



**2022/2077(INI)**

30.1.2023

# **AMENDMENTS**

## **511 - 760**

**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 511**

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

**Motion for a resolution**

**Paragraph 68 c (new)**

*Motion for a resolution*

*Amendment*

**68 c. Between July 12, 2021 and September 14, 2021, Koukakis' mobile phone was infected with Predator. According to Koukakis, he received a text message with a link to a financial news webpage. On March 28, 2022, Citizen Lab officially confirmed the infection. Koukakis made several attempts to find redress for the surveillance incident. He filed two complaints with ADAE. The first one on April 6, 2022, where he requested a thorough inquiry into the Predator contamination of his mobile phone; the second on May 13, 2022, in light of the new revelations published by InsideStory and Reporters United. In addition, Koukakis filed a complaint with EAD on May 4, 2022, where he requested an investigation into the background of the interceptions by EYP and Predator.**

Or. en

**Amendment 512**

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

**Motion for a resolution**

**Paragraph 68 c (new)**

*Motion for a resolution*

*Amendment*

**68 c. However, twelve days later, on August 12, 2020, the EYP suddenly requested the termination of the lifting of the confidentiality of Koukakis' telephone number, i.e. a month and a half earlier than foreseen in the original request. That happened on the same day when**

*Koukakis approached ADAE with the request to be informed about the possible monitoring of his two mobile phones and a landline.*

Or. en

**Amendment 513**  
**Sophia in 't Veld**

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

*Motion for a resolution*

*Amendment*

*68 c. However, twelve days later, on August 12, 2020, the EYP suddenly requested the termination of the lifting of the confidentiality of Koukakis' telephone number, i.e. a month and a half earlier than foreseen in the original request. That happened on the same day when Koukakis approached ADAE with the request to be informed about the possible monitoring of his two mobile phones and a landline.*

Or. en

**Amendment 514**  
**Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier**

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

*Motion for a resolution*

*Amendment*

*68 d. The July 21, 2022, investigation by the EAD on the Athens premises of Intellexa, the vendor of Predator, was limited and superficial, despite the strong possibility that vital information on criminal hacking via Predator - could have been discovered. No servers, IT hardware or files were seized and secured. The financial audit was limited only to the*

*fiscal year 2020. Intellexa's Cyprus and Ireland subsidiaries were not investigated at all. Furthermore, the investigations did not include information on Intellexa's bank accounts and subsidiaries. Koukakis appealed to the European Court of Human Rights on July 27, 2022. On October 5, 2022, Koukakis filed a complaint with the prosecutor's bureau of Athens against Intellexa Alliance, and particularly Tal Dilian and Sara Hamou for violating the confidentiality of his communications.*

Or. en

#### **Amendment 515**

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

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

*Motion for a resolution*

*Amendment*

*68 d. On 10 March 2021, the ADAE reported to the Prosecutor of the EYP on the possibility of notifying Koukakis about the surveillance of his mobile phone. However, on 31 March, the Greek government submitted Amendment 826/145 depriving the ADAE of the ability to notify citizens of the lifting of the confidentiality of communications with retroactive effect<sup>127c</sup>. The president of ADAE Christos Rammos and two other members of the ADAE have argued against this amendment, pointing out in an OpEd that the amendment violates the right to respect for private and family life of the European Convention on Human Rights (ECHR) and the protection of confidentiality of communications as guaranteed in the Constitution<sup>127d</sup>.*

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*<sup>127c</sup> 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://www.reportersunited.gr/8646/eyp-koukakis/Inside%20Story.%20Who%20was%20watching%20journalist%20Thanasis%20Koukakis%27%20cell%20phone?)  
<https://insidestory.gr/article/poios-parakoloythoyse-kinito-toy-dimosiografoy-thanasi-koykaki>*

*127<sup>d</sup> Constitutionalism. Contradiction of article 87 of Law 4790/2021 with the guarantees of the ECHR for safeguarding the confidentiality of communications:  
<https://www.constitutionalism.gr/tag/%25CE%25B1%25CF%2581%25CF%2587%25CE%25AE-%25CE%25B4%25CE%25B9%25CE%25B1%25CF%2583%25CF%2586%25CE%25AC%25CE%25BB%25CE%25B9%25CF%2583%25CE%25B7%25CF%2582-%25CF%2584%25CE%25BF%25CF%2585-%25CE%25B1%25CF%2580%25CE%25BF%25CF%2581%25CF%2581%25CE%25AE%25CF%2584%25CE%25BF%25CF%2585-%25CF%2584%25CF%2589%25CE%25BD-%25CE%25B5%25CF%2580/>*

Or. en

**Amendment 516**  
**Sophia in 't Veld**

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

*Motion for a resolution*

*Amendment*

**68 d. On 10 March 2021, the ADAE reported to the Prosecutor of the EYP on the possibility of notifying Koukakis about the surveillance of his mobile phone. However, on 31 March, the Greek government submitted Amendment 826/145 depriving the ADAE of the ability to notify citizens of the lifting of the**

*confidentiality of communications with retroactive effect<sup>1a</sup>. The president of ADAE Christos Rammos and two other members of the ADAE have argued against this amendment, pointing out in an OpEd that the amendment violates the right to respect for private and family life of the European Convention on Human Rights (ECHR) and the protection of confidentiality of communications as guaranteed in the Constitution<sup>1b</sup>.*

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*<sup>1a</sup> 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?*

*<sup>1b</sup> Constitutionalism. Contradiction of article 87 of Law 4790/2021 with the guarantees of the ECHR for safeguarding the confidentiality of communications.*

Or. en

#### **Amendment 517**

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

#### **Motion for a resolution**

#### **Paragraph 68 e (new)**

*Motion for a resolution*

*Amendment*

*68 e. Between 12 July 2021 and 14 September 2021 the telephone of Koukakis was infected with Predator spyware<sup>127e</sup>. According to Koukakis, he received a text message with a link to a financial news webpage<sup>127f</sup>. On 28 March 2022, Citizen Lab officially revealed the infection<sup>127g</sup>.*

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*<sup>127e</sup> Inside Story. Who was watching journalist Thanasis Koukakis' cell phone? <https://insidestory.gr/article/poios->*

*parakoloythoyse-kinito-toy-dimosiografoy-thanasi-koykaki*

*<sup>127f</sup> European Parliament. Hearing September 8, 2022.*

*<sup>127g</sup> Inside Story. Who was watching journalist Thanasis Koukakis' cell phone? <https://insidestory.gr/article/poios-parakoloythoyse-kinito-toy-dimosiografoy-thanasi-koykaki>*

Or. en

**Amendment 518**  
**Sophia in 't Veld**

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

*Motion for a resolution*

*Amendment*

**68 e.** *Between 12 July 2021 and 14 September 2021 the telephone of Koukakis was infected with Predator spyware<sup>1a</sup>. According to Koukakis, he received a text message with a link to a financial news webpage<sup>1b</sup>. On 28 March 2022, Citizen Lab officially revealed the infection<sup>1c</sup>.*

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*<sup>1a</sup> Inside Story. Who was watching journalist Thanasis Koukakis' cell phone?*

*<sup>1b</sup> European Parliament. Hearing September 8, 2022.*

*<sup>1c</sup> Inside Story. Who was watching journalist Thanasis Koukakis' cell phone?*

Or. en

**Amendment 519**  
**Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja**



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

*Motion for a resolution*

*Amendment*

**68 f.** *Koukakis made several attempts to find redress for the surveillance attempts. He filed two complaints with the ADAE. The first one on 6 April 2022 where he requested a thorough inquiry into the Predator contamination of his mobile phone. The second one on 13 May 2022 in light of the new revelations as published by InsideStory and Reporters United. In addition, Koukakis filed a complaint with the EAD on 4 May 2022, where he requested an investigation into the background of the interceptions by the EYP and the Predator attack.*<sup>127h</sup>

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<sup>127h</sup> *Avgi. Thanasis Koukakis / Filed a lawsuit for the Predator – Who and why was watching him.*  
[https://www.avgi.gr/koinonia/417230\\_katethese-minysi-gia-predator-poiios-kai-giati-ton-parakoloythoyse](https://www.avgi.gr/koinonia/417230_katethese-minysi-gia-predator-poiios-kai-giati-ton-parakoloythoyse)

Or. en

**Amendment 520**  
**Sophia in 't Veld**

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

*Motion for a resolution*

*Amendment*

**68 f.** *Koukakis made several attempts to find redress for the surveillance attempts. He filed two complaints with the ADAE. The first one on 6 April 2022 where he requested a thorough inquiry into the Predator contamination of his mobile phone. The second one on 13 May 2022 in light of the new revelations as published by InsideStory and Reporters United. In*

*addition, Koukakis filed a complaint with the EAD on 4 May 2022, where he requested an investigation into the background of the interceptions by the EYP and the Predator attack<sup>1a</sup>.*

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*<sup>1a</sup> Avgi. Thanasis Koukakis / Filed a lawsuit for the Predator – Who and why was watching him.*

Or. en

**Amendment 521**

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

**Motion for a resolution**

**Paragraph 68 g (new)**

*Motion for a resolution*

*Amendment*

*68 g. The investigation by the National Transparency Authority (EAD) on 21 July 2022 into the Athens offices of Intellexa, the vendor of Predator spyware, was limited and superficial, despite the fact that vital information on the Predator attacks - a criminal offence - could have been found. No servers, IT hardware or administration were seized and secured. The verification of the financial administration was limited to the year 2020<sup>127i</sup>. The Cyprus and Ireland subsidiaries of Intellexa were not investigated at all<sup>127j</sup>. The investigations did not include information on the bank accounts of Intellexa and subsidiaries<sup>127k</sup>. Koukakis appealed to the European Court of Human Rights on 27 July 2022<sup>127l</sup>.*

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*<sup>127i</sup> InsideStory. From Koukakis to Androulakis: A new twist in the Predator spyware case  
<https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>*

<sup>127j</sup> *InsideStory. From Koukakis to Androulakis: A new twist in the Predator spyware case*

<https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

<sup>127k</sup> *InsideStory. From Koukakis to Androulakis: A new twist in the Predator spyware case*

<https://insidestory.gr/article/apo-koykaki-androylaki-nea-tropi-ypothesi-predator>

<sup>127l</sup> *BBC. Greece wiretap and spyware claims circle around PM Mitsotakis:*

<https://www.bbc.com/news/world-europe-62822366>

Or. en

**Amendment 522**  
**Sophia in 't Veld**

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

*Motion for a resolution*

*Amendment*

**68 g. The investigation by the National Transparency Authority (EAD) on 21 July 2022 into the Athens offices of Intellexa, the vendor of Predator spyware, was limited and superficial, despite the fact that vital information on the Predator attacks - a criminal offence - could have been found. No servers, IT hardware or administration were seized and secured. The verification of the financial administration was limited to the year 2020<sup>1a</sup>. The Cyprus and Ireland subsidiaries of Intellexa were not investigated at all<sup>1b</sup>. The investigations did not include information on the bank accounts of Intellexa and subsidiaries<sup>1c</sup>. Koukakis appealed to the European Court of Human Rights on 27 July 2022<sup>1d</sup>.**

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<sup>1a</sup> *InsideStory. From Koukakis to*

*Androulakis: A new twist in the Predator spyware case.*

*<sup>1b</sup> InsideStory. From Koukakis to Androulakis: A new twist in the Predator spyware case.*

*<sup>1c</sup> Inside Story. From Koukakis to Androulakis: A new twist in the predator spyware case.*

*<sup>1d</sup> BBC. Greece wiretap and spyware claims circle around PM Mitsotakis.*

Or. en

### **Amendment 523**

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

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

*Motion for a resolution*

*Amendment*

**68 h. On 5 October 2022, Koukakis filed a complaint with prosecutors in Athens against Intellexa Alliance, and particularly Tal Dilian and Sara Hamou<sup>127m</sup>, for violating the confidentiality of his communications.<sup>127n</sup>**

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*<sup>127m</sup> News 24 7. Wiretapping scandal: Lawsuit against Intellexa by Thanasis Koukakis.*

*<https://www.news247.gr/koinonia/skandal-o-ypoklopon-minysi-kata-tis-intellexa-apo-ton-thanasi-koykaki.9781771.html>*

*<sup>127n</sup> Heinrich Boll Stiftung. In conditions of absolute loneliness  
<https://gr.boell.org/el/2022/10/24/se-synthikes-apolytis-monaxias>*

Or. en

### **Amendment 524**

**Sophia in 't Veld**

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

*Motion for a resolution*

*Amendment*

**68 h. On 5 October 2022, Koukakis filed a complaint with prosecutors in Athens against Intellexa Alliance, and particularly Tal Dilian and Sara Hamou<sup>1a</sup>, for violating the confidentiality of his communications<sup>1b</sup>.**

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**<sup>1a</sup> News 24 7. Wiretapping scandal: Lawsuit against Intellexa by Thanasis Koukakis.**

**<sup>1b</sup> Heinrich Boll Stiftung. In conditions of absolute loneliness.**

Or. en

**Amendment 525**

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

**Motion for a resolution  
Paragraph 69**

*Motion for a resolution*

*Amendment*

69. On September 21, 2021 Nikos Androulakis, leader of the centre-left PASOK-KINAL and Member of European Parliament was targeted with the Predator spyware when a malicious link was sent to his telephone<sup>128</sup>. Androulakis received a text message stating 'Let's get a little serious, man, we've got a lot to gain'. In addition, the message included a link to install the Predator spyware on his phone but, unlike Koukakis, Androulakis did not click on the link that was sent to him<sup>129</sup>.

