

Grigoris Dimitriadis deleted

Amendment 397
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 41

41. Dimitriadis is the nephew of Prime Minister Mitsotakis, and until August 2022 Secretary General in his office. In that role, he was responsible for government contacts with the EYP.

Amendment 398
Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Katarina Barley

Motion for a resolution
Paragraph 41

41. Dimitriadis is the nephew of Prime Minister Mitsotakis, and until August 2022 Secretary General in his office. In that role, he was responsible for government contacts with the EYP. He was forced to resign on the 5 August 2022 following the revelation that EYP had wiretapped the phone of Androulakis. In the beginning his resignation was attributed to the toxic
political environment but later the Prime Minister has attributed to him the political responsibility for the wiretapping of Androulakis and other political persons\textsuperscript{85b}


Amendment 399
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 41 a (new)

\textit{Motion for a resolution} 	\textit{Amendment}

41 a. \textit{The former head of EYP, Panagiotis Kontoleon, confessed his “social relationship” with Dimitriadis, to the Greek Parliamentary Inquiry Committee. Kontoleon was selected by the Mitsotakis administration, although ‘due to his inadequate résumé’ some provisions of the law had to be amended in order to legitimise his appointment. Dimitriadis is also closely linked in several ways to Félix Bitziós and Yiannis Lavranos. It appears that they are personally acquainted, with Dimitriadis and Lavranos being best men (“Koumbaroi”) and Lavranos the godfather to Dimitriadis’ second offspring. Dimitriadis was also indirectly associated to Bitziós through business transactions with the latter’s brother. This places him at the core of a network of professional and personal connections to principal actors at Intellexa, Krikel and EYP. Reportedly, Dimitriadis is also well-acquainted with Adreas Loverdos, candidate for the PASOK-KINAL leadership in 2021.}
Amendment 400
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 41 a (new)

41 a. The former head of the EYP, Panagiotis Kontoleon, admitted to the Greek Parliamentary Inquiry Committee his "social relationship" with Dimitriadis. Kontoleon was appointed by the Mitsotakis government, but some provisions of the law had to be adapted so as to enable his appointment. 84a

84a Ιείδισεις. SYRIZA - PASOK findings on wiretapping: Both scandal and cover-up.

Amendment 401
Sophia in ’t Veld

Motion for a resolution
Paragraph 41 a (new)

41 a. The former head of the EYP, Panagiotis Kontoleon, admitted to the Greek Parliamentary Inquiry Committee his "social relationship" with Dimitriadis. Kontoleon was appointed by the Mitsotakis government, but some provisions of the law had to be adapted so as to enable his appointment 1a.

1a Ιείδισεις. SYRIZA - PASOK findings on
wiretapping: Both scandal and cover-up.

Or. en

Amendment 402
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 41 b (new)

Motion for a resolution

Amendment

41 b. Dimitriadis is also closely connected in several ways to Felix Bitzios and Giannis Lavranos. The three men are personally acquainted. Dimitriadis and Lavranos are best men (“Koumbaroi”)\textsuperscript{84b} and Lavranos is the godfather of Dimitriadis’ second child\textsuperscript{84c}. Dimitriadis was also indirectly connected to Bitzios through business transactions with Bitzios' brother.\textsuperscript{84d}

\textsuperscript{84b} TVXS. Giannis Lavranos: The koumbarias with Tsouvala and Dimitriadis.

\textsuperscript{84c} Ieidiseis. SYRIZA - PASOK findings on wiretapping: Both scandal and cover-up.

\textsuperscript{84d} ReportersUnited. The Great Nephew and Big Brother.

Or. en

Amendment 403
Sophia in 't Veld

Motion for a resolution
Paragraph 41 b (new)

Motion for a resolution

Amendment

41 b. Dimitriadis is also closely
connected in several ways to Felix Bitzios and Giannis Lavranos. The three men are personally acquainted. Dimitriadis and Lavranos are best men ("Koumbaroi")\(^1a\) and Lavranos is the godfather of Dimitriadis’ second child\(^1b\). Dimitriadis was also indirectly connected to Bitzios through business transactions with Bitzios’ brother\(^1c\).

\(^1a\) TVXS. Giannis Lavranos: The koumbarias with Tsouvala and Dimitriadis.
\(^1b\) Ieidiseis. SYRIZA - PASOK findings on wiretapping: Both scandal and cover-up.
\(^1c\) ReportersUnited. The Great Nephew and Big Brother.

Amendment 404
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbros-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 41 c (new)

\textit{Motion for a resolution} \quad \textit{Amendment}

41 c. This puts him at the heart of a network connecting him professionally as well as personally to key persons at Intellexa, Krikel and EYP.

Amendment 405
Sophia in ’t Veld

Motion for a resolution
Paragraph 41 c (new)

\textit{Motion for a resolution} \quad \textit{Amendment}
41 c. This puts him at the heart of a network connecting him professionally as well as personally to key persons at Intelluxa, Krikel and EYP.

Or. en

Amendment 406
Sophia in 't Veld

Motion for a resolution
Paragraph 41 d (new)

Motion for a resolution Amendment

41 d. Dimitriadis is reportedly also acquainted with Adreas Loverdos, candidate for the PASOK-KINAL leadership in 2021.

Or. en

Amendment 407
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 41 d (new)

Motion for a resolution Amendment

41 d. Dimitriadis is reportedly also acquainted with Adreas Loverdos, candidate for the PASOK-KINAL leadership in 2021.

Or. en

Amendment 408
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Subheading 39
Motion for a resolution

Amendment

Felix Bitzios  

deleted

Or. en

Amendment 409
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 42

42. Business man Felix Bitzios had been implicated in the huge Bank of Piraeus violation of capital controls scandal. Pending the investigations, Bitzios’ assets had been frozen. Bitzios benefited from a legislative amendment introduced by Prime Minister Mitsotakis soon after he came to power in 2019. The controversial amendment set a time limit on the freezing of assets, thus enabling the release of frozen assets after a maximum of eighteen months. Thanks to the amendment of the Mitsotakis government, the assets of Bitzios could be released.

85 Lexology. Cyprus court offers directions to bank on ambit of freezing injunction.

86 Financial Times. Greek law change viewed as backtracking on money laundering.

Or. en

Amendment 410
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold
42. Business man Felix Bitzios had been implicated in the huge Bank of Piraeus violation of capital controls scandal. Pending the investigations, Bitzios’ assets had been frozen. Bitzios benefited from a legislative amendment introduced by Prime Minister Mitsotakis soon after he came to power in 2019. The controversial amendment set a time limit on the freezing of assets, thus enabling the release of frozen assets after a maximum of eighteen months. Thanks to the amendment of the Mitsotakis government, the assets of Bitzios could be released.

\[85\] Lexocology. Cyprus court offers directions to bank on ambit of freezing injunction.

\[86\] Financial Times. Greek law change viewed as backtracking on money laundering.

42. Business man Felix Bitzios had been implicated in the huge Bank of Piraeus violation of capital controls scandal. Pending the investigations, Bitzios’ assets had been frozen. Bitzios benefited from a legislative amendment introduced by the Parliament in 2019. The controversial amendment set a time limit on the freezing of assets, thus enabling the release of frozen assets after a maximum of eighteen months. Thanks to the amendment of the Mitsotakis government, the assets of Bitzios could be released.

\[85\] Lexocology. Cyprus court offers directions to bank on ambit of freezing injunction.

\[86\] Financial Times. Greek law change viewed as backtracking on money laundering.

Amendment 411

Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 42 a (new)

42 a. Bitzios is connected with Cyprus through his company Santinomo, registered on Cyprus, and his connection with Tal Dilian. It seems that Bitzios has been instrumental in the transfer of Intellexa to Greece.°

\[86a\] Inside Story. Predatorgate: The second
shareholder of Intellexa S.A.

Or. en

Amendment 412
Sophia in ’t Veld

Motion for a resolution
Paragraph 42 a (new)

Motion for a resolution

Amendment

42 a. Bitzios is connected with Cyprus through his company Santinomo, registered on Cyprus, and his connection with Tal Dilian. It seems that Bitzios has been instrumental in the transfer of Intellexa to Greece\(^1\).

\(^1\) Inside Story. Predatorgate: The second shareholder of Intellexa S.A.

Or. en

Amendment 413
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 43

Motion for a resolution

Amendment

43. Bitzios owned 35\% of the shares of Intellexa, through his company Santinomo. However, on 4 August 2022 he registered the transfer of all his shares to Thalestris, the mother company of Intellexa\(^7\). What is remarkable is not just the date of the registration of the transfer - just days after the revelations of the Androulakis hack - but the fact that the transfer supposedly took place on 18 December 2020, over 19 months earlier. Bitzios thus retroactively distanced...
himself from his 1/3 Intellexa ownership. Nevertheless, Bitzios had been connected to Intellexa from March 2020 to June 2021 as a deputy administrator.

87 Inside Story. Predatorgate: The second shareholder of Intellexa S.A.

Amendment 414
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 43 a (new)

Amendment
43 a. Bitzios’ company Santinomo is registered in Cyprus and he appears to be linked with Tal Dilian, both elements establishing his nexus with the country and confirming his essential role in the Intellexa undertakings in Greece.

Amendment 415
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Subheading 40

Amendment
Giannis Lavranos deleted

Amendment 416
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group
Motion for a resolution
Paragraph 44

44. Giannis Lavranos had been charged with tax evasion and journalist Koukakis had been reporting about Lavranos’ case.

Amendment

44. Giannis Lavranos had been charged with tax evasion and journalist Koukakis had been reporting about Lavranos’ case.

This investigation was the root of Koukakis’ targeting and also brought light to the scandal.

Amendment 417
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 45

45. Predator spyware is sold via Intellexa, a consortium of spyware vendors with presence in i.a. Cyprus, Greece, Ireland, and France. Tal Dilian, who had a former career in the Israeli Defence Force, set up the consortium in Cyprus. His second ex-wife Polish citizen Sara Hamou is a central figure in the intricate network

Amendment

45. Predator spyware is sold via Intellexa, a consortium of spyware vendors with presence in i.a. Cyprus, Greece, Ireland, and France. Tal Dilian, who had a former career in the Israeli Defence Force, set up the consortium in Cyprus. His second ex-wife Polish citizen Sara Hamou is a central figure in the intricate network.
of companies. Tal Dilian also has acquired Maltese citizenship. The Ministry of Foreign Affairs in Greece, responsible for the distribution of export permits, declared that no export licenses were granted to the Intellexa group of companies. However, Intellexa companies based in Greece reportedly exported their products to Bangladesh and at least one Arab country. For a detailed description on Intellexa see the chapter on the Spyware Industry.

Nevertheless, after the revelation of the New York Times, the Ministry of Foreign Affairs was forced to admit that Greece has licensed Intellexa to export Predator spyware as a dual-use good to Madagascar and other countries with oppressive regimes. However, Intellexa companies based in Greece reportedly exported their products to Bangladesh and at least one Arab country, while another coverage cites two other export licences to African countries. According to the current legislation and the testimony of the incumbent Head of EYP Themistocles Demiris before the competent parliamentary Committee, EYP’s approval is required to grant a licence; however, such was never granted, thus rendering the licensing to Intellexa illegal. For a detailed description on Intellexa see the chapter on the Spyware Industry.

88 Inside Story. Who signs the exports of spyware from Greece and Cyprus?

88a Efsyn. Clear involvement of Government on the Intellexa business with predator

89 Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.

90 Inside Story. Who signs the exports of spyware from Greece and Cyprus?
Motion for a resolution
Paragraph 45

45. Predator spyware is sold via Intellexa, a consortium of spyware vendors with presence in i.a. Cyprus, Greece, Ireland, and France. Tal Dilian, who had a former career in the Israeli Defence Force, set up the consortium in Cyprus. His second ex-wife Polish citizen Sara Hamou is a central figure in the intricate network of companies. Tal Dilian also has acquired Maltese citizenship. The Ministry of Foreign Affairs in Greece, responsible for the distribution of export permits, declared that no export licenses were granted to the Intellexa group of companies. However, Intellexa companies based in Greece reportedly exported their products to Bangladesh and at least one Arab country. For a detailed description on Intellexa see the chapter on the Spyware Industry.

88 Inside Story. Who signs the exports of spyware from Greece and Cyprus?
89 Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.
90 Inside Story. Who signs the exports of spyware from Greece and Cyprus?

Amendment

45. Predator spyware is sold via Intellexa, a consortium of spyware vendors with presence in i.a. Cyprus, Greece, Ireland, and France. Tal Dilian, who had a former career in the Israeli Defence Force, set up the consortium in Cyprus. His second ex-wife Polish citizen Sara Hamou is a central figure in the intricate network of companies. Tal Dilian also has acquired Maltese citizenship. The Greek government declared that two export licenses were granted to Intellexa, of which one authorized the export to Madagascar. Intellexa has reportedly also exported their products to Bangladesh and Sudan, although it is unclear if export licenses were provided for these sales.

Or. en

Amendment 420
Lukas Mandl

Motion for a resolution
Paragraph 45

45. Predator spyware is sold via Intellexa, a consortium of spyware vendors
with presence in i.a. Cyprus, Greece, Ireland, and France. Tal Dilian, **who had a former career in the Israeli Defence Force**, set up the consortium in Cyprus. His second ex-wife Polish citizen Sara Hamou is a central figure in the intricate network of companies. Tal Dilian also has acquired Maltese citizenship. The Ministry of Foreign Affairs in Greece, responsible for the distribution of export permits, declared that no export licenses were granted to the Intellexa group of companies[^88]. However, Intellexa companies based in Greece reportedly exported their products to Bangladesh and at least one Arab country[^89][^90]. For a detailed description on Intellexa see the chapter on the Spyware Industry.

[^88]: Inside Story. Who signs the exports of spyware from Greece and Cyprus?
[^89]: Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.
[^90]: Inside Story. Who signs the exports of spyware from Greece and Cyprus?
licences to two other African countries, while personnel from Bangladesh was being trained in the use of Predator at Intellexa’s offices in Athens in June 2022.  

On 29 December 2022, the state secretary who had issued these export licences resigned from his post to take up the post of deputy director-general of the ruling party Nea Dimokratia, which is responsible for the upcoming elections.


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**Amendment 422**  
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

**Motion for a resolution**  
Paragraph 45 a (new)

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**Motion for a resolution**  

45 a. On 8 December 2022, the New York Times reported that Greece had granted the company Intellexa licences to sell the Predator spyware to Madagascar. The licence was granted despite the country's poor human rights record and potentially being in conflict with EU dual-use regulations.  

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**Amendment 423**
Motion for a resolution
Paragraph 46

46. Krikel is a preferred supplier of equipment to the Greek law enforcement and security authorities. It is also the Greek representative of RCS Lab, an Italian company selling surveillance software. In addition, Giannis Lavranos is said to be 50% owner of Krikel, through another company called Mexal. However, it does not seem to be possible to establish with certainty who is the ultimate beneficial owner of Krikel, despite its many contracts with state authorities.

91 There are several connections of interest here. Lavranos sold his in Athens based family home at a price below market value to Albitrum Properties in April 2021. The representative of Albitrum Properties during the sale was Felix Bitzios’ half-brother Theodoros Zervos. Albitrum is a Cypriot company and has as its shareholder Mexal Services Ltd. Mexal Services owns 100% of Eneross Holdings Ltd. Eneross Holdings in addition owns Krikel. Giannis Lavranos’ registered office is at the same address as Eneross Holdings and Mexal Services in Cyprus. See: InsideStory. Predatorgate’s invisible privates. and tvxs. G.Lavranos behind KRIKEL - How the deception of the Parliament was attempted [Revealing documents].

Amendment

46. Krikel is allegedly the preferred supplier of equipment to the Greek law enforcement and security authorities. It is also the Greek representative of RCS Lab, an Italian company selling surveillance software. In addition, Giannis Lavranos is said to be 50% owner of Krikel, through another company called Mexal. However, it does not seem to be possible to establish with certainty who is the ultimate beneficial owner of Krikel, despite its many contracts with state authorities.

91 There are several connections of interest here. Lavranos sold his in Athens based family home at a price below market value to Albitrum Properties in April 2021. The representative of Albitrum Properties during the sale was Felix Bitzios’ half-brother Theodoros Zervos. Albitrum is a Cypriot company and has as its shareholder Mexal Services Ltd. Mexal Services owns 100% of Eneross Holdings Ltd. Eneross Holdings in addition owns Krikel. Giannis Lavranos’ registered office is at the same address as Eneross Holdings and Mexal Services in Cyprus. See: InsideStory. Predatorgate’s invisible privates. and tvxs. G.Lavranos behind KRIKEL - How the deception of the Parliament was attempted [Revealing documents].

Or. en
47. In 2014, Giannis Lavranos’ company Ioniki Techniki was sold to Tetra Communications in London. In this same year, Ioniki Techniki is one of the three companies that donated the Tetra Communications Systems to the Greek Ministry of Citizen Protection. The donation of Tetra was facilitated by a Florida based company, allowing to bypass regular tender procedures. The donation to the Greek government was accepted in 2017. In 2018, Krikel signed a maintenance and technical support contract of €10.8 million. Krikel administrator Stanislaw Pelczar signed on behalf of Krikel, but it seems that Lavranos was informally involved in the negotiations throughout. Krikel became an important supplier of the Greek Ministry of Citizen Protection. Since 2018, it signed seven contracts with the Greek government, six of which are secret.

47. Amendment

47. In 2014, Giannis Lavranos’ company Ioniki Techniki was sold to Tetra Communications in London. In this same year, Ioniki Techniki is one of the three companies that donated the Tetra Communications Systems to the Greek Ministry of Citizen Protection. As revealed by Wikileaks, in 2014 the Greek government had also shown interest in the Italian spyware RCS Galileo developed by a company called RCS Lab (a.k.a. “Hacking Team”), but this software was never acquired. The donation of Tetra was facilitated by a Florida based company, allowing to bypass regular tender procedures. The donation to the Greek government was accepted in 2017. In 2018, Krikel signed a maintenance and technical support contract of €10.8 million. Krikel administrator Stanislaw Pelczar signed on behalf of Krikel, but it seems that Lavranos was informally involved in the negotiations throughout. Krikel became an important supplier of the Greek Ministry of Citizen Protection. Since 2018, it signed seven contracts with the Greek government, six of which are secret. Eventually, Krikel became the local representative of Italian company RCS Lab. In June 2021, EYP purchased a wiretapping system from RCS through Krikel. At that time, Grigoris Dimitriadis was the link between the government and EYP. Some sources state that it was during the installation of this new system that all information on the surveillance of Nikos Androulakis and Thanasis Koukakis was lost, allegedly because of a technical problem. Other sources, however, claim that Kontoleon ordered the destruction of the relevant files on July 29, 2022.

92 Inside Story. Predatorgate’s invisible privates.

93 Inside Story. Predatorgate’s invisible privates.

93 Inside Story. Predatorgate’s invisible privates.
Amendment 425
Sophia in 't Veld

Motion for a resolution
Paragraph 47

47. In 2014, Giannis Lavranos’ company Ioniki Techniki was sold to Tetra Communications in London. In this same year, Ioniki Techniki is one of the three companies that donated the Tetra Communications Systems to the Greek Ministry of Citizen Protection. The donation of Tetra was facilitated by a Florida based company, allowing to bypass regular tender procedures. The donation to the Greek government was accepted in 2017. In 2018, Krikel signed a maintenance and technical support contract of €10.8 million. Krikel administrator Stanislaw Pelczar signed on behalf of Krikel, but it seems that Lavranos was informally involved in the negotiations throughout. Krikel became an important supplier of the Greek Ministry of Citizen Protection. Since 2018, it signed seven contracts with the Greek government, six of which are secret.

92 Inside Story. Predatorgate’s invisible privates.

92a Inside Story. The timeless interest of the Greek authorities in spyware.
47. In 2014, Giannis Lavranos’ company Ioniki Techniki was sold to Tetra Communications in London. In this same year, Ioniki Techniki is one of the three companies that donated the Tetra Communications Systems to the Greek Ministry of Citizen Protection. The donation of Tetra was facilitated by a Florida based company, allowing to bypass regular tender procedures. The donation to the Greek government was accepted in 2017. In 2018, Krikel signed a maintenance and technical support contract of €10.8 million. Krikel administrator Stanislaw Pelczar signed on behalf of Krikel, but it seems that Lavranos was informally involved in the negotiations throughout. Krikel became an important supplier of the Greek Ministry of Citizen Protection. Since 2018, it signed seven contracts with the Greek government, six of which are secret.
92 Inside Story. Predatorgate’s invisible privates.