69. On September 21, 2021 Nikos Androulakis, leader of the centre-left PASOK-KINAL and Member of European Parliament was targeted with the Predator spyware when a malicious link was sent to his telephone<sup>128</sup>. Androulakis received a text message stating 'Let's get a little serious, man, we've got a lot to gain'. In addition, the message included a link to install the Predator spyware on his phone but, unlike Koukakis, Androulakis did not click on the link that was sent to him<sup>129</sup>. ***In September 2021, Androulakis announced his candidacy in the race for party leadership. According to ADAE's inquiry, during that time his mobile phone was under EYP surveillance via***

*telecommunications providers. EYP Prosecutor Vasiliki Vlachou approved the removal of confidentiality of Androulakis' telephone communications on "national security" grounds. The approval coincided with both the Predator targeting and Androulakis' candidacy. When MEP Androulakis was elected party leader in December 2021, the "official" EYP monitoring was abruptly terminated, despite the two-month authorisation for his surveillance not yet having expired.*

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<sup>128</sup> InsideStory. From Koukakis to Androulakis: A new twist in the Predator spyware case.

<sup>129</sup> Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.

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<sup>128</sup> InsideStory. From Koukakis to Androulakis: A new twist in the Predator spyware case.

<sup>129</sup> Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.

Or. en

## **Amendment 526**

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

### **Motion for a resolution Paragraph 69 a (new)**

*Motion for a resolution*

*Amendment*

**69 a. On June 28, 2022, EP's DG ITEC ran an analysis of MEP Androulakis' mobile phone and found evidence of the attempted Predator assault of September 2021, and informed Mr Androulakis accordingly. Androulakis filed a criminal report to the prosecutor of the Supreme Court on July 26, 2022. A few days later, on July 29, Androulakis presented the information about the Predator assault to ADAE. On the same day, the Permanent Committee on Institutions and Transparency heard EYP chief Panagiotis Kontoleon and ADAE President Christos Rammos, in the presence of the Ministers of Digital Governance and State. The**

*meeting took place behind closed doors.*

Or. en

**Amendment 527**

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

**Motion for a resolution  
Paragraph 69 a (new)**

*Motion for a resolution*

*Amendment*

**69 a.** *In September 2021, Androulakis’ announced his candidacy in the race for party leadership<sup>129a</sup>. According to the ADAE inquiry, the mobile phone of Androulakis was at that time monitored by the EYP through the telecommunications providers<sup>129b</sup>. EYP Prosecutor Vasiliki Vlachou approved the lifting of secrecy of Androulakis’ phone on “national security” grounds. The approval coincided with both the Predator targeting and Androulakis’ candidacy.*

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<sup>129a</sup> *Tovima. Androulakis lashes out at PM, ND spokesman says Pasok leader should say why his phone was tapped. <https://www.tovima.gr/2022/08/07/international/androulakis-lashes-out-at-pm-nd-spokesman-say-pasok-leader-should-say-why-his-phone-was-tapped/>*

<sup>129b</sup> *Kathimerini. Surveillance hypothesis: the data that triggered the developments. <https://www.kathimerini.gr/politics/561988786/ypothesi-parakoloythiseon-ta-dedomena-poy-pyrodotisan-tis-exelixeis/>*

Or. en

**Amendment 528**  
**Sophia in 't Veld**

**Motion for a resolution  
Paragraph 69 a (new)**

*Motion for a resolution*

*Amendment*

**69 a.** *In September 2021, Androulakis’ announced his candidacy in the race for party leadership<sup>1a</sup>. According to the ADAE inquiry, the mobile phone of Androulakis was at that time monitored by the EYP through the telecommunications providers<sup>1b</sup>. EYP Prosecutor Vasiliki Vlachou approved the lifting of secrecy of Androulakis’ phone on “national security” grounds. The approval coincided with both the Predator targeting and Androulakis’ candidacy.*

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<sup>1a</sup> *Tovima. Androulakis lashes out at PM, ND spokesman says Pasok leader should say why his phone was tapped.*

<sup>1b</sup> *Kathimerini. Surveillance hypothesis: the data that triggered the developments.*

Or. en

**Amendment 529**

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

**Motion for a resolution  
Paragraph 69 b (new)**

*Motion for a resolution*

*Amendment*

**69 b.** *On September 8, 2022, Androulakis asked ADAE to grant him access to his wiretapping files. However, on the same day the files of both Androulakis and Koukakis were destroyed by EYP. While the destruction is an unequivocal fact, the story behind it remains unclear. On one hand, some sources attribute the files destruction to the 2021 overhaul of EYP electronic systems in 2021, which allegedly caused a technical malfunction resulting in the file loss. On the other hand, other sources*



*claim that Kontoleon gave a destruction order on July 29, 2022, i.e. on the same day that Androulakis informed ADAE about the surveillance attempts. On August 5, Kontoleon and Dimitriadis resigned from their positions. On August 8, Mitsotakis appeared in the media and acknowledged Androulakis' wiretapping, but stated that he was unaware of it. So far, EYP has refused to disclose the reasons for Androulakis' surveillance. The agency has offered to privately inform Androulakis of the reasons, yet such a procedure is illegal. Androulakis requested for his surveillance files to be submitted to the Committee on Institutions and Transparency, but his petition was rejected.*

Or. en

**Amendment 530**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 69 b (new)**

*Motion for a resolution*

*Amendment*

**69 b.** *When Mr Androulakis was elected party leader in December 2021, the “official” EYP monitoring was terminated abruptly<sup>1a</sup>, despite the fact that the two-month authorisation for his surveillance had not yet expired.*

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<sup>1a</sup> *WSWS. Greece's secret service illegally tapped phone of leader of social democratic PASOK party.*

Or. en

**Amendment 531**  
**Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja**

**Motion for a resolution**  
**Paragraph 69 b (new)**

*Motion for a resolution*

*Amendment*

**69 b.** *When Mr Androulakis was elected party leader in December 2021, the “official” EYP monitoring was terminated abruptly, despite the fact that the two-month authorisation for his surveillance had not yet expired.*

Or. en

**Amendment 532**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 69 c (new)**

*Motion for a resolution*

*Amendment*

**69 c.** *On 28 June 2022, DG ITEC of the European Parliament checked Androulakis’ phone and found the evidence of the attempted Predator hack of September 2021, and informed Mr Androulakis accordingly<sup>1a</sup>. Androulakis filed a criminal report to the prosecutor’s office of the Supreme Court on 26 July 2022<sup>1b</sup>.*

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<sup>1a</sup> *Euractiv. EU Commission alarmed by new spyware case against Greek socialist leader.*

<sup>1b</sup> *News 247. Nikos Androulakis: Near-Victim of Predator Software - Filed a Lawsuit.*

Or. en

**Amendment 533**  
**Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja**

**Motion for a resolution**  
**Paragraph 69 c (new)**

*Motion for a resolution*

*Amendment*

**69 c.** *On 28 June 2022, DG ITEC of the European Parliament checked Androulakis' phone and found the evidence of the attempted Predator hack of September 2021, and informed Mr Androulakis accordingly. Androulakis filed a criminal report to the prosecutor's office of the Supreme Court on 26 July 2022.*

Or. en

**Amendment 534**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 69 d (new)**

*Motion for a resolution*

*Amendment*

**69 d.** *A few days later, on 29 July, Androulakis presented the information about the Predator attack to the ADAE. At the same day, the Permanent Committee on Institutions and Transparency heard EYP chief Panagiotis Kontoleon and Christos Rammos, President of the ADAE, in the presence of the Ministers of Digital Governance and State. The meeting took place behind closed doors<sup>1a</sup>.*

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<sup>1a</sup> *Avgi. Predator scandal / EYP dragged to Parliament over surveillance.*

Or. en

**Amendment 535**  
**Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja**

**Motion for a resolution**  
**Paragraph 69 d (new)**

*Motion for a resolution*

*Amendment*

**69 d.** *A few days later, on 29 July, Androulakis presented the information about the Predator attack to the ADAE. At the same day, the Permanent Committee on Institutions and Transparency heard EYP chief Panagiotis Kontoleon and Christos Rammos, President of the ADAE, in the presence of the Ministers of Digital Governance and State. The meeting took place behind closed doors.*

Or. en

**Amendment 536**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 69 e (new)**

*Motion for a resolution*

*Amendment*

**69 e.** *On 8 September 2022, Androulakis asked the ADAE to hand over his wiretapping files<sup>1a</sup>. However, on this same day, it becomes clear that the files of both Androulakis and Koukakis were destroyed by the EYP<sup>1b</sup>. The destruction is an unequivocal fact, but the story behind the destruction remains unclear. On the one hand, some sources blame the destruction of the files on the change in the electronic systems of the EYP in 2021<sup>1c</sup>. This change to the new legal assembly system allegedly caused a technical problem resulting in the destruction. On the other hand, other sources claim that Kontoleon gave the order on the 29 July 2022 to destroy these files on the same day that Androulakis informed the ADAE about the surveillance attempts<sup>1d</sup>.*

*<sup>1a</sup> Ekathimerini. Androulakis asks ADAE for his wiretapping file.*

*<sup>1b</sup> TaNea. The archive of the surveillance of Nikos Androulakis destroyed.*

*<sup>1c</sup> TVXS. G. Lavranos behind KRIKEL - How attempts were made to deceive the Parliament.*

*<sup>1d</sup> Ieidiseis. SYRIZA-PASOK findings on wiretapping: Both scandal and cover-up.*

Or. en

### **Amendment 537**

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

### **Motion for a resolution**

#### **Paragraph 69 e (new)**

*Motion for a resolution*

*Amendment*

***69 e. On 8 September 2022, Androulakis asked the ADAE to hand over his wiretapping files. However, on this same day, it becomes clear that the files of both Androulakis and Koukakis were destroyed by the EYP. The destruction is an unequivocal fact, but the story behind the destruction remains unclear. On the one hand, some sources blame the destruction of the files on the change in the electronic systems of the EYP in 2021. This change to the new legal assembly system allegedly caused a technical problem resulting in the destruction. On the other hand, other sources claim that Kontoleon gave the order on the 29 July 2022 to destroy these files on the same day that Androulakis informed the ADAE about the surveillance attempts.***

Or. en

### **Amendment 538**

**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 69 f (new)**

*Motion for a resolution*

*Amendment*

**69 f.** *On the 5th of August, Kontoleon and Dimitriadis resigned from their positions. On the 8th of August Mitsotakis made a television statement, acknowledging the wiretapping of Androulakis, but reiterating the fact that he was unaware of the surveillance<sup>1a</sup>.*