93 Inside Story. Predatorgate’s invisible privates.

94 InsideStory. Predatorgate’s invisible privates.

92 Inside Story. Predatorgate’s invisible privates.


93 Inside Story. Predatorgate’s invisible privates.

94 InsideStory. Predatorgate’s invisible privates.

Amendment 427
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 48

Motion for a resolution

48. Krikel company also became the local representative of Italian company RCS Lab. In June 2021, the EYP purchased a wiretapping system from RCS lab\(^95\) through Krikel\(^96\). At that time, Dimitriadis was responsible for the contacts between the government and EYP. Some sources have documented that it was during the installation of this new system that material containing information on the surveillance of Androulakis and Koukakis was lost, allegedly caused by a technical problem\(^97\). Other sources however claimed that Kontoleon ordered the destruction of files on 29 July 2022\(^98\).

Amendment

48. Krikel company also became the local representative of Italian company RCS Lab. In June 2021, the EYP reportedly purchased a wiretapping system from RCS lab\(^95\) through Krikel\(^96\). At that time, Dimitriadis was responsible for the contacts between the government and EYP. Some sources have documented that it was during the installation of this new system that material containing information on the surveillance of Androulakis and Koukakis was lost, allegedly caused by a technical problem\(^97\). Other sources however claimed that Kontoleon ordered the destruction of files on 29 July 2022\(^98\).

\(^95\) Hellas Posts English. The EYP supplier contaminates smartphones in Greece as well.

\(^96\) TVXS. G. Lavranos behind KRIKEL - How attempts were made to deceive the

\(^97\) TVXS. G. Lavranos behind KRIKEL - How attempts were made to deceive the
Parliament.

97 TVXS. G. Lavranos behind KRIKEL - How attempts were made to deceive the Parliament.

98 Euractiv. Greek MEP spyware scandal takes new turn.

Or. en

Amendment 428
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 49

49. Interestingly employees of Krikel have been spotted working at Ketyak, allegedly ‘pro bono’. Ketyak has apparently been granted €40 million from the RRF, through a confidential tender procedure based on a secret decision of the Prime Minister.

Or. fr

Amendment 429
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 49

49. Interestingly employees of Krikel have been spotted working at Ketyak, allegedly ‘pro bono’. Ketyak has apparently been granted €40 million from the RRF, through a confidential tender procedure based on a secret decision of the Prime Minister.

Or. en
Amendment 430
Sophia in 't Veld

Motion for a resolution
Paragraph 49 a (new)

Motion for a resolution

Amendment

49 a. Reportedly, Krikel employees have also been visiting EYP facilities in Agia Paraskevi in December 2021 and January 2022 in their role as ‘trainer’. These facilities are controlled by the Greek government and are allegedly the place where the Predator spyware was installed\(^{1a}\).

\(^{1a}\) Inside Story. Greek State and spyware vendor Intellexa: they are acquainted after all.

Or. en

Amendment 431
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 49 a (new)

Motion for a resolution

Amendment

49 a. Unlawful use of EU funds to finance illegal spyware is a severe violation of Union law and falls within the competences of numerous European bodies, including the European Prosecutor’s Office.

Or. en

Amendment 432
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk

on behalf of the ECR Group
Amendment 433
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 50

50. Bitzios and Lavranos were both actively involved in the setting up of Krikel in 2017. Together they arranged the appointment of Polish lawyer Stanislaw Pelczar as administrator of Krikel in October 2017. Bitzios’ company Viniato Holdings Limited was subsequently hired as a consultant by Krikel between January and August 2018 for a fee of approximately 550,000 euros (although Krikel only had a turnover of 840,000 euro that year).

99 TVXS. G. Lavranos behind KRIKEL - How attempts were made to deceive the Parliament.

100 InsideStory. From Koukakis to Androulakis: A new twist in the Predator spyware case.
50. Bitzios and Lavranos were both actively involved in the setting up of Krikel in 2017. Together they arranged the appointment of Polish lawyer Stanislaw Pelczar as administrator of Krikel in October 2017. Bitzios’ company Viniato Holdings Limited was subsequently hired as a consultant by Krikel between January and August 2018 for a fee of approximately 550,000 euros (although Krikel only had a turnover of 840,000 euros that year). 

__100__ InsideStory. From Koukakis to Androulakis: A new twist in the Predator spyware case.

__99__ TVXS. G. Lavranos behind KRIKEL - How attempts were made to deceive the Parliament.

Amendment

50. Bitzios and Lavranos were both actively involved in the setting up of Krikel in 2017. Together they arranged the appointment of Polish lawyer Stanislaw Pelczar as administrator of Krikel in October 2017. Bitzios’ company Viniato Holdings Limited was subsequently hired as a consultant by Krikel between January and August 2018 for a fee of approximately 550,000 euros.

__100__ InsideStory. From Koukakis to Androulakis: A new twist in the Predator spyware case.

__99__ TVXS. G. Lavranos behind KRIKEL - How attempts were made to deceive the Parliament.

Or. fr

Amendment 435
Sophia in 't Veld

Motion for a resolution
Paragraph 50 a (new)

50 a. Bitzios and Pelczar have other mutual business connections as well. It emerges from the Paradise Papers that they share a company registered on Malta by the name of Baywest Business__1a__. In addition, Tal Dilian, the founder of Intellexa holds a Maltese (golden) passport__1b__ and also has a letterbox company MNT Investments LTD in the island state__1c__.

__1a__ International Consortium of

__1b__

__1c__

1b Government of Malta. Persons Naturalised Registered Gaz 21.12

1c https://mlt.databassets.com/company-all/company/73006
https://happenednow.gr/to-neo-logismiko-kataskopias-predator-kai-oi-douleies-stin-ellada/

Amendment 436
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 50 a (new)

Amendment

50 a. Bitzios and Pelczar have mutual business connections as well. According to Paradise Papers, they share a company registered in Malta, namely Baywest Business. In addition, Intellexa founder Tal Dilian holds a Maltese (golden) passport and also holds a letterbox company MNT Investments LTD in Malta.

Amendment 437
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 51 a (new)
Motion for a resolution

Amendment

51 a. There has been a previous disclosure regarding the Dimitriadis - Lavranos - Pierrakakis (Minister of Digital Policy) triumvirate. Therein, among other things, it was emphasized that Mr. Pierrakakis has a close relationship with Mr. Lavranos. Apparently the former was one of the few ministers who continued to keep an open line with the businessman even after the resignation of Dimitriadis. 91a Yet, despite the clear connection between Bitzios and Lavranos, MPs of the Néa Dimokratia majority in the Inquiry Committee of the Greek Parliament, blocked the requests of the opposition to summon these individuals for a hearing.

91a Inside Story: All the identities of Lavranos
https://www.reportersunited.gr/10012/lavranos/

Or. en

Amendment 438
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 51 a (new)

51 a. Yet, despite the obvious relevance of Bitzios and Lavranos testifying before the Inquiry Committee of the Greek parliament, the Néa Dimokratia majority on the committee rejected the requests of the opposition for these men to be heard. 100a

100a Ieidiseis. SYRIZA - PASOK findings on wiretapping: Both scandal and cover-
Amendment 439
Sophia in ’t Veld

Motion for a resolution
Paragraph 51 a (new)

Motion for a resolution
Amendment

51 a. Yet, despite the obvious relevance of Bitzios and Lavranos testifying before the Inquiry Committee of the Greek parliament, the Néa Dimokratía majority on the committee rejected the requests of the opposition for these men to be heard\(^a\).

\(^{a}\) Ieidiseis. SYRIZA - PASOK findings on wiretapping: Both scandal and cover-up.

Amendment 440
Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Katarina Barley

Motion for a resolution
Paragraph 53

Motion for a resolution
Amendment

53. In Greece, infecting a device with spyware is a criminal offence as stipulated in several articles of the Greek Criminal Code, including art. 292 on Crimes against the security of telephone communications, art. 292B on hindering the operation of information systems as well as art. 370 on violations of secrecy of letters. In addition, the production, sale, supply, use, importation, possession and distribution of malware (which includes spyware) is also a criminal offence as outlined in art. 292C of
This article changed by the Greek government on 9 December 2022. According to the new provision, the ban only applies to spyware on a list drafted by the Director of EYP. While there was previously no legal way for the EYP to acquire spyware, this is now possible under the new legal framework.

Amendment 441
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 53 a (new)

53 a. The number of authorised wiretaps has increased substantially over the years. From 4871 in 2015 (when Syriza came to power), to 11,680 in 2019 (when Nea Demokratia came to power) to 15,475 in 2021.\footnote{Ekathimerini. Wiretapping and ‘national security’.} Currently, some 60 request have to be processed each day, until recently by a single prosecutor. Moreover, the provisions of the EYP that lift the confidentiality of citizens’ communications for reasons of national security do not mention the name of the person concerned nor the reason for the lifting of confidentiality. They are limited to the telephone number and the invocation of national security.\footnote{Reporters United. Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis}
Amendment 442
Sophia in 't Veld

Motion for a resolution
Paragraph 53 a (new)

53 a. The number of authorised wiretaps has increased substantially over the years. From 4871 in 2015 (when Syriza came to power), to 11,680 in 2019 (when Nea Demokratia came to power) to 15,475 in 2021¹a. Currently, some 60 request have to be processed each day, until recently by a single prosecutor. Moreover, the provisions of the EYP that lift the confidentiality of citizens’ communications for reasons of national security do not mention the name of the person concerned nor the reason for the lifting of confidentiality. They are limited to the telephone number and the invocation of national security¹b.

¹a Ekathimerini. Wiretapping and ‘national security’.

¹b Reporters United. Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis Koukakis.

Amendment 443
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 53 b (new)
Motion for a resolution

Amendment

53 b. The judicial authorisation to monitor private communication as well as the extension and the termination of such an authorisation have to be approved by the competent Public Prosecutor. As stipulated in law 3649/2008, the competent prosecutor to lift secrecy and confidentiality is the in-house prosecutor of the EYP. A legislative amendment from 2018 had reduced the number of prosecutors required for the authorisation of a wiretap from two to one. The prosecutor in charge of the cases at hand is Vasiliki Vlachou. Mrs Vlachou did not meet with the PEGA mission to Greece.

101c Reporters United. Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis Koukakis.