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<sup>1a</sup> *Reuters. Greek PM says he was unaware of phone tapping of opposition party leader.*

Or. en

**Amendment 539**

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

**Motion for a resolution**  
**Paragraph 69 f (new)**

*Motion for a resolution*

*Amendment*

**69 f.** *On the 5th of August, Kontoleon and Dimitriadis resigned from their positions. On the 8th of August Mitsotakis made a television statement, acknowledging the wiretapping of Androulakis, but reiterating the fact that he was unaware of the surveillance.*

Or. en

**Amendment 540**

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

**Motion for a resolution**  
**Paragraph 69 g (new)**

*Motion for a resolution*

*Amendment*

**69 g.** *EYP has so far declined to disclose the reasons for the surveillance. It has offered to inform Androulakis privately of the reasons. This would be unlawful. Androulakis requested for his surveillance file to be submitted to the Committee on Institutions and Transparency, but that was rejected.*

Or. en

**Amendment 541**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 69 g (new)**

*Motion for a resolution*

*Amendment*

**69 g.** *EYP has so far declined to disclose the reasons for the surveillance. It has offered to inform Androulakis privately of the reasons. This would be unlawful. Androulakis requested for his surveillance file to be submitted to the Committee on Institutions and Transparency, but that was rejected.*

Or. en

**Amendment 542**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 69 h (new)**

*Motion for a resolution*

*Amendment*

**69 h.** *On 7 December 2022, Androulakis lodged a complaint with the European Court of Human Rights over his wiretapping by the EYP and the lack of official information about his case. A*

***PASOK-KINAL statement informed that his right to effective remedy as stipulated in Article 13 of the European Convention on Human Rights was infringed<sup>1a</sup>.***

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***<sup>1a</sup> Ekathimerini. Socialist leader appeals to European Court over tapping.***

Or. en

### **Amendment 543**

**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 70**

##### *Motion for a resolution*

70. Surveillance of a politician is highly unusual, and the Greek Constitution foresees special protection of politicians. The EYP denies any involvement in the surveillance with Predator. The Government initially floated suggestions about foreign powers that supposedly requested the wiretapping of Androulakis, or they suggested that his membership of an EP committee in charge of relations with China might be the reason. None of these hypotheses were very credible. The surveillance occurred in a political context of upcoming elections. Polls predicted that Nέα Demokratía would lose its absolute majority. PASOK would be the preferred coalition partner. In autumn 2021, there were four candidates in the PASOK leadership contest, each with different views on such a coalition. Androulakis was said to be open to the idea, but not under the Premiership of Mitsotakis. ***Another candidate, Andreas Loverdos, had served earlier as a Minister in a Nέα Demokratía - PASOK coalition, and was thought to be more supportive. He was acquainted to Dimitriadis. Manolis Othonas, the right hand of another candidate, was also said***

##### *Amendment*

70. Surveillance of a politician is highly unusual, and the Greek Constitution foresees special protection of politicians. The EYP denies any involvement in the surveillance with Predator. The Government initially floated suggestions about foreign powers that supposedly requested the wiretapping of Androulakis, or they suggested that his membership of an EP committee in charge of relations with China might be the reason. None of these hypotheses were very credible. The surveillance occurred in a political context of upcoming elections. Polls predicted that Nέα Demokratía would lose its absolute majority. PASOK would be the preferred coalition partner. In autumn 2021, there were four candidates in the PASOK leadership contest, each with different views on such a coalition. Androulakis was said to be open to the idea, but not under the Premiership of Mitsotakis. The publication of the list of other alleged targets by Documento, reinforces the suspicion of political reasons for the surveillance. There is no proof for any of these hypotheses, but it is essential that these avenues are investigated and



*to be among those who had closer relations with Néa Demokratía and Dimitriadis.* The publication of the list of other alleged targets by Documento, reinforces the suspicion of political reasons for the surveillance. There is no proof for any of these hypotheses, but it is essential that these avenues are investigated and eliminated where possible.

eliminated where possible.

Or. en

#### **Amendment 544**

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

#### **Motion for a resolution**

#### **Paragraph 70**

##### *Motion for a resolution*

70. Surveillance of a politician is highly unusual, and the Greek Constitution foresees special protection of politicians. The EYP denies any involvement in the surveillance with Predator. The Government initially floated suggestions about foreign powers that supposedly requested the wiretapping of Androulakis, or they suggested that his membership of an EP committee in charge of relations with China might be the reason. None of these hypotheses were very credible. The surveillance occurred in a political context of upcoming elections. Polls predicted that Néa Demokratía would lose its absolute majority. PASOK would be the preferred coalition partner. In autumn 2021, there were four candidates in the PASOK leadership contest, each with different views on such a coalition. Androulakis was said to be open to the idea, but not under the Premiership of Mitsotakis. Another candidate, Andreas Loverdos, had served earlier as a Minister in a Néa Demokratía - PASOK coalition, and was thought to be more supportive. He was acquainted to Dimitriadis. Manolis Othonas, the right

##### *Amendment*

70. Surveillance of a politician is highly unusual, and the Greek Constitution foresees special protection of politicians. The EYP denies any involvement in the surveillance with Predator. The Government initially floated suggestions about foreign powers that supposedly requested the wiretapping of Androulakis, or they suggested that his membership of an EP committee in charge of relations with China might be the reason. None of these hypotheses were very credible. The surveillance occurred in a political context of upcoming elections. Polls predicted that Néa Demokratía would lose its absolute majority. PASOK would be the preferred coalition partner. In autumn 2021, there were four candidates in the PASOK leadership contest, each with different views on such a coalition. Androulakis was said to be open to the idea, but not under the Premiership of Mitsotakis. Another candidate, Andreas Loverdos, had served earlier as a Minister in a Néa Demokratía - PASOK coalition, and was thought to be more supportive. He was acquainted to Dimitriadis. Manolis Othonas, the right

hand of another candidate, was also said to be among those who had closer relations with Néa Demokratía and Dimitriadis. ***The publication of the list of other alleged targets by Documento, reinforces the suspicion of political reasons for the surveillance. There is no proof for any of these hypotheses, but*** it is essential that these avenues are investigated and eliminated where possible.

hand of another candidate, was also said to be among those who had closer relations with Néa Demokratía and Dimitriadis. It is essential that these avenues are investigated and eliminated where possible.

Or. en

**Amendment 545**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Subheading 56 a (new)**

*Motion for a resolution*

*Amendment*

***Giorgos Kyrtos***

Or. en

**Amendment 546**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 70 a (new)**

*Motion for a resolution*

*Amendment*

***70 a. On 15 December 2022, an ADAE audit into Cosmote telecommunications company confirmed that Member of European Parliament Giorgos Kyrtos was under surveillance by the EYP<sup>1a</sup>. Both his mobile phones and his landline were wiretapped. The surveillance was reportedly prolonged nine times<sup>1b</sup>.***

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***<sup>1a</sup> Euractiv. EXCLUSIVE: Another MEP and journalist the latest victims of ‘Greek Watergate’.***

***<sup>1b</sup> Politico. Greek prosecutor slams unflattering comparisons to Belgium's Qatargate probe.***

Or. en

**Amendment 547**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 70 b (new)**

*Motion for a resolution*

*Amendment*

***70 b. Giorgios Kyrtzos was a former member of Nea Demokratia and the European People's Party. In February 2022, ND expelled Kyrtzos from the Greek ruling party due to his disapproval of the government's action surrounding the Covid-19 pandemic, media freedom and the Novartis scandal<sup>1a</sup>. After his expulsion, Kyrtzos joined Renew Europe.***

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***<sup>1a</sup> Euractiv. Renew Europe welcomes first Greek MEP who left EPP.***

Or. en

**Amendment 548**  
**Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier**

**Motion for a resolution**  
**Paragraph 71 a (new)**

*Motion for a resolution*

*Amendment*

***71 a. On November 15, 2021, the government spokesperson Giannis Oikonomou indirectly confirmed the claims. He stated that EYP could wiretap individuals if there is a risk to national security from "internal or external threats". However, on November 24 and December 17, 2021, Minister of State***

***George Gerapetritis denied that journalists in Greece (including Malichoudis) had been placed under surveillance , but he did not deny the authenticity of EYP’s internal documents. During the PEGA hearing on Greece on September 8, 2022, Malichoudis stated that by wiretapping his phone, EYP could also collect information from colleagues and journalists that he was in contact with during that time. EYP could have listened in on conversations Malichoudis had with the International Organisation for Migration (IOM), whereby lies the dangers for others, the so-called ‘by-catches’ of wiretapping. In addition, during the hearing, Malichoudis provided evidence that EYP was interested in his work and sources, but claimed that the monitoring was not due to “national security” reasons.***

Or. en

**Amendment 549  
Sophia in 't Veld**

**Motion for a resolution  
Paragraph 71 a (new)**

*Motion for a resolution*

*Amendment*

***71 a. On 15 November 2021, government spokesperson Giannis Oikonomou indirectly confirmed the claims. He stated that the EYP could wiretap individuals if there is a risk to national security from “internal or external threats”<sup>1a</sup>. However, on 24 November and 17 December 2021, Minister of State George Gerapetritis denied any surveillance of journalists in Greece, including of Malouchidis, but he did not deny the authenticity of the EYP internal documents<sup>1b</sup>.***

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<sup>1a</sup> ***BalkanInsight. Greek Intelligence***

***Service Accused of ‘Alarming’  
Surveillance Activity.***

*1b*

***<https://wearesolomon.com/mag/accountability/solomons-reporter-stavros-malichudis-under-surveillance-for-national-security-reasons/>***

Or. en

**Amendment 550**

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

**Motion for a resolution**

**Paragraph 71 a (new)**

*Motion for a resolution*

*Amendment*

***71 a. On 15 November 2021, government spokesperson Giannis Oikonomou indirectly confirmed the claims. He stated that the EYP could wiretap individuals if there is a risk to national security from “internal or external threats”. However, on 24 November and 17 December 2021, Minister of State George Gerapetritis denied any surveillance of journalists in Greece, including of Malouchidis, but he did not deny the authenticity of the EYP internal documents.***

Or. en

**Amendment 551**

**Sophia in 't Veld**

**Motion for a resolution**

**Paragraph 71 b (new)**

*Motion for a resolution*

*Amendment*

***71 b. During the PEGA hearing on Greece on 8 September 2022, Malichoudis stated that through wiretapping his***

*phone, the EYP could also collect information from colleagues and journalists that he was in contact with during that time<sup>1a</sup>. The EYP could have allegedly listened in on conversations Malichoudis had with the International Organisation for Migration (IOM)<sup>1b</sup>, pointing out the dangers for others, the so-called ‘by-catch’, of wiretapping an individual. In addition, during the hearing Malichoudis showed evidence that the EYP was interested in his work and sources, but that the reason for the monitoring is covered by “national security”<sup>1c</sup>.*

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*<sup>1a</sup> European Parliament. Hearing September 8, 2022.*

*<sup>1b</sup> BalkanInsight. Greek Intelligence Service Accused of ‘Alarming’ Surveillance Activity.*

*<sup>1c</sup> European Parliament. Hearing September 8, 2022.*

Or. en

#### **Amendment 552**

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

#### **Motion for a resolution Paragraph 71 b (new)**

*Motion for a resolution*

*Amendment*

**71 b. During the PEGA hearing on Greece on 8 September 2022, Malichoudis stated that through wiretapping his phone, the EYP could also collect information from colleagues and journalists that he was in contact with during that time. The EYP could have allegedly listened in on conversations Malichoudis had with the International Organisation for Migration (IOM), pointing out the dangers for others, the**

*so-called ‘by-catch’, of wiretapping an individual. In addition, during the hearing Malichoudis showed evidence that the EYP was interested in his work and sources, but that the reason for the monitoring is covered by “national security.*

Or. en

### **Amendment 553**

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

#### **Motion for a resolution**

#### **Paragraph 72**

##### *Motion for a resolution*

72. On 15 November 2021, former Minister of Infrastructure and lawmaker for the Syriza party Christos Spirtzis was targeted with the Predator spyware on his mobile phone<sup>133</sup>.