Or. en

Amendment 444
Sophia in 't Veld

Motion for a resolution
Paragraph 53 b (new)

Motion for a resolution

Amendment

53 b. The judicial authorisation to monitor private communication as well as the extension and the termination of such an authorisation have to be approved by the competent Public Prosecutor. As stipulated in law 3649/2008, the competent prosecutor to lift secrecy and confidentiality is the in-house prosecutor of the EYP. A legislative amendment from 2018 had reduced the number of prosecutors required for the authorisation of a wiretap from two to one. The prosecutor in charge of the cases at hand
is Vasiliki Vlachou\textsuperscript{1a}. Mrs Vlachou did not meet with the PEGA mission to Greece.

\textsuperscript{1a} Reporters United. Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis Koukakis.

Amendment 445
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 54

54. Following the surveillance revelations, Prime Minister Mitsotakis has proposed changes to the EYP’s framework of operation. One of those changes is the introduction of the Act of Legislative Content by the government on 9 August 2022. Paragraph 2 of article 9 of law 3649/2008 is updated and now requires an opinion of the Permanent Committee on Institution and Transparency on the appointment of the EYP governor\textsuperscript{102}. However, as the governing party currently has an absolute majority in the Parliament’s Special Permanent Committee on Institutions and Transparency, it endorsed the nomination of Mr Demiris as new EYP governor, whilst all other opposition parties were against\textsuperscript{103}. Incidentally, 2nd deputy commander of the EYP is Dionysis Melitsiotis\textsuperscript{104}, a former member of the private office of the Prime Minister, and another Deputy Director is Anastasios Mitsialis, a former Nea Demokratia official\textsuperscript{105}. The authorised wiretaps have increased substantially over the years. From 4,871 in 2015 (when Syriza came to power), to 11,680 in 2019 (when Nea Demokratia came to power).
and 15.475 in 2021. Currently, around 60 requests are being processed on a daily basis, until recently by a single prosecutor. Moreover, the legal provisions on removal of confidentiality for reasons of national security do not mention the name of the person concerned or a thorough rationale for the waiving. They are restricted to the telephone number and the invocation of national security as a “blanket” justification. The judicial authorisation to monitor private communication as well as the extension and termination of any such authorisation have to be approved by the competent Public Prosecutor. The prosecutor in charge of the cases at hand is Vasiliki Vlachou. Mrs Vlachou did not meet with the PEGA mission to Greece.

102 Efsyn. What (does not) change with the Act of Legislative Content for EYP.
103 Kathemirini. Themistoklis Demiris: His appointment to the management of EYP was approved by a majority.
104 Ekathimerini. National security takes center stage.
105 Greek City Times. Greek PM appoints new security and intelligence chiefs.

Amendment 446
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 54

54. Following the surveillance revelations, Prime Minister Mitsotakis has proposed changes to the EYP’s framework of operation. One of those changes is the introduction of the Act of Legislative Content by the government on 9 August
2022. Paragraph 2 of article 9 of law 3649/2008 is updated and now requires an opinion of the Permanent Committee on Institution and Transparency on the appointment of the EYP governor\textsuperscript{102}. **However, as the governing party currently has an absolute majority in the Parliament’s Special Permanent Committee on Institutions and Transparency, it endorsed the nomination of Mr Demiris as new EYP governor, whilst all other opposition parties were against\textsuperscript{103}**. Incidentally, 2nd deputy commander of the EYP is Dionysis Melitsiotis\textsuperscript{104}, a former member of the private office of the Prime Minister, and another Deputy Director is Anastasios Mitsialis, a former Nea Demokratia official\textsuperscript{105}.

\textsuperscript{102} Efsyn. What (does not) change with the Act of Legislative Content for EYP.

\textsuperscript{103} Kathemirini. Themistoklis Demiris: His appointment to the management of EYP was approved by a majority.

\textsuperscript{104} Ekathimerini. National security takes center stage.

\textsuperscript{105} Greek City Times. Greek PM appoints new security and intelligence chiefs.

Or. fr

Amendment 447  
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution  
Paragraph 54

\textit{Motion for a resolution}

\textit{54. Following the surveillance revelations}, Prime Minister Mitsotakis has proposed changes to the EYP’s framework of operation. One of those changes is the introduction of the Act of Legislative

\textit{Amendment}

54. Prime Minister Mitsotakis has proposed changes to the EYP’s framework of operation. One of those changes is the introduction of the Act of Legislative Content by the government on 9 August
Content by the government on 9 August 2022. Paragraph 2 of article 9 of law 3649/2008 is updated and now requires an opinion of the Permanent Committee on Institution and Transparency on the appointment of the EYP governor\(^{102}\). However, as the governing party currently has an absolute majority in the Parliament’s Special Permanent Committee on Institutions and Transparency, it endorsed the nomination of Mr Demiris as new EYP governor, whilst all other opposition parties were against\(^{103}\). **Incidentally, 2nd** deputy commander of the EYP is Dionysis Melitsiotis\(^{104}\), a former member of the private office of the Prime Minister, and another Deputy Director is Anastasios Mitsialis, a former Nea Demokratia official\(^{105}\).

\(^{102}\) Efsyn. What (does not) change with the Act of Legislative Content for EYP.

\(^{103}\) Kathemirini. Themistoklis Demiris: His appointment to the management of EYP was approved by a majority.

\(^{104}\) Ekathimerini. National security takes center stage.

\(^{105}\) Greek City Times. Greek PM appoints new security and intelligence chiefs.

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2022. Paragraph 2 of article 9 of law 3649/2008 is updated and now requires an opinion of the Permanent Committee on Institution and Transparency on the appointment of the EYP governor\(^{102}\). However, as the governing party currently has an absolute majority in the Parliament’s Special Permanent Committee on Institutions and Transparency, it endorsed the nomination of Mr Demiris as new EYP governor, whilst all other opposition parties were against\(^{103}\). **Second** deputy commander of the EYP is Dionysis Melitsiotis\(^{104}\), a former member of the private office of the Prime Minister, and another Deputy Director is Anastasios Mitsialis, a former Nea Demokratia official\(^{105}\).

\(^{102}\) Efsyn. What (does not) change with the Act of Legislative Content for EYP.

\(^{103}\) Kathemirini. Themistoklis Demiris: His appointment to the management of EYP was approved by a majority.

\(^{104}\) Ekathimerini. National security takes center stage.

\(^{105}\) Greek City Times. Greek PM appoints new security and intelligence chiefs.

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**Amendment 448**

Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

**Motion for a resolution**

**Paragraph 54**

**Motion for a resolution**

54. Following the surveillance revelations, Prime Minister Mitsotakis has proposed changes to the EYP’s framework of operation. One of those changes is the introduction of the Act of Legislative

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**Amendment**

54. Following the surveillance revelations, Prime Minister Mitsotakis has proposed changes to the EYP’s framework of operation. One of those changes is the introduction of the Act of Legislative
Content by the government on 9 August 2022. Paragraph 2 of article 9 of law 3649/2008 is updated and now requires an opinion of the Permanent Committee on Institution and Transparency on the appointment of the EYP governor. However, as the governing party currently has an absolute majority in the Parliament’s Special Permanent Committee on Institutions and Transparency, it endorsed the nomination of Mr Demiris as new EYP governor, whilst all other opposition parties were against. Incidentally, 2nd deputy commander of the EYP is Dionysis Melitsiotis, a former member of the private office of the Prime Minister, and another Deputy Director is Anastasios Mitsialis, a former Nea Demokratia official.

102 Efsyn. What (does not) change with the Act of Legislative Content for EYP.

103 Kathemirini. Themistoklis Demiris: His appointment to the management of EYP was approved by a majority.

104 Ekathimerini. National security takes center stage.

105 Greek City Times. Greek PM appoints new security and intelligence chiefs.

Or. en

Amendment 449
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 54 a (new)

Motion for a resolution

54 a. In addition, the act reintroduced the two-prosecutor authorisation of monitoring requests. Article 5 of law 3649/2008 on the provision for the lifting of confidentiality of communications by
the EYP is supplemented with a submission for approval to the competent Prosecutor of Appeals, and after that, approved of by the Public Prosecutor of the Court of Appeals.\textsuperscript{105b}

\textsuperscript{105a} European Parliament. Greece’s Predatorsgate: The latest chapter in Europe’s spyware scandal?

\textsuperscript{105b} Efsyn. What (does not) change with the Act of Legislative Content for EYP.

Or. en

Amendment 450
Sophia in 't Veld

Motion for a resolution
Paragraph 54 a (new)

\begin{align*}
\textit{Motion for a resolution} & \quad \textit{Amendment} \\
54 \text{a.} & \quad \textit{In addition, the act reintroduced the two-prosecutor authorisation of monitoring requests}^{1a}. \textit{Article 5 of law 3649/2008 on the provision for the lifting of confidentiality of communications by the EYP is supplemented with a submission for approval to the competent Prosecutor of Appeals, and after that, approved of by the Public Prosecutor of the Court of Appeals}^{1b}.
\end{align*}

\textsuperscript{1a} European Parliament. Greece’s Predatorsgate: The latest chapter in Europe’s spyware scandal?

\textsuperscript{1b} Efsyn. What (does not) change with the Act of Legislative Content for EYP.

Or. en

Amendment 451
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier
Motion for a resolution

Paragraph 55

55. Since 2019, the actions of the EYP have been under the direct control of Prime Minister Kyriakos after a change in the law following the victory of New Democracy in 2019\(^\text{106}\).

Amendment

55. Since 2019, the actions of the EYP have been under the direct control of Prime Minister Kyriakos \textit{Mitsotakis} after a change in the law following the victory of New Democracy in 2019\(^\text{106}\). The Permanent Committee on Institution and Transparency exercises parliamentary control. It supervises the actions of EYP and has the authority to collect documents, examine persons and invite the Director General for a hearing. The governing party has an absolute majority in the current committee composition. The Hellenic Authority for Communication Security and Privacy (ADAE) ensures the protection of confidentiality of all communications. Its statute grants it administrative autonomy. ADAE can carry out investigations at facilities, databases, archives, technical equipment, and documents of the EYP. The Authority for the Protection of Personal Data (APDPH) is a constitutionally enshrined independent authority with the objective of monitoring and enforcing the implementation of the legislation regarding the protection of personal data. Upon request, it provides information to data subjects regarding their rights and handles complaints submitted for GDPR violations.

\(^{106}\) Euractiv. Another Greek opposition lawmaker victim of Predator.
55. Since 2019, the actions of the EYP have been under the direct control of Prime Minister Kyriakos after a change in the law following the victory of New Democracy in 2019\textsuperscript{106}.

\textsuperscript{106} Euractiv. Another Greek opposition lawmaker victim of Predator.