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<sup>133</sup> Ekathimerini. Former SYRIZA minister says he was targeted by Predator.

##### *Amendment*

72. On 15 November 2021, former Minister of Infrastructure and lawmaker for the Syriza party Christos Spirtzis was targeted with the Predator spyware on his mobile phone<sup>133</sup>. ***MP Spirtzis had submitted critical parliamentary questions to the government on EYP’s surveillance powers on November 15, 2021. On that same day, he received a message similar to the one one sent to MEP Androulakis. On November 19, a second message was sent to MP Spirtzis, containing a link to an article of a well-established news outlet (Efimerida ton Syntakton). On September 9, 2022, Citizen Lab informed Christos Spirtzis of the attempted hacking, after which he lodged a complaint to the prosecutor of the Supreme Court. Spirtzis is a confidante of SYRIZA party leader and former prime minister Tsipras, and frequently at high-level meetings of the party leadership.***

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<sup>133</sup> Ekathimerini. Former SYRIZA minister says he was targeted by Predator.

Or. en

**Amendment 554**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 72**

*Motion for a resolution*

72. On 15 November 2021, former Minister of Infrastructure and lawmaker for the Syriza party Christos Spirtzis was targeted with the Predator spyware on his mobile phone<sup>133</sup>.

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<sup>133</sup> Ekathimerini. Former SYRIZA minister says he was targeted by Predator.

*Amendment*

72. On 15 November 2021, former Minister of Infrastructure and lawmaker for the Syriza party Christos Spirtzis was targeted with the Predator spyware on his mobile phone<sup>133</sup>. ***Spirtzis had submitted critical parliamentary questions to the government on the surveillance tasks of the EYP on 15 November 2021. That same day he received a similar message as the one Nikos Androulakis had received. On 19 November, a second message was sent to Christos Spirtzis containing a link to an article of Efimerida ton Syntakton<sup>133a</sup>. On 9 September 2022, Citizen Lab informed Christos Spirtzis of the attempted hacking, after which he lodged a complaint to the prosecutor of the Supreme Court<sup>133b</sup>. Spirtzis is a confidante of party leader Tsipras, and present during high-level meetings of the party leadership.***

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<sup>133</sup> Ekathimerini. Former SYRIZA minister says he was targeted by Predator.

<sup>133a</sup> ***Ekathimerini. Former SYRIZA minister says he was targeted by Predator.***

<sup>133b</sup> ***Reuters. One more Greek lawmaker files complaint over attempted phone hacking; Euractiv. Another Greek opposition lawmaker victim of Predator.***

Or. en

**Amendment 555**  
**Saskia Bricmont, Hannah Neumann, Diana Riba i Giner, Jordi Solé, Gwendoline Delbos-Corfield, Marcel Kolaja**

**Motion for a resolution**



## Paragraph 72

### *Motion for a resolution*

72. On 15 November 2021, former Minister of Infrastructure and lawmaker for the Syriza party Christos Spirtzis was targeted with the Predator spyware on his mobile phone<sup>133</sup>.

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<sup>133</sup> Ekathimerini. Former SYRIZA minister says he was targeted by Predator.

### *Amendment*

72. On 15 November 2021, former Minister of Infrastructure and lawmaker for the Syriza party Christos Spirtzis was targeted with the Predator spyware on his mobile phone<sup>133</sup>. ***Spirtzis had submitted critical parliamentary questions to the government on the surveillance tasks of the EYP on 15 November 2021. That same day he received a similar message as the one Nikos Androulakis had received. On 19 November, a second message was sent to Christos Spirtzis containing a link to an article of Efimerida ton Syntakton. On 9 September 2022, Citizen Lab informed Christos Spirtzis of the attempted hacking, after which he lodged a complaint to the prosecutor of the Supreme Court. Spirtzis is a confidante of party leader Tsipras, and present during high-level meetings of the party leadership.***

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<sup>133</sup> Ekathimerini. Former SYRIZA minister says he was targeted by Predator.

Or. en

## Amendment 556

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

### **Motion for a resolution** **Paragraph 72**

#### *Motion for a resolution*

72. On 15 November 2021, former Minister of Infrastructure and lawmaker for the Syriza party Christos Spirtzis was targeted with the Predator spyware on his mobile phone<sup>133</sup>.

#### *Amendment*

72. On 15 November 2021, former Minister of Infrastructure and lawmaker for the Syriza party Christos Spirtzis was ***allegedly*** targeted with the Predator spyware on his mobile phone<sup>133</sup>.

<sup>133</sup> Ekathimerini. Former SYRIZA minister says he was targeted by Predator.

<sup>133</sup> Ekathimerini. Former SYRIZA minister says he was targeted by Predator.

Or. en

### **Amendment 557**

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

#### **Motion for a resolution**

##### **Paragraph 73**

###### *Motion for a resolution*

73. Tasos Teloglou *and* Eliza Triantafylou have allegedly been spied upon during their investigative work for *the* Inside Story.

###### *Amendment*

73. *Besides* Tasos Teloglou, Eliza Triantafylou *and Thodoris Chondrogiannos* have allegedly been spied upon during their investigative work for Inside Story. *In an article for the Heinrich-Böll-Stiftung on October 24, 2022, Teloglou shared his shadowing and intimidation experiences whilst investigating the surveillance scandals in Greece. According to his narrative, he believes he was being monitored between May and August 2022. In addition, a source from the security services had informed him in June 2022 that both him and his colleagues Eliza Triantafyllou (InsideStory) and Thodoris Chondrogiannos (Reporters United) were monitored by the authorities, to discover which sources they were meeting with. The Greek government has not yet responded to the allegations.*

Or. en

### **Amendment 558**

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

#### **Motion for a resolution**

##### **Paragraph 73**

###### *Motion for a resolution*

###### *Amendment*

73. Tasos Telloglou *and* Eliza Triantafylou have allegedly been spied upon during their investigative work for the Inside Story.

73. Tasos Telloglou, Eliza Triantafylou *and Thodoris Chondrogiannos* have allegedly been spied upon during their investigative work for the Inside Story. *In an article for the Heinrich-Böll-Stiftung on 24 October 2022, Telloglou shared his surveillance and intimidation experiences whilst investigating the surveillance scandals in Greece. According to these experiences, he believes to have been monitored between May and August 2022.*

Or. en

**Amendment 559**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 73**

*Motion for a resolution*

73. Tasos Telloglou and Eliza Triantafylou have allegedly been spied upon during their investigative work for the Inside Story.

*Amendment*

73. Tasos Telloglou and Eliza Triantafylou have allegedly been spied upon during their investigative work for the Inside Story. *In an article for the Heinrich-Böll-Stiftung on 24 October 2022, Telloglou shared his surveillance and intimidation experiences whilst investigating the surveillance scandals in Greece. According to these experiences, he believes to have been monitored between May and August 2022<sup>1a</sup>.*

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*<sup>1a</sup> Heinrich-Böll-Stiftung. In conditions of absolute loneliness.*

Or. en

**Amendment 560**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 73 a (new)**

*Motion for a resolution*

*Amendment*

**73 a.** *In addition, a source from the security services had told Telloglou in June 2022 that the locations of him and his colleagues Eliza Triantafyllou (InsideStory) and Thodoris Chondrogiannos (Reporters United) were monitored by the authorities, to assess which sources they were meeting<sup>1a</sup>. At time of writing, the Greek government has not yet responded to the allegations.*

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<sup>1a</sup> *MapMF. Three Greek journalists allegedly surveilled and monitored in connection with spyware scandal investigations.*

Or. en

**Amendment 561**

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

**Motion for a resolution**

**Paragraph 73 a (new)**

*Motion for a resolution*

*Amendment*

**73 a.** *In addition, a source from the security services had told Telloglou in June 2022 that the locations of him and his colleagues Eliza Triantafyllou (InsideStory) and Thodoris Chondrogiannos (Reporters United) were monitored by the authorities, to assess which sources they were meeting. At time of writing, the Greek government has not yet responded to the allegations.*

Or. en

**Amendment 562**

**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 73 b (new)**

*Motion for a resolution*

*Amendment*

**73 b. On 15 December 2022, an ADAE audit into Cosmote telecommunications company confirmed that Telloglou was under surveillance by the EYP. Due to ‘national security’, the reasons for the surveillance were not revealed<sup>1a</sup>.**

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**<sup>1a</sup> Euractiv. EXCLUSIVE: Another MEP and journalist the latest victims of ‘Greek Watergate’.**

Or. en

**Amendment 563**

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

**Motion for a resolution**  
**Paragraph 75**

*Motion for a resolution*

*Amendment*

75. On 5 and 6 November 2022 Documento reported on a list containing 33 names of persons targeted with Predator spyware<sup>136</sup>. Among them many high profile politicians, including members of the current government, former Prime Minister Samaras, former EU Commissioner Avramopoulos, the editor in chief of a national government-friendly newspaper, and persons in the entourage of Vangelis Marinakis, ship-owner, media mogul and owner of football clubs Olympiakos and Nottingham Forest. The revelations of the list are highly disturbing not just because of the high profile names on it, but also because it suggests that the abuse of spyware is systematic, large-scale, and part of a political strategy.

75. On 5 and 6 November 2022 Documento reported on a list containing 33 names of persons targeted with Predator spyware<sup>136</sup>. Among them many high profile politicians, including members of the current government, former Prime Minister Samaras, former EU Commissioner Avramopoulos, the editor in chief of a national government-friendly newspaper, and persons in the entourage of Vangelis Marinakis, ship-owner, media mogul and owner of football clubs Olympiakos and Nottingham Forest. **And also Ministers Nikos Dendias, Niki Kerameos, Giorgos Gerapetritis, Aris Skertsos, Nikos Papathanasis, Giannis Oikonomou, Mihalis Chrysochoidis, Nikos Hardalias, Aristotelia Peloni, MPs Olga Gerovasili, Andreas Loverdos the then Head of Hellenic Police Michalis Karamalakis, The Chief of Armed Forces**

*Konstantinos Floros, the -then- head of Hellenic Army Haralambos Lalousis and officers of the Directorate of Equipment of the Armed Forces, the head of the Economic Prosecutor's Office Christos Bardakis, the Prosecutor of the EYP Eleni Vlachou and Deputy Chief Vassilis Grizis, Facebook's Cybersecurity Manager Artemis Seaford, a.o.* The revelations of the list are highly disturbing not just because of the high profile names on it, but also because it suggests that the abuse of spyware is systematic, large-scale, and part of a political strategy.

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<sup>136</sup> Documento, edition 6 November 2022.

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<sup>136</sup> Documento, edition 6 November 2022.

Or. en

#### **Amendment 564**

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

#### **Motion for a resolution**

##### **Paragraph 75**

###### *Motion for a resolution*

75. On 5 and 6 November 2022 Documento reported on a list containing 33 names of persons targeted with Predator spyware<sup>136</sup>. Among them many high profile politicians, including members of the current government, former Prime Minister Samaras, former EU Commissioner Avramopoulos, the editor in chief of a national government-friendly newspaper, and persons in the entourage of Vangelis Marinakis, ship-owner, media mogul and owner of football clubs Olympiakos and Nottingham Forest. ***The revelations of the list are highly disturbing not just because of the high profile names on it, but also because it suggests that the abuse of spyware is systematic, large-scale, and part of a political strategy.***

###### *Amendment*

75. On 5 and 6 November 2022 Documento reported on a list containing 33 names of persons targeted with Predator spyware<sup>136</sup>. Among them many high profile politicians, including members of the current government, former Prime Minister Samaras, former EU Commissioner Avramopoulos, the editor in chief of a national government-friendly newspaper, and persons in the entourage of Vangelis Marinakis, ship-owner, media mogul and owner of football clubs Olympiakos and Nottingham Forest.