Amendment 453
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

55. Since 2019, the actions of the EYP have been under the direct control of the Prime Minister's Office after a change in the law following the victory of New Democracy in 2019\textsuperscript{106}.

\textsuperscript{106} Euractiv. Another Greek opposition lawmaker victim of Predator.

Amendment 454
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

55. Since 2019, the actions of the EYP have been under the direct control of the Prime Minister's Office after a change in the law following the victory of New Democracy in 2019\textsuperscript{106}.

\textsuperscript{106} Euractiv. Another Greek opposition lawmaker victim of Predator.
55 a. Parliamentary control is exercised by the Permanent Committee on Institution and Transparency. This committee supervises the actions of the EYP and has the power to collect documents, examine persons and invite the Director General for a hearing. As mentioned above, the current committee consists of an overall majority of the government party.

106a Centre for European Constitutional Law. National intelligence authorities and surveillance in the EU: Fundamental rights safeguards and remedies.

Or. en

Amendment 455
Sophia in 't Veld

Motion for a resolution
Paragraph 55 a (new)

Motion for a resolution

55 a. Parliamentary control is exercised by the Permanent Committee on Institution and Transparency. This committee supervises the actions of the EYP and has the power to collect documents, examine persons and invite the Director General for a hearing. As mentioned above, the current committee consists of an overall majority of the government party.

1a Centre for European Constitutional Law. National intelligence authorities and surveillance in the EU: Fundamental rights safeguards and remedies.

Or. en
Amendment 456
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 55 b (new)

Motion for a resolution

Amendment

55 b. The Hellenic Authority for Communication Security and Privacy (ADAE) ensures the protection of confidentiality of mail and all other sorts of communications. The statute of ADAE grants it administrative autonomy. ADAE can carry out investigations at facilities, databases, archives, technical equipment and documents of the EYP.


Or. en

Amendment 457
Sophia in 't Veld

Motion for a resolution
Paragraph 55 b (new)

Motion for a resolution

Amendment

55 b. The Hellenic Authority for Communication Security and Privacy (ADAE) ensures the protection of
confidentiality of mail and all other sorts of communications\(^{1a}\). The statute of ADAE grants it administrative autonomy\(^{1b}\). ADAE can carry out investigations at facilities, databases, archives, technical equipment and documents of the EYP\(^{1c}\).

\(^{1a}\) ADAE. Presentation.
\(^{1b}\) ADAE. Regulatory framework.
\(^{1c}\) Centre for European Constitutional Law. National intelligence authorities and surveillance in the EU: Fundamental rights safeguards and remedies.

Amendment 458
Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Katarina Barley

Motion for a resolution
Paragraph 56 a (new)

56 a. On 9 December 2022, the Greek Parliament passed a new law that makes significant changes to the current legal framework. Any request by individuals for information on whether they have been subject to surveillance for national security reasons will be examined by a three-member committee composed of the director of the EYP, the prosecutor attached to the EYP and the head of the ADAE, which means that the majority rests with those who ordered (director of the EYP) and authorised (prosecutor) the surveillance in the first place. The right to know does not apply until three years after the measure has ended, and the only information given is the confirmation that she/he was monitored. This provision served as the legal basis for the Attorney General's efforts to force the ADAE to
stop all investigations into possible illegal surveillance. This attempt was condemned by the majority of constitutional law professors, as the ADAE’s investigative power derives directly from the Constitution, and it was considered a serious violation of the principle of separation of powers. In addition, a new system for the surveillance of political persons was introduced, which requires the positive opinion of the Speaker of Parliament.

Amendment 459
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 56 a (new)

Motion for a resolution

56 a. The New Law 5002/2022

After the revelations and the PEGA mission to Greece, the government quickly filed and passed a Bill reforming EYP. The new law on "Procedure on waiving confidentiality of communications, cyber security and protection of citizens' personal data" makes it practically impossible for surveilled individuals to be appropriately informed ex post, as it stipulates that they may file a relevant request only three years after the termination of their surveillance. This is incompatible with the relevant jurisprudence of the European Court and the European Charter of Human Rights. At the same time, the monitoring archives will be automatically destroyed within six months (against 2 years envisaged in the previous regime). It is outlined that the right to immediate information of a targeted citizen, upon his or her request, as soon as the surveillance has been completed, was respected.
continuously since the founding law of 1994 and up until journalist Thanasis Koukakis’ request to be informed about his monitoring. At that moment the government passed an amendment that practically and retroactively greatly restricted the right to be informed ex post, and thus the scandal began to unfold.

Amendment 460
Sophia in 't Veld

Motion for a resolution
Paragraph 56 a (new)

Motion for a resolution

Amendment

56 a. With the Act of Legislative Content, Mitsotakis aimed to strengthen transparency and accountability. Yet, the act does not revoke Amendment 826/145.

Amendment 461
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 56 b (new)

Motion for a resolution

Amendment

56 b. The new law does not provide for rudimentary institutional checks and balances to ensure the proper functioning of state powers. It does not ensure independent judicial oversight of the decision placing citizens under surveillance, decisions as such are taken by two prosecutors without explicit justification. It criminalises the use of spyware by individuals or private sector companies. However, such activities were already illegal under Greek Law.
Furthermore, it does not regulate the use of such software by intelligence services, as it only refers to a Presidential Decree on the circumstances under which the state may acquire surveillance software. Finally, there is no provision for judicial oversight or monitoring of spyware use or for subcontracting wiretapping to private sector entities.

Amendment 462
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 56 c (new)

56 c. The supply of illegal spyware (but not the outsourcing of relevant services) is only prosecutable if such software is included in an exhaustive list of "prohibited spyware" that is updated by the government every six months. It leaves open the possibility for EYP to acquire spyware legally, since critical relevant issues will be exclusively dealt with via secondary legislation (i.e. a Presidential Decree). Therefore, an updated version of an existing spyware will be considered legal until included in the abovementioned list. The definition of "national security" in the law is extremely broad and vague, thus in conflict with article 19 par. 1 of the Constitution, which calls for a narrow interpretation. ADAE is stripped of its constitutionally designated role in controlling the declassification process. The role of the independent authority that was instrumental in uncovering the surveillance scandal is downplayed in the new Law, despite the relevant constitutional guarantees.
Motion for a resolution
Paragraph 56 d (new)

Amendment 463
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 56 d (new)

56 d. In conclusion, the new Law lacks adequate functionality, serves as a cover-up of the cases currently under investigation, and obstructs future investigations for pertinent issues. Leading law professors have noted that the only legislative regulation required is the restoration to the legal status before March 31, 2021. Be it of note that the Chief Prosecutor of the Supreme Court, invoked the new law to justify his opinion against the submission of information to ADAE by communication services providers, and also that the new Law had been hastily voted a few weeks before, with deficient public consultation and an utter bypass of ADAE.

Amendment 464
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 57

Amendment

57. The possibilities for ex-post scrutiny are further weakened by the fact that Greece has still not fully implemented the EU Whistlebearers Directive

57. On 27 January 2022, the Commission launched an infringement procedure by sending a formal notice to Greece. On 15 July 2022, the Commission sent a reasoned opinion with a deadline of two
months to reply. However, up to date not much progress has been recorded in the legislative procedure. It is not known whether or not the Commission will refer Greece to the Court of Justice of the European Union.

Amendment 465
Sophia in ’t Veld

Motion for a resolution
Paragraph 57

57. The possibilities for ex-post scrutiny are further weakened by the fact that Greece has still not fully implemented the EU Whistleblowers Directive. On 27 January 2022, the Commission launched an infringement procedure by sending a formal notice to Greece. On 15 July 2022, the Commission sent a reasoned opinion with a deadline of two months to reply. However, up to date not much progress has been recorded in the legislative procedure. It is not known whether or not the Commission will refer Greece to the Court of Justice of the European Union.
Amendment 466
Gilles Lebreton, Christine Anderson, Mathilde Androuët

Motion for a resolution
Paragraph 57

57. The possibilities for ex-post scrutiny are further weakened by the fact that Greece has still not fully implemented the EU Whistleblowers Directive113.

https://ec.europa.eu/commission/presscorner/detail/EN/inf_22_3768

113

Or. fr

Amendment 467
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 57

57. The possibilities for ex-post scrutiny are further weakened by the fact that Greece has only partially implemented the EU Whistleblowers Directive113.

https://ec.europa.eu/commission/presscorner/detail/EN/inf_22_3768

113

Or. en

Amendment 468
Saskia Bricmont, Hannah Neumann, Diana Ríba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution

AM\1271546EN.docx
Paragraph 57 a (new)

Motion for a resolution

Amendment

57 a. With the Act of Legislative Content, Mitsotakis aimed to strengthen transparency and accountability. Yet, the act does not revoke Amendment 826/145.

Or. en

Amendment 469
Sophia in 't Veld

Motion for a resolution
Paragraph 58

Motion for a resolution

Amendment

58. Greece ranks lowest of all EU countries in the World Press Freedom Index 2022: 108 out of 180114. In 2021, journalist Giorgos Karaivaz was murdered. The murder has still not been resolved. Journalists face intimidation and SLAPPs. Grigoris Dimitriadis115 launched Strategic Lawsuits against Public Participation (SLAPPS) against news outlets Reporters United and Efimerida ton Syntakton (EfSyn)116 after he was forced to resign. Government Minister Oikonomou sought to discredit a Politico reporter, Nektaria Stamouli, by implying that her articles about the spyware scandal were politically motivated117. Indeed two of the Predator victims, Koukakis and Malichoudis, had been reporting in a critical manner about corruption and fraud cases, and the ill treatment of migrants. Athanasios Telloglou and Eliza Triantafillou reported about the spyware scandal, and they were allegedly put under surveillance118. In addition, Greece’s Supreme Court Prosecutor Isidoros Dogiakos discredited media outlets that criticized the Greek judicial authorities for not handling the Greek wiretapping scandal as efficient as the Belgian authorities did with the.
Amendment 470
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 58

58. Greece ranks lowest of all EU countries in the World Press Freedom Index 2022: 108 out of 180\(^{114}\). In 2021, journalist Giorgos Karaivaz was murdered. The murder has still not been resolved. Journalists face intimidation and SLAPPs. Grigoris Dimitriadis\(^{115}\) launched Strategic Lawsuits against Public Participation (SLAPPS) against news outlets Reporters United and Efimerida ton Syntaktion (EfSyn)\(^{116}\) after he was forced to resign. Government Minister Oikonomou sought to discredit a Politico reporter, Nektaria Stamouli, by implying that her articles about the spyware scandal were politically motivated\(^{117}\). Indeed two of the \textbf{Predator} victims of

\(^{114}\) https://rsf.org/en/index

\(^{115}\) Tagesspiegel. Griechenlands Watergate: Ein Abhörskandal bringt Athens Regierung in Not.

\(^{116}\) EUobserver. Greece accused of undermining rule of law in wiretap scandal.


\(^{118}\) Heinrich-Böll-Stiftung. In conditions of absolute loneliness.

\(^{118a}\) Politico. Greek prosecutor slams unflattering comparisons to Belgium’s Qatargate probe.
victims, Koukakis and Malichoudis, had been reporting in a critical manner about corruption and fraud cases, and the ill treatment of migrants. Athanasios Telloglou and Eliza Triantafillou reported about the spyware scandal, and they were allegedly put under surveillance\textsuperscript{118}.

\textsuperscript{114} https://rsf.org/en/index
\textsuperscript{115} Tagesspiegel. Griechenlands Watergate: Ein Abhörskandal bringt Athens Regierung in Not.
\textsuperscript{116} EUobserver. Greece accused of undermining rule of law in wiretap scandal.
\textsuperscript{118} Heinrich-Böll-Stiftung. In conditions of absolute loneliness.

Amendment 471
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Subheading 50 a (new)

\textit{Motion for a resolution}

\textit{Amendment}

\textit{As stipulated in article 82 of Law 4622/2019, the National Transparency Authority (EAD) has the responsibility to strengthen the accountability, transparency and integrity of actions undertaken by government bodies, state bodies, administrative authorities and public organisations. In addition, the EAD ought to prevent, detect and address actions of fraud and corruption by public and private bodies. According to this law, the National Transparency Authority has taken over all responsibilities, rights and}
obligations from the following public bodies: The General Secretariat for the Fight against Corruption; the Body of Auditors-Inspectors of Public Administration; the Office of the Inspector General of Public Administration; the Body of Inspectors of Health and Welfare Services; the Body of Inspectors of Public Works; and the Body of Inspectors-Auditors of Transport. 118a

118a

Amendment 472
Sophia in 't Veld

Motion for a resolution
Paragraph 58 a (new)

Motion for a resolution

58 a. As stipulated in article 82 of Law 4622/2019, the National Transparency Authority (EAD) has the responsibility to strengthen the accountability, transparency and integrity of actions undertaken by government bodies, state bodies, administrative authorities and public organisations. In addition, the EAD ought to prevent, detect and address actions of fraud and corruption by public and private bodies. According to this law, the National Transparency Authority has taken over all responsibilities, rights and obligations from the following public bodies: The General Secretariat for the Fight against Corruption; the Body of Auditors-Inspectors of Public Administration; the Office of the Inspector General of Public Administration; the Body of Inspectors of Health and Welfare Services; the Body of Inspectors of Public Works; and the Body
Motion for a resolution

Paragraph 59 a (new)

59 a. According to Article 82 of Law 4622/2019, the National Transparency Authority (EAD) has the responsibility to strengthen the accountability, transparency and integrity of actions undertaken by government bodies, state bodies, administrative authorities and public organisations. In addition, EAD ought to prevent, detect and address actions of fraud and corruption by public and private bodies. The National Transparency Authority has taken over all responsibilities, rights and obligations from the following public bodies: The General Secretariat for the Fight against Corruption; the Body of Auditors-Inspectors of Public Administration; the Office of the Inspector General of Public Administration; the Body of Inspectors of Health and Welfare Services; the Body of Inspectors of Public Works; and the Body of Inspectors-Auditors of Transport.

Amendment 474
Sophia in 't Veld

Motion for a resolution
Paragraph 60

**Motion for a resolution**

60. The EAD report concluded that both the EYP and the Ministry of Citizen Protection had not concluded contracts with Intellexa and other related national companies. They also had not purchased or used the Predator spyware\textsuperscript{120}. However, the EAD did not investigate the bank accounts of Intellexa and Krikel, nor the affiliated offshore companies. In addition, the NTA only visited the offices of Intellexa and Krikel after 2 months, at which point employees were working home due to COVID. The EAD furthermore did not meet with legal representatives of the companies in question.\textsuperscript{121}.

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\textsuperscript{120} InsideStory. From Koukakis to Androulakis: A new twist in the Predator Spyware case.

\textsuperscript{121} InsideStory. From Koukakis to Androulakis: A new twist in the Predator Spyware case.

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**Amendment**

60. **In the end**, the EAD report concluded that both the EYP and the Ministry of Citizen Protection had not concluded contracts with Intellexa and other related national companies. They also had not purchased or used the Predator spyware\textsuperscript{120}. However, the EAD did not investigate the bank accounts of Intellexa and Krikel, nor the affiliated offshore companies. In addition, the EAD only visited the offices of Intellexa and Krikel after 2 months, at which point employees were working home due to COVID. The EAD furthermore did not meet with legal representatives of the companies in question.\textsuperscript{121}.

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\textsuperscript{120} InsideStory. From Koukakis to Androulakis: A new twist in the Predator Spyware case.

\textsuperscript{121} InsideStory. From Koukakis to Androulakis: A new twist in the Predator Spyware case.

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Amendment 475

Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

**Motion for a resolution**

**Paragraph 61**

**Motion for a resolution**

61. **There are question marks over the independence of the EAD leadership.** Recently EAD made headlines with suggestions of pro-government bias in drawing up a report on migrant pushbacks\textsuperscript{122}. The Director of EAD, a former employee of Mitsotakis, did not meet with PEGA during the mission in November 2022.

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**Amendment**

61. Recently EAD made headlines with suggestions of pro-government bias in drawing up a report on migrant pushbacks\textsuperscript{122}. The Director of EAD did not meet with PEGA during the mission in November 2022.
Amendment 476
Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Katarina Barley

Motion for a resolution
Paragraph 62

62. In July 2022, Nikos Androulakis confirmed that he had lodged a complaint with the Prosecutor’s Office of the Supreme Court that he was allegedly targeted with the Predator spyware on the 21st of September 2021. Following Androulakis’ complaint the ADAE launched an inquiry in August 2022, starting with obtaining information from Androulakis’ telecom operator. Since then ADAE has continued with investigations on illegal wiretappings. The government has attempted to replace the members of the ADAE’s Board of Directors in order to influence its decision-making process. On 10 January 2023, the Attorney General issued an opinion on the responsibilities of the ADAE at the request of a private telecommunications provider. The opinion, which contradicts previous opinions of the Attorney General and was disqualified by professors of constitutional law, seeks to restrict the ADAE and prevent it from conducting investigations.
Amendment 477
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 62 a (new)

Motion for a resolution

Amendment

62 a. Ordinarily, Predator does not leave traces of infection to telecommunications providers. However, ADAE found that the mobile phone of MEP Androulakis was monitored by EYP, and that its in-house prosecutor Vasiliki Vlachou had authorised the surveillance and the waiving of confidentiality in September 2021, in temporal coincidence with the alleged Predator attack. Kontoleon resigned from his position and it was stated that the Androulakis was placed under surveillance at the request of foreign authorities - more specifically the Intelligence agencies of Armenia and Ukraine - in light of his participation in the European Parliament committee on trade relations between the EU and China. Both Ukraine and Armenia have categorically rejected these claims.

Or. en

Amendment 478
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 62 a (new)

Motion for a resolution

Amendment

62 a. Normally the Predator spyware does not leave traces of infection at the telecommunications providers. However, the ADAE did find that the mobile phone of Androulakis was monitored by the EYP, and that its in-house prosecutor Vasiliki Vlachou had authorised the monitoring action and the lifting of
secrecy in September 2021, coinciding with the alleged Predator attack\textsuperscript{122a}.

\textsuperscript{122a} Kathimerini. Surveillance hypothesis: The data that triggered the developments; https://www.kathimerini.gr/politics/561988786/ypothesi-parakoloythiseon-tadedomena-poy-pyrodotisan-tis-exelixeis/

European Parliament. Greece’s Predatorsgate: The latest chapter in Europe’s spyware scandal?

Or. en

Amendment 479
Sophia in 't Veld

Motion for a resolution
Paragraph 62 a (new)

\textit{Motion for a resolution} \hfill \textit{Amendment}

62 a. The Predator spyware leaves few traces of infection at the telecommunications providers. However, the ADAE did find that the mobile phone of Androulakis was monitored by the EYP, and that its in-house prosecutor Vasiliki Vlachou had authorised the monitoring action and the lifting of secrecy in September 2021, coinciding with the alleged Predator attack\textsuperscript{1a}.

\textsuperscript{1a} Kathimerini. Surveillance hypothesis: The data that triggered the developments; European Parliament. Greece’s Predatorsgate: The latest chapter in Europe’s spyware scandal?

Or. en

Amendment 480
Motion for a resolution
Paragraph 62 a (new)

Motion for a resolution

62 a. The Hellenic Data Protection Authority (APDPX)

Following the complaint against Nikos Androulakis in July 2022, the APDPX started an investigation into the wiretapping scandal. The investigation confirmed that more than 20 telephone numbers in Greece had been tapped by the Predator spy software.

Or. en

Amendment 481
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 62 b (new)

Motion for a resolution

62 b. Personal Data Protection Authority (APDPH)
The Personal Data Protection Authority is investigating, among other things, the dispatch of decoy-messages to target devices in Greece for Predator entrapment. In January 2023, APDPH imposed a fine of 50,000 euros on Intlexa for not cooperating with the authorities during an inspection process. According to a January 2023 coverage by insidestory.gr⁹¹a, the Personal Data Protection Authority has detected 40 short mobile phone messages which have been sent to about 20 targeted phone numbers. Furthermore, two business executives have already discovered an infection of their mobile phones and have acquired a relevant scan certificate, but have decided not to disclose it thus far. This
development brings the number of people targeted by the software (either infected or not) above the 7 previously known, with at least another 13 cases yet to be revealed.


Or. en

Amendment 482
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 62 b (new)

Amendment

62 b. Following the findings of the ADAE inquiry Grigoris Dimitriadis and Panagiotis Kontoleon, resigned from their government positions122b. Kontoleon stated that the monitoring of Androulakis was set off at the request of foreign authorities - more specifically the Intelligence agencies of Armenia and Ukraine - in light of Androulakis’ partaking in the European Parliament committee on trade relations between the European Union and China122c. Both Ukraine and Armenia have repudiated these claims122d.