Or. en

**Amendment 565**

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

**Motion for a resolution  
Paragraph 75 a (new)**

*Motion for a resolution*

*Amendment*

**75 a. In addition, the ADAE has investigated and confirmed, according to letters sent by its Chairman to the Prime Minister, the Speaker of Parliament, the Minister of Justice and all party leaders represented in Parliament, that a current Minister and senior officers of the Greek Defence Staff were wiretapped by the EYP.**

Or. en

**Amendment 566  
Sophia in 't Veld**

**Motion for a resolution  
Paragraph 75 a (new)**

*Motion for a resolution*

*Amendment*

**75 a. According to findings of the ADAE as reported in 2023, the EYP has also spied upon the head of the Greek armed forces Konstantinos Floros, a serving minister, several officers that dealt with arm cases and a former national security advisor<sup>1a</sup>.**

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**<sup>1a</sup> Politico. Brussels Playbook:  
Globalization's sanatorium - Vestager**

**Amendment 567**

**Sophia in 't Veld**

**Motion for a resolution**

**Paragraph 76**

*Motion for a resolution*

76. Cyprus is an important European export hub for the surveillance industry. On paper, there is a robust legal framework, including EU rules, but in practice, Cyprus is an attractive place for companies selling surveillance technologies. Recent scandals have damaged the reputation of the country though and a set of new legislative initiatives tightening the legal framework for exports and improving compliance is expected to be finalised in 2023.

*Amendment*

76. Cyprus is an important European export hub for the surveillance industry ***and serves as the foothold in the trade of Israeli spyware within the EU as well as the export of spyware to third countries.*** On paper, there is a robust legal framework, including EU rules, but in practice, Cyprus is an attractive place for companies selling surveillance technologies. Recent scandals have damaged the reputation of the country though and a set of new legislative initiatives tightening the legal framework for exports and improving compliance is expected to be finalised in 2023.

**Amendment 568**

**Gilles Lebreton, Christine Anderson, Mathilde Androuët**

**Motion for a resolution**

**Paragraph 76**

*Motion for a resolution*

76. Cyprus is an important European export hub for the surveillance industry. ***On paper, there is a robust legal framework, including EU rules, but in practice, Cyprus is an attractive place for companies selling surveillance technologies.*** Recent scandals have damaged the reputation of the country

*Amendment*

76. Cyprus is an important European export hub for the surveillance industry. ***The country has a robust legal framework in place stipulating in particular the protection of private communications, the processing of personal data and the individual's right to information.*** Recent scandals have damaged the reputation of



though and a set of new legislative initiatives tightening the legal framework for exports and improving compliance is expected to be finalised in 2023.

the country though and a set of new legislative initiatives tightening the legal framework for exports and improving compliance is expected to be finalised in 2023.

Or. fr

**Amendment 569**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 76 a (new)**

*Motion for a resolution*

*Amendment*

**76 a. In 2019 Cyprus was rocked by a scandal following an interview of Tal Dilian with Forbes, showing off his "Black Van" full of state of the art surveillance technology. In the investigations that followed, it emerged that he had received government authorisation for an experiment at the national airport, collecting personal data of passengers via the airport WiFi<sup>1a</sup>.**

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**<sup>1a</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.**

Or. en

**Amendment 570**  
**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 76 a (new)**

*Motion for a resolution*

*Amendment*

**76 a. In 2019 Cyprus was rocked by a scandal following an interview of Tal**

*Dilian with Forbes, showing off his "Black Van" full of state of the art surveillance technology. In the investigations that followed, it emerged that he had received government authorisation for an experiment at the national airport, collecting personal data of passengers via the airport WiFi.*

Or. en

**Amendment 571**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 76 b (new)**

*Motion for a resolution*

*Amendment*

*76 b. The investigation into Dilian's WiSpear van displayed further that Cyprus has become a fertile ground for the experimentation of surveillance equipment by the Cypriot based companies themselves. According to the main opposition party AKEL, over 9.5 million mobile devices were illegally tracked within Dilian's mass surveillance test programme, violating many individual data protection rights<sup>1a</sup>.*

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*<sup>1a</sup> Kathimerini. 9.5 million mobile phones tapped in Cyprus according to AKEL.*

Or. en

**Amendment 572**  
**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 76 b (new)**

*Motion for a resolution*

*Amendment*

**76 b.** *The investigation into Dilian's WiSpear van displayed further that Cyprus has become a fertile ground for the experimentation of surveillance equipment by the Cypriot based companies themselves. According to the main opposition party AKEL, over 9.5 million mobile devices were illegally tracked within Dilian's mass surveillance trial, violating many individual data protection rights.*

Or. en

**Amendment 573**

**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 76 c (new)**

*Motion for a resolution*

*Amendment*

**76 c.** *This incident may have political significance beyond the violation of the privacy of passengers. Given that Cyprus is situated on a cross-roads in many ways, there are several third countries that could potentially have an interest in having insight into the traveller movements through Larnaka airport: Turkey, Israel, Russia and the US, for example.*

Or. en

**Amendment 574**

**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 76 c (new)**

**76 c. This incident may have political significance beyond the violation of the privacy of passengers. Given that Cyprus is situated on a cross-roads in many ways, there are several third countries that could potentially have an interest in having insight into the traveller movements through Larnaka airport: Turkey, Israel, Russia and the US, for example.**

Or. en

**Amendment 575  
Sophia in 't Veld**

**Motion for a resolution  
Paragraph 76 d (new)**

**76 d. The court imposed a 76.000 euro fine on Dilian's company WiSpear, and the data protection authority issued a fine of 925,000 euro in light of GDPR violations<sup>1a</sup>. However, the Attorney General dropped the cases against all individuals. The reasons for the decision not to prosecute them are classified, as is the report of the special inquiry that had been commissioned by the (previous) Attorney General. There is a remarkable contrast between the assertion on the one hand that the episode with the Black Van touches upon matters of national interest and critical infrastructure, and on the other hand the apparent light touch sanctions for the perpetrators.**

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<sup>1a</sup> **CyprusMail. Israeli company that deployed 'spy van' fined €925,000 for data violations; Financial Mirror. Spy van company fined €76,000.**

Or. en

**Amendment 576**

**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 76 d (new)**

*Motion for a resolution*

*Amendment*

**76 d. The court imposed a 76.000 euro fine on Dilian's company WiSpear, and the data protection authority issued a fine of 925,000 euro in light of GDPR violations. However, the Attorney General dropped the cases against all individuals. The reasons for the decision not to prosecute them are classified, as is the report of the special inquiry that had been commissioned by the (previous) Attorney General. There is a remarkable contrast between the assertion on the one hand that the episode with the Black Van touches upon matters of national interest and critical infrastructure, and on the other hand the apparent light touch sanctions for the perpetrators.**

Or. en

**Amendment 577  
Sophia in 't Veld**

**Motion for a resolution  
Paragraph 76 e (new)**

*Motion for a resolution*

*Amendment*

**76 e. There are close connections between Cyprus and Greece when it comes to the topic of spyware. Tal Dilian's Intellexa is established in Greece and his spyware Predator has been used in the Greek hacking scandals. Both countries were also allegedly involved in the illegal export of Predator spyware to the**

*Sudanese Rapid Support Forces (RSF) militias<sup>1a</sup>.*

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*<sup>1a</sup> LightHouse Reports. Flight of the Predator.*

Or. en

**Amendment 578**

**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 76 e (new)**

*Motion for a resolution*

*Amendment*

*76 e. There are close connections between Cyprus and Greece when it comes to the topic of spyware. Tal Dilian's Intellexa is established in Greece and his spyware Predator has been used in the Greek hacking scandals.*

Or. en

**Amendment 579**

**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 76 f (new)**

*Motion for a resolution*

*Amendment*

*76 f. Besides the facilitation of a favourable export climate, the Cypriot government has allegedly used surveillance systems itself, although less is known about the victims compared to the other Member States, nor is it clear if spyware has been used or other surveillance methods, or both. Journalist*

***Makarios Drousiotis was reportedly monitored by the government since February 2018.***

Or. en

**Amendment 580**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 76 f (new)**

*Motion for a resolution*

*Amendment*

***76 f. Next to the export of spyware outside the EU, Cyprus also facilitates the trade of subsystems and spyware technology to Member States. UTX Technologies - registered in Cyprus and acquired by the Israeli technology giant Verint - has been spotted on invoices with German, French and Polish companies for the shipping of Gi2 technology and monitoring systems<sup>1a</sup>.***

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***<sup>1a</sup> Philenews. Cyprus is a pioneer in software exports (documents)***

Or. en

**Amendment 581**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 76 g (new)**

*Motion for a resolution*

*Amendment*

***76 g. Besides the facilitation of a favourable export climate, the Cypriot government has allegedly used surveillance systems itself, although it is not clear if spyware has been used or other surveillance methods, or both. Journalist Makarios Drousiotis was***

*reportedly monitored by the government since February 2018<sup>1a</sup>.*

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*<sup>1a</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 5. Published 2022.*

Or. en

## **Amendment 582**

**Gilles Lebreton, Christine Anderson, Mathilde Androuët**

### **Motion for a resolution**

#### **Paragraph 77**

*Motion for a resolution*

*Amendment*

**77. On paper, there is a legal framework in place stipulating the protection of private communications, the processing of personal data and the individual's right to information. However, in practice, once national security is invoked, there are no clear-cut rules stipulating the use of interception devices and the protection of constitutional rights of citizens.**

**deleted**

Or. fr

## **Amendment 583**

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

### **Motion for a resolution**

#### **Paragraph 78**

*Motion for a resolution*

*Amendment*

**78. Cyprus seems to have a very close collaboration with Israel in the area of surveillance technologies. Cyprus consulted with Israel and the US about the reform of its legal framework. Cyprus is a popular destination for many Israeli spyware companies.**

**deleted**



**Amendment 584**

**Lukas Mandl**

**Motion for a resolution**

**Paragraph 78**

*Motion for a resolution*

78. *Cyprus seems to have a very close collaboration with Israel in the area of surveillance technologies. Cyprus consulted with Israel and the US about the reform of its legal framework. Cyprus is a popular destination for many Israeli spyware companies.*

*Amendment*

78. *Notes that bilateral relations between two countries, in this case collaboration between Cyprus and Israel, does not give any indication or proof of the Israeli government's involvement in spyware companies.*

Or. en

**Amendment 585**

**Dominik Tarczyński, Beata Kempa, Elżbieta Kruk**

on behalf of the ECR Group

**Motion for a resolution**

**Paragraph 78**

*Motion for a resolution*

78. Cyprus *seems* to have a very close collaboration with Israel in the area of surveillance technologies. Cyprus consulted with Israel and the US about the reform of its legal framework. Cyprus is a popular destination for many Israeli spyware companies.

*Amendment*

78. Cyprus *is believed* to have a very close collaboration with Israel in the area of surveillance technologies. Cyprus consulted with Israel and the US about the reform of its legal framework. Cyprus is a popular destination for many Israeli spyware companies.

Or. en

**Amendment 586**

**Sophia in 't Veld**

**Motion for a resolution**

**Paragraph 78 a (new)**

**78 a. The Ministry of Energy, Commerce and Industry in the Strategic Items Export Licensing Section regulates the export of dual use items<sup>1a</sup>. In response to the PEGA questionnaire that was sent to all Member States, Cyprus stated that it monitors and assesses all export license applications for dual-use goods on a case-by-case basis, in full accordance with relevant sanctions regimes. These regimes are the European Union Global Human Rights Sanctions Regime, as well as the EU Regulation for the control of exports, brokering, technical assistance, transit, and transfer of dual-use items [Regulation (EU) 2021/821], guided by the criteria of the relevant Council Common Position (2008/944/CFSP)<sup>1b</sup>. Cyprus is the only EU member state that is not signatory to the Wassenaar Arrangement, due to a Turkish veto. However, the government declares it is adhering to the same standards.**

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<sup>1a</sup>

[http://www.meci.gov.cy/meci/trade/ts.nsf/ts08\\_en/ts08\\_en?OpenDocument](http://www.meci.gov.cy/meci/trade/ts.nsf/ts08_en/ts08_en?OpenDocument)

<sup>1b</sup> Reply to European Parliament questionnaire received from Cyprus.

Or. en

**Amendment 587**

**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 78 a (new)**

*Motion for a resolution*

*Amendment*

**78 a. The Ministry of Energy, Commerce and Industry in the Strategic Items Export Licensing Section regulates**

*the export of dual use items. In response to the PEGA questionnaire that was sent to all Member States, Cyprus stated that it monitors and assesses all export license applications for dual-use goods on a case-by-case basis, in full accordance with relevant sanctions regimes. These regimes are the European Union Global Human Rights Sanctions Regime, as well as the EU Regulation for the control of exports, brokering, technical assistance, transit, and transfer of dual-use items [Regulation (EU) 2021/821], guided by the criteria of the relevant Council Common Position (2008/944/CFSP). Cyprus is the only EU member state that is not signatory to the Wassenaar Arrangement, due to a Turkish veto. However, the government declares it is adhering to the same standards.*

Or. en

**Amendment 588**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 78 b (new)**

*Motion for a resolution*

*Amendment*

**78 b.** *The Ministry of Energy, Commerce and Industry can consult the so-called Advisory Committee when it comes to permitting an export license. This committee consists of representatives from the Ministry of Defence, Ministry of Justice and Public Order, Ministry of Foreign Affairs, the Customs and Excise Department amongst other departments<sup>1a</sup>. According to the Cypriot government, this committee is regularly consulted when export applications are examined. On several occasions, the export of dual-use goods to third countries has been rejected following a negative opinion of this committee<sup>1b</sup>. The Chamber of Commerce usually does not provide information on*

*the number of approved and rejected software-marketing licenses<sup>1c</sup>.*

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*<sup>1a</sup> Lelaw. Export Controls for dual-use products.*

*<sup>1b</sup> Reply to European Parliament questionnaire received from Cyprus.*

*<sup>1c</sup> Inside Story. Who signs the exports of spyware from Greece and Cyprus?*

Or. en

### **Amendment 589**

**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 78 b (new)**

*Motion for a resolution*

*Amendment*

*78 b. The Ministry of Energy, Commerce and Industry can consult the so-called Advisory Committee when it comes to permitting an export license. This committee consists of representatives from the Ministry of Defence, Ministry of Justice and Public Order, Ministry of Foreign Affairs, the Customs and Excise Department amongst other departments. According to the Cypriot government, this committee is regularly consulted when export applications are examined. On several occasions, the export of dual-use goods to third countries has been rejected following a negative opinion of this committee. The Chamber of Commerce usually does not provide information on the number of approved and rejected software-marketing licenses.*

Or. en

**Amendment 590**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 78 c (new)**

*Motion for a resolution*

*Amendment*

**78 c. During a meeting with the PEGA committee, Ministers Natasa Pilides and Kyriacos Kokkinos stated that there has been a sharp decline in the number of companies active in Cyprus. 32 companies are registered, but according to the Minister currently only 8-10 are active of which 3-4 produce spyware<sup>1a</sup>.**

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**<sup>1a</sup> Meeting with Ms Natasa Pilides, Minister for Energy, Commerce and Industry and Kyriacos Kokkinos, Deputy Minister for Research, Innovation and Digital Policy during PEGA mission on 02.11.2022**

Or. en

**Amendment 591**  
**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 78 c (new)**

*Motion for a resolution*

*Amendment*

**78 c. During a meeting with the PEGA committee, Ministers Natasa Pilides and Kyriacos Kokkinos stated that there has been a sharp decline in the number of companies active in Cyprus. 32 companies are registered, but according to the Minister currently only 8-10 are active of which 3-4 produce spyware.**

Or. en

**Amendment 592**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 79**

*Motion for a resolution*

79. ***Compared to its legal framework in place***, Cyprus is reportedly rather lenient in providing spyware companies with export licenses<sup>137</sup>. Companies use tricks to circumvent the rules. That is, the physical hardware of the product is sent to a recipient country without the software loaded on it<sup>138</sup>. After that, the activation software (also referred to as the ‘license key’) is sent separately by means of an usb-memory stick to the destination country<sup>139</sup>. Another way is to state that the product is exported for demonstration purposes only, although a detailed description of the product is added<sup>140</sup>.

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<sup>137</sup> InsideStory. Who signs the exports of spyware from Greece and Cyprus?

<sup>138</sup> InsideStory. Who signs the exports of spyware from Greece and Cyprus?

<sup>139</sup> Philenews. This is how interception patents are exported from Cyprus.

<sup>140</sup> Philenews. Export of monitoring software confirmed.

*Amendment*

79. ***In practice***, Cyprus is reportedly rather lenient in providing spyware companies with export licenses<sup>137</sup>. Companies use tricks to circumvent the rules. That is, the physical hardware of the product is sent to a recipient country without the software loaded on it<sup>138</sup>. After that, the activation software (also referred to as the ‘license key’) is sent separately by means of an usb-memory stick to the destination country<sup>139</sup>. Another way is to state that the product is exported for demonstration purposes only, although a detailed description of the product is added<sup>140</sup>.

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<sup>137</sup> InsideStory. Who signs the exports of spyware from Greece and Cyprus?

<sup>138</sup> InsideStory. Who signs the exports of spyware from Greece and Cyprus?

<sup>139</sup> Philenews. This is how interception patents are exported from Cyprus.

<sup>140</sup> Philenews. Export of monitoring software confirmed.

Or. en

**Amendment 593**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 79 a (new)**

*Motion for a resolution*

*Amendment*

**79 a. *Several Cypriot companies have***

*reportedly obtained export licenses for the sale of 'dual use items' to third countries. These companies are UTX Technologies, Coralco Tech, Prelysis and Passitora<sup>1a</sup>.*

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*<sup>1a</sup> Philenews. Cyprus is a pioneer in software exports (documents); Haaretz. Israeli Spy Tech Sold to Bangladesh, Despite Dismal Human Rights Record.*

Or. en

**Amendment 594**

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

**Motion for a resolution**

**Paragraph 79 a (new)**

*Motion for a resolution*

*Amendment*

*79 a. Unclear description of spyware in the export form linked to the export licence hindered appropriate custom checks. The separation of export of hardware and software further prevented proper control.*

Or. en

**Amendment 595**

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

**Motion for a resolution**

**Paragraph 79 b (new)**

*Motion for a resolution*

*Amendment*

*79 b. During the PEGA committee's mission to Cyprus on 1 and 2 November 2022, the participants to the mission had a meeting with the Ministry for Energy, Commerce and Industry. The government*

*representatives confirmed that less than 10 spyware companies were currently based in Cyprus, but also admitted to technical challenges in overseeing and controlling companies based in Cyprus selling individual components of spyware independently.*

Or. en

**Amendment 596**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 79 b (new)**

*Motion for a resolution*

*Amendment*

**79 b. UTX Technologies has been involved in the sale of spyware to Member States as well as to third countries. Between 2013 and 2014, UTX has been mentioned on invoices to German (Syborg Informationsysteme), French (COFREXPORT) and Polish (Verint) companies for the trade in monitoring systems and Gi2 technology<sup>1a</sup>.**

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<sup>1a</sup> *Philenews. Cyprus is a pioneer in software exports (documents)*

Or. en

**Amendment 597**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 79 c (new)**

*Motion for a resolution*

*Amendment*

**79 c. The Cypriot trade agency has provided temporary export licenses to Cognyte subsidiary UTX Technologies, for the sale of surveillance software to**



*Mexico, United Arab Emirates, Nigeria, Israel, Peru, Colombia, Brazil and South Korea<sup>1a</sup>. UTX Technologies reportedly also had a contract with Thailand for the sale of surveillance subsystems for 3 million dollars. The description of this subsystem made reference to a ‘dual-use’ type with ‘speech analysis algorithm’ and ‘metadata and voice’. The agreement also contained a specific reference to a Lithuanian company. As the Cypriot authorities would not issue the export license, the Ministry of Energy, Commerce and Industry could be circumvented through the Lithuanian registered UAB Communication Technologies<sup>1b</sup>. Russian-Israeli citizen Anatoly Hurgin owns this company and in addition holds a Maltese passport<sup>1c</sup>. In addition, UTX also secured an agreement with Bangladesh for a Web Intelligence System for 2 million dollars in 2019 and for a cellular tracking system for 500.000 dollar in 2021<sup>1d</sup>.*

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*<sup>1a</sup> Philenews. Cyprus is a pioneer in software exports (documents)*

*<sup>1b</sup> Philenews. Cyprus is a pioneer in software exports (documents)*

*<sup>1c</sup>*

*[https://rekvizitai.vz.lt/en/company/communication\\_technologies/anatoly\\_hurgin\\_dir\\_ektorius/](https://rekvizitai.vz.lt/en/company/communication_technologies/anatoly_hurgin_dir_ektorius/)*

*<sup>1d</sup> Haaretz. Israeli Spy Tech Sold to Bangladesh, Despite Dismal Human Rights Record.*

Or. en

## **Amendment 598**

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

**Motion for a resolution  
Paragraph 79 c (new)**

*Motion for a resolution*

*Amendment*

**79 c. *The PEGA committee observes that Cyprus is not a signatory of the Wassenaar agreement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies. It was stated that Turkey blocked Cypriot membership to this agreement during the PEGA committee mission.***

Or. en

**Amendment 599  
Sophia in 't Veld**

**Motion for a resolution  
Paragraph 79 d (new)**

*Motion for a resolution*

*Amendment*

**79 d. *Cyprus export history also shows that Coralco Tech - originally from Singapore but also registered in Israel and Nicosia - shipped monitoring equipment for 1.6 million dollars to the Bangladeshi military after a tender process in 2018. The owner of Coralco Tech is the Israeli Eyal Almog<sup>1a</sup>.***

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**<sup>1a</sup> *Haaretz. Israeli Spy Tech Sold to Bangladesh, Despite Dismal Human Rights Record.***

Or. en

**Amendment 600  
Sophia in 't Veld**

**Motion for a resolution  
Paragraph 79 e (new)**

*Motion for a resolution*

*Amendment*

**79 e. *In 2019, the internal intelligence***

*agency of Bangladesh (NSI) bought a Wi-Fi interception software from the Cypriot registered company Prelysis for a total of 3 million dollars. Kobi Naveh - the founder and director of Prelysis - used to work for the Israeli company Verint until 2014<sup>1a</sup>. Verint is also the company that acquired the in Cyprus registered UTX Technologies.*

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*<sup>1a</sup> Haaretz. Israeli Spy Tech Sold to Bangladesh, Despite Dismal Human Rights Record.*

Or. en

**Amendment 601**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 79 f (new)**

*Motion for a resolution*

*Amendment*

*79 f. In summer 2021, Bangladesh additionally bought a spy vehicle from Tal Dilian's firm Passitora (that used be to known as WiSpear). The Swiss company Toru Group Limited, as registered on the British Virgin Islands, served as an intermediary for the agreements made with Dilian's Passitora<sup>1a</sup>.*

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*<sup>1a</sup> Haaretz. Israeli Spy Tech Sold to Bangladesh, Despite Dismal Human Rights Record.*

Or. en

**Amendment 602**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 79 g (new)**

**79 g.** *These examples show there is a lot of activity of the surveillance industry on Cyprus, involving the same actors that emerge in the spyware scandal that is being investigated by PEGA.*

Or. en

**Amendment 603**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 80**

*Motion for a resolution*

80. Many Israeli companies come to Cyprus to start off their European activity<sup>141</sup>. Different sources reported furthermore that the country is home to approximately 29 Israeli companies<sup>142</sup>. The trade in spyware and diplomatic relations are closely connected. In return for the facilitation of licenses for Israeli companies, Cyprus has allegedly received some of the products these companies develop and export, like the Pegasus spyware from NSO<sup>143</sup> as well as spyware materials from WiSpear<sup>144</sup>.

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<sup>141</sup> Philenews. Revelations in Greece: Predator came from Cyprus.

<sup>142</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022

<sup>143</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.