122b POLITICO. PM Mitsotakis feels the heat as two top Greek officials quit in spy scandal.
122c Kathimerini. Surveillance hypothesis: The data that triggered the developments.
122d European Parliament. Greece’s Predatorsgate: The latest chapter in Europe’s spyware scandal?
Amendment 483
Sophia in 't Veld

Motion for a resolution
Paragraph 62 b (new)

Amendment

62 b. Following the findings of the ADAE inquiry Grigoris Dimitriadis and Panagiotis Kountoleon, resigned from their government positions\textsuperscript{1a}. Kountoleon stated that the monitoring of Androulakis was set off at the request of foreign authorities - more specifically the Intelligence agencies of Armenia and Ukraine - in light of Androulakis’ partaking in the European Parliament committee on trade relations between the European Union and China\textsuperscript{1b}. Both Ukraine and Armenia have repudiated these claims\textsuperscript{1c}. 

\textsuperscript{1a} POLITICO. PM Mitsotakis feels the heat as two top Greek officials quit in spy scandal.

\textsuperscript{1b} Kathimerini. Surveillance hypothesis: The data that triggered the developments.

\textsuperscript{1c} European Parliament. Greece’s Predatorsgate: The latest chapter in Europe’s spyware scandal?

Or. en

Amendment 484
Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Katarina Barley

Motion for a resolution
Paragraph 62 b (new)
62 b. On 24 January 2023, the Spokesperson of the Government, in his attempt to discredit and derail the investigations conducted by the ADAE, attacked the ADAE and its president for doing their job\textsuperscript{122a}.


Or. en

Amendment 485
Sophia in 't Veld

Motion for a resolution
Paragraph 62 c (new)

\textit{Motion for a resolution} \hspace{1cm} \textbf{Amendment}

62 c. On 15 December 2022, the authority followed up on requests from journalists Tasos Telloglou and MEP Giorgos Kyrtsos on whether they were targeted by the EYP. An audit by the ADAE into the telecommunication’s company Cosmote found that both Telloglou and Kyrtsos were indeed under surveillance\textsuperscript{1a}. Cosmote informed the Supreme Court and questioned the legality of the ADAE’s investigation\textsuperscript{1b}. ADAE set up a special team to scrutinize the telecommunication providers, specifically looking for further requests made by the EYP for the lifting of confidentiality\textsuperscript{1c}.

\textsuperscript{1a} Euractiv. Exclusive: Another MEP and journalist the latest victims of ‘Greek
Watergate’.


1c Euractiv. Privacy watchdog to scrutinize telecoms companies over ‘Greek Watergate’.

Amendment 486
Sophia in 't Veld

Motion for a resolution
Paragraph 62 d (new)

Motion for a resolution

62 d. Greece's chief prosecutor Dogiakos officially issued an opinion on 10 January 2023, ruling that the ADAE cannot conduct investigations into the records of telecommunication providers to look into the lifting of the confidentiality of communications. According to a new law, criminal sanctions could apply once the ADAE starts such audits1a. This opinion clearly violates the independence of the ADAE1b.

1a Euractiv. Chief prosecutor puts Greece’s rule of law to the test.

1b http://www.adae.gr/nomothetiko-plaisio/leptomeres/article/bdilosi-toy-proedroy-tis-adae-christoy-rammoy-giatin-g/

Amendment 487
Sophia in 't Veld

Motion for a resolution
Paragraph 62 e (new)
Motion for a resolution

Amendment

62 e. Despite of this opinion on the 10th of January, the ADAE has confirmed that the EYP has also spied upon the head of the Greek armed forces Konstantinos Floros, a serving minister, several officers that deal with arm cases and a former national security advisor. Due to the current inability of the ADAE to inform the victims, the ADAE intended to present the findings to the parliament’s transparency committee and the parliament’s institutions\textsuperscript{1a}. Christos Rannmos sent a letter to the Parliament for this presentation, but the ND majority within the Committee on Institutions and Transparency denied his request. Given the seriousness of the findings, the refusal to allow ADAE to report to Parliament amounts to the obstruction of accountability and transparency\textsuperscript{1b}.

\begin{flushright}
\textsuperscript{1a} Politico. Brussels Playbook: Globalization’s sanatorium - Vestager rings alarm - S(upended & D(dumped) \\
\textsuperscript{1b} Newshbomb. SYRIZA: Maximos “circles” through ADAE - What he sees behind the “blockade” of ND in Rannmos.
\end{flushright}

\hspace{1cm} Or. en

Amendment 488
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 63 a (new)

Motion for a resolution

63 a. Although the meetings are in camera\textsuperscript{123a} neither Kontoleon nor Dimitriadis were willing to provide substantial evidence, invoking national secrecy reasons\textsuperscript{123b}. The new head of EYP
Demiris denied the committee access to a report containing information on the alleged destruction of surveillance data\textsuperscript{123c}. This effectively means that the EYP refuses accountability and the Parliament cannot carry out its mandate of parliamentary oversight.

\textsuperscript{123a} \textit{Ekathimerini}. Transparency committee to hold closed-door meeting on phone hacking allegation. https://www.ekathimerini.com/news/1190106/transparency-committee-to-hold-closed-door-meeting-on-phone-hacking-allegation/

\textsuperscript{123b} \textit{Tovima}. In combat positions for eavesdropping. https://www.tovima.gr/printed_post/setheseis-maxis-gia-tis-ypoklopes/

\textsuperscript{123c} \textit{Tovima}. In combat positions for eavesdropping. https://www.tovima.gr/printed_post/setheseis-maxis-gia-tis-ypoklopes/

Or. en

Amendment 489
Sophia in 't Veld

Motion for a resolution
Paragraph 63 a (new)

\textit{Motion for a resolution}

63 a. Although the meetings are in camera\textsuperscript{1a} neither Kontoleon nor Dimitriadis were willing to provide substantial evidence, invoking national secrecy reasons\textsuperscript{1b}. The new head of EYP Demiris denied the committee access to a report containing information on the alleged destruction of surveillance data\textsuperscript{1c}. This effectively means that the EYP refuses accountability and the Parliament cannot carry out its mandate of parliamentary oversight.

\textsuperscript{1a} The meetings are in camera.

\textsuperscript{1b} Neither Kontoleon nor Dimitriadis were willing to provide substantial evidence, invoking national secrecy reasons.

\textsuperscript{1c} Demiris denied the committee access to a report containing information on the alleged destruction of surveillance data.
1a *Ekathimerini.* Transparency committee to hold closed-door meeting on phone hacking allegation.

1b *Tovima.* In combat positions for eavesdropping.

1c *Tovima.* In combat positions for eavesdropping.

Amendment 490
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 63 b (new)

*Motion for a resolution*

63 b. On 30 August, the committee summoned nine people for a closed-door hearing, including public prosecutor Vasiliki Vlachou, former Secretary General Grigoris Dimitriadis and former head of EYP Kontoleon. All of them invoked confidentiality and avoided answering questions during this committee hearing.¹²³d


Amendment 491
Sophia in 't Veld

Motion for a resolution
Paragraph 63 b (new)
63 b. On 30 August, the committee summoned nine people for a closed-door hearing, including public prosecutor Vasiliki Vlachou, former Secretary General Grigoris Dimitriadis and former head of EYP Kontoleon. All of them invoked confidentiality and avoided answering questions during this committee hearing. 

Ieidiseis. SYRIZA-PASOK findings on wiretapping: Both scandal and cover-up.

Amendment 492
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 64

64. A proposal by the PASOK-KINAL party to set up a committee of inquiry into the alleged use of spyware was endorsed by 142 MPs of the opposition, while the 157 Nea Demokratia MPs abstained. However, ND had an absolute majority in the inquiry committee. The calls for a bipartisan Bureau were rejected. ND determined the work programme and list of witnesses to be invited, and rejected several of the witnesses proposed by the opposition parties. The committee was established on 29 August 2022. It began its work on 7 September 2022 and concluded its work on 10 October 2022. 

Although the meetings are held in camera, neither Kontoleon nor Dimitriadis were willing to provide substantial evidence, invoking national secrecy reasons. The new head of EYP Demiris refused the Committee access to a report containing information on the alleged destruction of surveillance
This effectively means that EYP denies accountability and the Parliament cannot carry out its mandate of parliamentary oversight. On 30 August 2022, the committee summoned nine individuals for a closed-door hearing, including public prosecutor Vasiliki Vlachou, former Secretary General Grigoris Dimitriadis and former head of EYP Kontoleon. All of them invoked confidentiality and avoided answering questions during the hearing.

124 Tovina. Interceptions: Committee of Inquiry to monitor Androulakis - Pasok’s proposal in detail.

125 Tovina. Parliament: The examination for the attendances from 2016 was passed - With 142 ‘yes’.

Amendment 493
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 66

Motion for a resolution

66. One witness, Sarah Hamou of Intelexa, claimed to be unable to appear in person (although she lives in Cyprus), and she was allowed to submit answers in writing. As common conclusions could not be reached, each party published its own report. Some 5 500 pages of documents, including the minutes and the deposition of Hamou have been classified, although it is entirely within the powers of Parliament to declassify them. Quite paradoxically, the inquiry committee thus serves to shield information, instead of providing access to it. The opposition proposed some other witnesses, such as Koukakis, Mitsotakis, Dimitriadis, Vlachou, Lavranos, and Bitzios, but the Committee eventually
refused to invite them. On 10 October 2022, the committee concluded its investigations and the political parties all submitted their final reports.

Amendment 494
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 66

Motion for a resolution
66. One witness, Sarah Hamou of Intelexa, claimed to be unable to appear in person (although she lives in Cyprus), and she was allowed to submit answers in writing. As common conclusions could not be reached, each party published its own report. Some 5 500 pages of documents, including the minutes and the deposition of Hamou have been classified, although it is entirely within the powers of Parliament to declassify them. Quite paradoxically, the inquiry committee thus serves to shield information, instead of providing access to it.

Amendment
66. One witness, Sarah Hamou of Intelexa, claimed to be unable to appear in person (although she lives in Cyprus), and she was allowed to submit answers in writing. As common conclusions could not be reached, each party published its own report. Some 5 500 pages of documents, including the minutes and the deposition of Hamou have been classified, although it is entirely within the powers of Parliament to declassify them.