*Amendment*

80. Many Israeli companies come to Cyprus to start off their European activity<sup>141</sup>. Different sources reported furthermore that the country is home to approximately 29 Israeli companies<sup>142</sup>. The trade in spyware and diplomatic relations are closely connected. In return for the facilitation of licenses for Israeli companies, Cyprus has allegedly received some of the products these companies develop and export, like the Pegasus spyware from NSO<sup>143</sup> as well as spyware materials from WiSpear<sup>144</sup>. ***In light of the activities described above, it becomes clear that Israel outsources their export of spyware to Cyprus. More particularly, Cyprus serves as the foothold in the trade of Israeli spyware within the EU's internal market as well as the export of spyware to third countries.***

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<sup>141</sup> Philenews. Revelations in Greece: Predator came from Cyprus.

<sup>142</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022

<sup>143</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.

<sup>144</sup> Inside Story. Predator: The ‘spy’ who came from Cyprus.

<sup>144</sup> Inside Story. Predator: The ‘spy’ who came from Cyprus.

Or. en

## **Amendment 604**

**Lukas Mandl**

### **Motion for a resolution**

#### **Paragraph 80**

##### *Motion for a resolution*

80. Many Israeli companies come to Cyprus to start off their European activity<sup>141</sup>. Different sources reported furthermore that the country is home to approximately 29 Israeli companies<sup>142</sup>. *The trade in spyware and diplomatic relations are closely connected. In return for the facilitation of licenses for Israeli companies, Cyprus has allegedly received some of the products these companies develop and export, like the Pegasus spyware from NSO<sup>143</sup> as well as spyware materials from WiSpear<sup>144</sup>.*

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<sup>141</sup> Philenews. Revelations in Greece: Predator came from Cyprus.

<sup>142</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022

<sup>143</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.

<sup>144</sup> Inside Story. Predator: The ‘spy’ who came from Cyprus.

##### *Amendment*

80. Many Israeli companies come to Cyprus to start off their European activity<sup>141</sup>. Different sources reported furthermore that the country is home to approximately 29 Israeli companies<sup>142</sup>. *However, these are private sector companies, which are not related to the Israeli government. Furthermore, allegations of non-verified sources represent political speculations.*

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<sup>141</sup> Philenews. Revelations in Greece: Predator came from Cyprus.

<sup>142</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022

Or. en

## **Amendment 605**

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

### **Motion for a resolution**

#### **Paragraph 80**

*Motion for a resolution*

80. Many Israeli companies come to Cyprus to start off their European activity<sup>141</sup>. Different sources reported furthermore that the country is home to approximately 29 Israeli companies<sup>142</sup>. The trade in spyware and diplomatic relations **are closely connected**. In return for the facilitation of licenses for Israeli companies, Cyprus has allegedly received some of the products these companies develop and export, like the Pegasus spyware from NSO<sup>143</sup> as well as spyware materials from WiSpear<sup>144</sup>.

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<sup>141</sup> Philenews. Revelations in Greece: Predator came from Cyprus.

<sup>142</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022

<sup>143</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.

<sup>144</sup> Inside Story. Predator: The ‘spy’ who came from Cyprus.

*Amendment*

80. Many Israeli companies come to Cyprus to start off their European activity<sup>141</sup>. Different sources reported furthermore that the country is home to approximately 29 Israeli companies<sup>142</sup>. **Some sources point to a connection between** the trade in spyware and diplomatic relations. In return for the facilitation of licenses for Israeli companies, Cyprus has allegedly received some of the products these companies develop and export, like the Pegasus spyware from NSO<sup>143</sup> as well as spyware materials from WiSpear<sup>144</sup>.

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<sup>141</sup> Philenews. Revelations in Greece: Predator came from Cyprus.

<sup>142</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022

<sup>143</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.

<sup>144</sup> Inside Story. Predator: The ‘spy’ who came from Cyprus.

Or. en

**Amendment 606**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 81**

*Motion for a resolution*

81. The law on the Protection of the Confidentiality of Private Communications 92(I)/1996 stipulates that the application **for authorisation to monitor** private communication **must be submitted to the Court**<sup>145</sup>.

*happens upon a written request by the Chief of Police, the Commander of the Cyprus Intelligence Service or an investigative judge. Provisions on the authorization or approval can however be overruled in cases where the interception of private communication is in the security interests of Cyprus, or to prevent, inquire or prosecute offences<sup>1a</sup>.*

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*<sup>1a</sup> CyLaw. The Protection of Privacy of Private Communications (Interception and Access to Recorded Private Communications Content) Law of 1996 (92(I)/1996)*

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*<sup>145</sup> CyLaw. The Protection of Privacy of Private Communications (Interception and Access to Recorded Private Communications Content) Law of 1996 (92(I)/1996)*

Or. en

#### **Amendment 607**

**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 81 a (new)**

*Motion for a resolution*

*Amendment*

*81 a. An application for the issuance of an authorisation or extension of the interception of private communication by an authorised person is submitted to the Court by the Attorney General. The Chief of Police, the commander of the Cyprus Intelligence Service (KYP) or an investigative judge can request for such authorisation from the Attorney General. Additionally, someone under or on behalf of the Attorney General of Cyprus cannot submit an application and no issuance of authorisation for the interception of private communication can be provided by*

*a judge. Yet, these provisions can be overruled in cases where the interception of private communication is in the security interests of Cyprus, or to prevent, inquire or prosecute offences.*

Or. en

**Amendment 608**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 81 a (new)**

*Motion for a resolution*

*Amendment*

*81 a. After the application, the Chief of Police - in agreement with the Deputy Chief of Police and the Commander of the Cyprus Intelligence Service - provides a written authorisation to employees of their service, or employees carrying out assignments for their service, to intercept private communication and/or get access to the monitoring equipment for the sake of technical work<sup>1a</sup>.*

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*<sup>1a</sup> CyLaw. The Protection of Privacy of Private Communications (Interception and Access to Recorded Private Communications Content) Law of 1996 (92(I)/1996)*

Or. en

**Amendment 609**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 81 b (new)**

*Motion for a resolution*

*Amendment*

*81 b. In addition, article 4(2) of Law 92(I)/1996 as amended in 2020<sup>1a</sup>,*



*stipulates that if a device or machine has been primarily designed, produced, adapted or manufactured in order to allow or facilitate the interception or monitoring of private communication, no person is allowed to import, manufacture, advertise, sell or otherwise distribute such devices or machines. Violation of this article can lead up to a fine of 50 000 euro and/or up to 5 years imprisonment<sup>1b</sup>. These provisions do not apply if the provider has informed the Central Intelligence Service (KYP), the Police and the Commissioner and secured their approval. These provisions do also not apply to the surveillance systems used by the Chief of the Police and the Commander of the KYP<sup>1c</sup>.*

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*<sup>1a</sup> CyLaw. E.U. Par. J(J) OF LAW 13(J)/2020*

*<sup>1b</sup> Reply to European Parliament questionnaire received from Cyprus.*

*<sup>1c</sup> Reply to European Parliament questionnaire received from Cyprus.*

Or. en

**Amendment 610**

**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 81 b (new)**

*Motion for a resolution*

*Amendment*

**81 b.** *After the application, the Chief of Police - in agreement with the Deputy Chief of Police and the Commander of the Cyprus Intelligence Service - provides a written authorisation to employees of their service, or employees carrying out assignments for their service, to intercept private communication and/or get access*

*to the monitoring equipment for the sake of technical work.*

Or. en

**Amendment 611**

**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 81 c (new)**

*Motion for a resolution*

*Amendment*

**81 c. In addition, article 4(2) of Law 92(I)/1996 as amended in 2020, stipulates that if a device or machine has been primarily designed, produced, adapted or manufactured in order to allow or facilitate the interception or monitoring of private communication, no person is allowed to import, manufacture, advertise, sell or otherwise distribute such devices or machines. Violation of this article can lead up to a fine of 50 000 euro and/or up to 5 years imprisonment. These provisions do not apply if the provider has informed the Central Intelligence Service (KYP), the Police and the Commissioner and secured their approval. These provisions do also not apply to the surveillance systems used by the Chief of the Police and the Commander of the KYP.**

Or. en

**Amendment 612**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 81 c (new)**

*Motion for a resolution*

*Amendment*

**81 c. In Cyprus, the Processing of**

*Personal Data (protection of individuals) law from 2001 outlines that if personal data is used or if an individual has been the subject of processing, the individual in question has the right to be informed<sup>1a</sup>. This right can be circumvented once the Commissioner for the Protection of Personal Data decides otherwise in light of national security reasons amongst others<sup>1b</sup>.*

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<sup>1a</sup> *CyLaw. The Processing of Personal Data (Protection of Individuals) Law of 2001 (138(I)/2001).*

<sup>1b</sup> *Franet EU. National intelligence authorities and surveillance in the EU: Fundamental rights safeguards and remedies. Legal update.*

Or. en

**Amendment 613**

**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 81 d (new)**

*Motion for a resolution*

*Amendment*

**81 d. In Cyprus, the Processing of Personal Data (protection of individuals) law from 2001 outlines that if personal data is used or if an individual has been the subject of processing, the individual in question has the right to be informed. This right can be circumvented once the Commissioner for the Protection of Personal Data decides otherwise in light of national security reasons amongst others.**

Or. en

*Motion for a resolution*

*Amendment*

**81 d. Moreover, the Protection of the Confidentiality of Private Communication Law as agreed on in 1996, spells out that in case of interception of private communications by law enforcement agencies, the Attorney General is obliged to inform the individual in question. Notifying the individual must occur within a maximum period of 90 days from the start of the issuance of the judicial warrant<sup>1a</sup>, or within a maximum period of 30 days as of the execution of this judicial warrant. The Attorney General must provide the individual in question with a report detailing the fact of the issuance of the court warrant, the date of the issuance of the court warrant and the fact that within this period, interception or access to private communications has occurred. This obligation can be delayed if the Attorney General decides that withholding this information is in the interest of the security of Cyprus, amongst others<sup>1b</sup>. The Court can also order for non-disclosure of the information in light of security interests of Cyprus<sup>1c</sup>.**

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<sup>1a</sup> **CyLaw. Protection of Privacy of Private Communications (Interception and Access to Recorded Private Communications Content) Law of 1996 (92(I)/1996).**

<sup>1b</sup> **Franet EU. National intelligence authorities and surveillance in the EU: Fundamental rights safeguards and remedies. Legal update.**

<sup>1c</sup> **CyLaw. The Protection of Privacy of Private Communications (Interception and Access to Recorded Private Communications Content) Law of 1996**

**Amendment 615**

**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 81 e (new)**

*Motion for a resolution*

*Amendment*

***81 e. Moreover, the Protection of the Confidentiality of Private Communication Law as agreed on in 1996, spells out that in case of interception of private communications by law enforcement agencies, the Attorney General is obliged to inform the individual in question. Notifying the individual must occur within a maximum period of 90 days from the start of the issuance of the judicial warrant, or within a maximum period of 30 days as of the execution of this judicial warrant. The Attorney General must provide the individual in question with a report detailing the fact of the issuance of the court warrant, the date of the issuance of the court warrant and the fact that within this period, interception or access to private communications has occurred. This obligation can be delayed if the Attorney General decides that withholding this information is in the interest of the security of Cyprus, amongst others. The Court can also order for non-disclosure of the information in light of security interests of Cyprus.***

**Amendment 616**

**Gilles Lebreton, Christine Anderson, Mathilde Androuët**

**Motion for a resolution**  
**Paragraph 82**

*Motion for a resolution*

82. ***On paper***, violating the protection of private communications is a de jure criminal ***offense***. ***De facto, this illegality is often hidden behind the invocation of national security***<sup>146</sup>. There is no ***legislature*** covering how the Police or other intelligence services use the interception devices, who regulates the procedures of interception and how the protection of ***constitutions*** rights of ***citizens*** is guaranteed. The relevant regulations and protocols are currently pending in the House of Representatives for discussion and approval. For the time being, these provisions remain unchecked<sup>147</sup>.

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<sup>146</sup> *Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022.*

<sup>147</sup> Philenews. Legal but uncontrolled interceptions.