Amendment 495
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 66 a (new)

Motion for a resolution
66 a. The opposition proposed some other witnesses, such as Koukakis, Mitsotakis, Dimitriadis, Vlachou, Lavranos, and Bitzios but the committee
eventually denied to invite them. On 10 October 2022, the committee finished its investigations and the different political parties all submitted their final reports.\textsuperscript{125a}

\textsuperscript{125a} Ieidiseis. SYRIZA-PASOK findings on wiretapping: Both scandal and cover-up: https://www.ieidiseis.gr/politiki/167144/ta-porismata-syriza-pasok-gia-tis-ypoklopes-kai-skandalo-kai-sygkalypsi

Or. en

Amendment 496
Sophia in 't Veld

Motion for a resolution
Paragraph 66 a (new)

\begin{itemize}
  \item Motion for a resolution
  \item 66 a. The opposition proposed some other witnesses, such as Koukakis, Mitsotakis, Dimitriadis, Vlachou, Lavranos, and Bitzios but the committee eventually denied to invite them. On 10 October 2022, the committee finished its investigations and the different political parties all submitted their final reports\textsuperscript{1a}.
\end{itemize}

\textsuperscript{1a} Ieidiseis. SYRIZA-PASOK findings on wiretapping: Both scandal and cover-up.

Or. en

Amendment 497
Sophia in 't Veld

Motion for a resolution
Subheading 53 a (new)

\begin{itemize}
  \item Motion for a resolution
  \item The Hellenic Data Protection Authority.
\end{itemize}
Amendment 498
Sophia in 't Veld

Motion for a resolution
Paragraph 66 b (new)

Motion for a resolution

66 b. The Hellenic Data Protection Authority (APDPX) has the role to supervise the application of the GDPR, other regulations and national laws concerning data protection of the individual in Greece\(^a\). The authority started an inquiry in July 2022 into the installation of spyware on mobile phones and the personal data collection and data processing that followed. The authority conducted an audit at the Intellexa office in Chalandri and at an Intellexa establishment in Elliniko. However, Intellexa failed to provide crucial information and answered the questionnaires with much delay, thus obstructing the audit of the authority\(^b\).

\(^a\) Hellenic Data Protection Authority.

\(^b\) Hellenic Data Protection Authority. Imposition of a fine on Intellexa S.A. for non-cooperation with the Authority.

Amendment 499
Sophia in 't Veld

Motion for a resolution
Paragraph 66 c (new)

Motion for a resolution

66 c. On 16 January 2023, the authority fined Intellexa S.A. for this obstruction
and their unwillingness to cooperate during the audit for 50,000 euros.  

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1a Hellenic Data Protection Authority. Imposition of a fine on Intellexa S.A. for non-cooperation with the Authority.

Or. en

Amendment 500
Sophia in 't Veld

Motion for a resolution
Paragraph 66 d (new)

Motion for a resolution

Amendment

66 d. The ongoing APDPX inquiry included checks of four Greek sms centers, where the authority has already found that 40 Predator bait SMS messages were sent to over 20 phone numbers. These findings therefore increase the number of known targets. 1a.

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1a InsideStory. Predator: More than 20 targets in Greece according to the Data Protection Authority.

Or. en

Amendment 501
Vladimír Bilčík, Elissavet Vozemberg-Vrionidi, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold

Motion for a resolution
Paragraph 67

Motion for a resolution

Amendment

67. At the time of writing, a list of 33 names of targets had been published. It is not possible to make the detailed analysis and no formal investigations have been
launched yet. *However, the analysis of the handful of cases known so far does provide a fairly clear image of the issues at hand.*

launched yet. Cases *presented by the media so far are summarized below.*

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**Amendment 502**

Dominik Tarczyński, Beata Kempa, Elżbieta Kruk

on behalf of the ECR Group

**Motion for a resolution**

**Paragraph 67**

*Motion for a resolution*

67. At the time of writing, a list of 33 names of targets had been published. It is not possible to make the detailed analysis and no formal investigations have been launched yet. However, the analysis of the handful of cases known so far does provide a fairly clear image of the issues at hand.

*Amendment*

67. At the time of writing, a list of 33 names of *likely* targets had been published. It is not possible to make the detailed analysis and no formal investigations have been launched yet. However, the analysis of the handful of cases known so far does provide a fairly clear image of the issues at hand.

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**Amendment 503**

Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

**Motion for a resolution**

**Paragraph 68**

*Motion for a resolution*

68. In the summer of 2020, journalist Thanasis Koukakis was wiretapped by the EYP. During that time, he was reporting on financial topics, including the Piraeus/Libra scandal, involving Felix Bitzios, and alleged tax evasion by Greek businessmen Yiannis Lavranos, and on controversial banking laws introduced by the Mitsotakis government impeding the prosecution of money laundering and other financial wrongdoing (indeed the

*Amendment*

68. In the summer of 2020, journalist Thanasis Koukakis was wiretapped by the EYP. During that time, he was reporting on financial topics, including the Piraeus/Libra scandal, involving Felix Bitzios, and alleged tax evasion by Greek businessmen Yiannis Lavranos, and on controversial banking laws introduced by the Mitsotakis government impeding the prosecution of money laundering and other financial wrongdoing (indeed the
retroactive effect led to twelve pending cases being dropped). Koukakis was also investigating the procurement for new ID cards, where Lavranos and Bitzios had a business interest. Around the time of Koukakis first appearance before PEGA, the tender was suddenly withdrawn and the responsible General Secretary resigned.

On July 29, 2022, EYP Director Panagiotis Kontoleon declared that the Agency had monitored Koukakis’ phone for reasons of ‘national security’.

Amendment 504
Dominik Tarczyński, Beata Kempa, Elżbieta Kruk
on behalf of the ECR Group

Motion for a resolution
Paragraph 68

68. In the summer of 2020, journalist Thanasis Koukakis was wiretapped by the EYP. During that time, he was reporting on financial topics, including the Piraeus/Libra scandal, involving Felix Bitzios, and alleged tax evasion by Greek businessmen Yiannis Lavranos, and on controversial banking laws introduced by the Mitsotakis government impeding the prosecution of money laundering and other financial wrongdoing (indeed the retroactive effect led to twelve pending cases being dropped). Koukakis was also investigating the procurement for new ID cards, where Lavranos and Bitzios had a business interest. Around the time of Koukakis first appearance before PEGA, the tender was suddenly withdrawn and the responsible General Secretary resigned.

68. In the summer of 2020, journalist Thanasis Koukakis was probably wiretapped by the EYP. During that time, he was reporting on financial topics, including the Piraeus/Libra scandal, involving Felix Bitzios, and alleged tax evasion by Greek businessmen Yiannis Lavranos, and on controversial banking laws introduced by the Mitsotakis government impeding the prosecution of money laundering and other financial wrongdoing (indeed the retroactive effect led to twelve pending cases being dropped). Koukakis was also investigating the procurement for new ID cards, where Lavranos and Bitzios had a business interest. Around the time of Koukakis first appearance before PEGA, the tender was suddenly withdrawn and the
responsible General Secretary resigned.

Inside Story. Who was tracking the mobile phone of journalist Thanasis Koukakis.

Amendment 505
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 68 a (new)

Motion for a resolution

Amendment

68 a. On June 1, 2020, EYP submitted a first request to waive the confidentiality of Koukakis’ telephone number for two months, i.e. until the 1st of August 2020. EYP submitted a request for an extension by an additional two months, i.e. until the 1st of October 2020. The Prosecutor of the Court of Appeals - Vasiliki Vlachou - approved all these requests on national security grounds. However, EYP suddenly requested the termination of Koukakis’ surveillance twelve days later, on August 12, 2020, i.e. a month and a half earlier than foreseen in the original request. That happened on the same day that Koukakis approached ADAE with the request to be informed about the possible monitoring of his two mobile phones and his landline.

Or. en

Amendment 506
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 68 a (new)
Motion for a resolution

Amendment

68 a. On 29 July 2022 EYP chief, Panagiotis Kontolean declared that the EYP had monitored Koukakis' phone in light of 'national security reasons'.

Or. en

Amendment 507
Sophia in 't Veld

Motion for a resolution
Paragraph 68 a (new)

Motion for a resolution

Amendment

68 a. On 29 July 2022 EYP chief, Panagiotis Kontolean declared that the EYP had monitored Koukakis' phone in light of 'national security reasons'.

Or. en

Amendment 508
Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier

Motion for a resolution
Paragraph 68 b (new)

Motion for a resolution

Amendment

68 b. On March 10, 2021, ADAE asked the EYP Prosecutor on the possibility to notify Koukakis about the surveillance of his mobile phone. On March 31, 2021, the Greek government passed Amendment 826/145, depriving ADAE of the authority to notify citizens on the de-privacy of communications with retroactive effect. ADAE President Christos Rammos and two other members of the Authority argued against this amendment, pointing out in OpEd that it violates the right to privacy and family life under the European Convention on Human Rights.
(ECHR) and the protection of confidentiality of communications under the Constitution.

Amendment 509
Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja

Motion for a resolution
Paragraph 68 b (new)

68 b. On 1 June 2020, the EYP submitted a first request to lift the confidentiality of the telephone number of Koukakis for two months, until 1 August 2020. EYP submitted a request for an extension by an additional two months¹²⁷a, i.e. until 1 October 2020. The Prosecutor of the Court of Appeals - Vasiliki Vlachou - has approved all these provisions under the invocation of national security.¹²⁷b

¹²⁷a Reporters United. Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis Koukakis: https://www.reportersunited.gr/8646/eyp-koukakis/

¹²⁷b Reporters United. Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis Koukakis: https://www.reportersunited.gr/8646/eyp-koukakis/ Inside Story. Who was watching journalist Thanasis Koukakis’ cell phone? https://insidestory.gr/article/poios-parakoloythoyse-kinito-toy-dimosiografy-thanasi-koykaki

Or. en
Amendment 510
Sophia in 't Veld

Motion for a resolution
Paragraph 68 b (new)

68 b. On 1 June 2020, the EYP submitted a first request to lift the confidentiality of the telephone number of Koukakis for two months, until 1 August 2020. EYP submitted a request for an extension by an additional two months\textsuperscript{1a}, i.e. until 1 October 2020. The Prosecutor of the Court of Appeals - Vasiliki Vlachou - has approved all these provisions under the invocation of national security\textsuperscript{1b}.

\textsuperscript{1a} Reporters United. Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis Koukakis.

\textsuperscript{1b} Reporters United. Enemy of the State: We prove that the Mitsotakis government was watching the journalist Thanasis Koukakis; Inside Story. Who was watching journalist Thanasis Koukakis’ cell phone?

Or. en