*Amendment*

82. Violating the protection of private communications is a de jure criminal ***offence***. There is no ***legislation*** covering how the police or other intelligence services use the interception devices, who regulates the procedures of interception and how the protection of ***citizens'*** ***constitutional*** rights is guaranteed. The relevant regulations and protocols are currently pending in the House of Representatives for discussion and approval. For the time being, these provisions remain unchecked<sup>147</sup>.

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<sup>147</sup> Philenews. Legal but uncontrolled interceptions.

Or. fr

**Amendment 617**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 82**

*Motion for a resolution*

82. On paper, violating the protection of private communications is a de jure criminal offense. De facto, this illegality is often hidden behind the invocation of national security<sup>146</sup>. There is no ***legislature*** covering how the Police or other intelligence services use the interception devices, who regulates the procedures of interception and how the protection of constitutions rights of citizens is

*Amendment*

82. On paper, violating the protection of private communications is a de jure criminal offense. De facto, this illegality is often hidden behind the invocation of national security<sup>146</sup>. There is no ***legislation*** covering how the Police or other intelligence services use the interception devices, who regulates the procedures of interception and how the protection of constitutions rights of citizens is

guaranteed. The relevant regulations and protocols are currently pending in the House of Representatives for discussion and approval. For the time being, these provisions remain unchecked<sup>147</sup>.

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<sup>146</sup> Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022.

<sup>147</sup> Philenews. Legal but uncontrolled interceptions.

guaranteed. The relevant regulations and protocols are currently pending in the House of Representatives for discussion and approval. For the time being, these provisions remain unchecked<sup>147</sup>.

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<sup>146</sup> Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022.

<sup>147</sup> Philenews. Legal but uncontrolled interceptions.

Or. en

### **Amendment 618** **Sophia in 't Veld**

#### **Motion for a resolution** **Paragraph 82 a (new)**

*Motion for a resolution*

*Amendment*

***82 a. The legality of the actions of the Cyprus Intelligence service are evaluated by a three-member committee as outlined in the Cyprus Intelligence Service Law 74(I)/2016. The tripartite committee is appointed by the Council of ministers, following a recommendation by the President of the Republic<sup>1a</sup>.***

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***<sup>1a</sup> Reply to European Parliament questionnaire received from Cyprus.***

Or. en

### **Amendment 619**

**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 82 a (new)**

*Motion for a resolution*

*Amendment*

**82 a.** *The legality of the actions of the Cyprus Intelligence service are evaluated by a three-member committee as outlined in the Cyprus Intelligence Service Law 74(I)/2016. The tripartite committee is appointed by the Council of ministers, following a recommendation by the President of the Republic.*

Or. en

**Amendment 620**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 82 b (new)**

*Motion for a resolution*

*Amendment*

**82 b.** *The law of 92(I)/1996 was amended in 2020 and strengthened the oversight framework of the Republic, in particular the provisions concerning the tripartite committee. In the remit of its mandate, the committee can initiate ex officio inquiries and can start investigations into the facilities, technical equipment and archived material from the KYP. As introduced by the Article 17A(1) of Law 92(I)/1996 as amended by Law 13(I)/2020, the committee can also start inquiries into the Police' facilities, technical equipment and archived material. In light of such investigations, the committee can appeal to the Attorney-General, the Commissioner for Personal Data Protection, or the Commissioner of Electronic Communications and Postal Regulation for further action. The Committee also provides the President of the Republic with an annual report, in which it outlines the activities, formulates observations and recommendations and identifies omissions<sup>1a</sup>.*



**Amendment 621**

**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 82 b (new)**

*Motion for a resolution*

*Amendment*

**82 b. *The law of 92(I)/1996 was amended in 2020 and strengthened the oversight framework of the Republic, in particular the provisions concerning the tripartite committee. In the remit of its mandate, the committee can initiate ex officio inquiries and can start investigations into the facilities, technical equipment and archived material from the KYP. As introduced by the Article 17A(1) of Law 92(I)/1996 as amended by Law 13(I)/2020, the committee can also start inquiries into the Police' facilities, technical equipment and archived material. In light of such investigations, the committee can appeal to the Attorney-General, the Commissioner for Personal Data Protection, or the Commissioner of Electronic Communications and Postal Regulation for further action. The Committee also provides the President of the Republic with an annual report, in which it outlines the activities, formulates observations and recommendations and identifies omissions.***

**Amendment 622**

**Motion for a resolution**  
**Paragraph 83**

*Motion for a resolution*

83. The President of Cyprus has a significant say in the formation of the committee that is capable of starting critical inquiries in the actions of the KYP. In addition, the annual reports with the committee's findings are first sent out to the President<sup>148</sup>.

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<sup>148</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

*Amendment*

83. The President of Cyprus has a significant say in the formation of the committee that is capable of starting critical inquiries in the actions of the KYP. In addition, the annual reports with the committee's findings are first sent out to the President<sup>148</sup>. ***The President of Cyprus is responsible for the appointment of the Attorney General and the Deputy Attorney General, and also has the most significant influence in the formation of the Commission that is able to initiate investigations into the actions of the Cyprus Police. The Council of Ministers, upon the recommendation of the President of the Republic, appoints the Director of the Cyprus Intelligence Services.***

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<sup>148</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

Or. en

**Amendment 623**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 83**

*Motion for a resolution*

83. The President of Cyprus has a significant say in the formation of the committee that is capable of starting critical inquiries in the actions of the KYP. In addition, the annual reports with the committee's findings are first sent out to the President<sup>148</sup>.

*composition of the committee, its work and the scrutiny it performs*<sup>148a</sup>.

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<sup>148</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

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<sup>148</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

*<sup>148a</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.*

Or. en

#### **Amendment 624**

**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 83**

###### *Motion for a resolution*

83. The President of Cyprus has a significant say in the formation of the committee that is capable of starting critical inquiries in the actions of the KYP. In addition, the annual reports with the committee's findings are first sent out to the President<sup>148</sup>.

###### *Amendment*

83. The President of Cyprus has a significant say in the formation of the committee that is capable of starting critical inquiries in the actions of the KYP. In addition, the annual reports with the committee's findings are first sent out to the President<sup>148</sup>. *At the time of writing, there is no information on the exact composition of the committee, its work and the scrutiny it performs.*

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<sup>148</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

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<sup>148</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

Or. en

#### **Amendment 625**

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

#### **Motion for a resolution**

##### **Paragraph 85**

###### *Motion for a resolution*

###### *Amendment*

85. In Cyprus, Dilian got closely associated with Abraham Sahak Avni. Avni has formerly been involved in the Israeli Police Special Forces as special detective<sup>152</sup>. In November 2015, he acquired Cypriot citizenship and a golden passport because of a 2.9 million euro investment in real estate<sup>153</sup>. Avni founded the Cypriot NCIS Intelligence Services Ltd<sup>154</sup>, a company that was reportedly involved with the most powerful technology-oriented companies in the world<sup>155</sup>. NCIS Intelligence and Security Services provided security software to the Police Headquarters between 2014 and 2015 and instructed employees of the Office of Crime Analysis and Statistics between 2015 and 2016<sup>156</sup>. Government Party DISY (Dimokratikós Sinagermós) is also part of the company's clientele. Reportedly, Avni had installed security equipment in the party's offices<sup>157</sup>. Next to Avni's security equipment, Dilian's materials were also sold to the Cyprus Drug Enforcement Agency and the Cypriot Police<sup>158</sup>.

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<sup>152</sup> ShahakAvni. About Shahak Avni.

<sup>153</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>154</sup> Philenews. FILE: The state insulted Avni and Dilian.

<sup>155</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>156</sup> Philenews. FILE: The state insulted

85. In Cyprus, Dilian got closely associated with Abraham Sahak Avni. Avni has formerly been involved in the Israeli Police Special Forces as special detective<sup>152</sup>. In November 2015, he acquired Cypriot citizenship and a golden passport because of a 2.9 million euro investment in real estate<sup>153</sup>. Avni founded the Cypriot NCIS Intelligence Services Ltd<sup>154</sup>, a company that was reportedly involved with the most powerful technology-oriented companies in the world<sup>155</sup>. NCIS Intelligence and Security Services provided security software to the Police Headquarters between 2014 and 2015 and instructed employees of the Office of Crime Analysis and Statistics between 2015 and 2016<sup>156</sup>. Government Party DISY (Dimokratikós Sinagermós) is also part of the company's clientele. Reportedly, Avni had installed security equipment in the party's offices<sup>157</sup>. Next to Avni's security equipment, Dilian's materials were also sold to the Cyprus Drug Enforcement Agency and the Cypriot Police<sup>158</sup>. ***According to the media reports and statements made by the DISY President, WiSpear sent an email to the governing party [DISY] asking for help and mediation with the Ministry of Commerce to export WS WiSpear products, as part of an offer launched by a Dutch intelligence service and won by their company.***<sup>151a</sup>

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<sup>151a</sup>

***<https://oparatiritis.com.cy/2022/10/04/e-mail-wispear-disy-netherlands/>***

<sup>152</sup> ShahakAvni. About Shahak Avni.

<sup>153</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>154</sup> Philenews. FILE: The state insulted Avni and Dilian.

<sup>155</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>156</sup> Philenews. FILE: The state insulted

Avni and Dilian.

<sup>157</sup> Tovima. The unknown “bridge” between Greece and Cyprus for the eavesdropping system.

<sup>158</sup> Inside Story. Predator: The “spy” who came from Cyprus.

Avni and Dilian.

<sup>157</sup> Tovima. The unknown “bridge” between Greece and Cyprus for the eavesdropping system.

<sup>158</sup> Inside Story. Predator: The “spy” who came from Cyprus.

Or. en

## Amendment 626

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

### Motion for a resolution

#### Paragraph 85

##### *Motion for a resolution*

85. In Cyprus, Dilian got closely associated with Abraham Sahak Avni. Avni has formerly been involved in the Israeli Police Special Forces as special detective<sup>152</sup>. In November 2015, he acquired Cypriot citizenship and a golden passport because of a 2.9 million euro investment in real estate<sup>153</sup>. Avni founded the Cypriot NCIS Intelligence Services Ltd<sup>154</sup>, a company that was reportedly involved with the most powerful technology-oriented companies in the world<sup>155</sup>. NCIS Intelligence and Security Services provided security software to the Police Headquarters between 2014 and 2015 and instructed employees of the Office of Crime Analysis and Statistics between 2015 and 2016<sup>156</sup>. Government Party DISY (Dimokratikós Sinagermós) is also part of the company’s clientele. Reportedly, Avni had installed security equipment in the party’s offices<sup>157</sup>. Next to Avni’s security equipment, Dilian’s materials were also sold to the Cyprus Drug Enforcement Agency and the Cypriot Police<sup>158</sup>.

##### *Amendment*

85. In Cyprus, Dilian got closely associated with Abraham Sahak Avni. Avni has formerly been involved in the Israeli Police Special Forces as special detective<sup>152</sup>. In November 2015, he acquired Cypriot citizenship and a golden passport because of a 2.9 million euro investment in real estate<sup>153</sup>. Avni founded the Cypriot NCIS Intelligence Services Ltd<sup>154</sup>, a company that was reportedly involved with the most powerful technology-oriented companies in the world<sup>155</sup>. NCIS Intelligence and Security Services provided security software to the Police Headquarters between 2014 and 2015 and instructed employees of the Office of Crime Analysis and Statistics between 2015 and 2016<sup>156</sup>. ***There were closer ties between Avni and the President of DISY, Averof Neofytou as evidenced by a specific email sent by the President of DISY promoting Avni's products in the Netherlands to the secret service.*** Government Party DISY (Dimokratikós Sinagermós) is also part of the company’s clientele. Reportedly, Avni had installed security equipment in the party’s offices<sup>157</sup>. Next to Avni’s security equipment, Dilian’s materials were also sold to the

Cyprus Drug Enforcement Agency and the Cypriot Police<sup>158</sup> .

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<sup>152</sup> ShahakAvni. About Shahak Avni.

<sup>153</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>154</sup> Philenews. FILE: The state insulted Avni and Dilian.

<sup>155</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>156</sup> Philenews. FILE: The state insulted Avni and Dilian.

<sup>157</sup> Tovima. The unknown “bridge” between Greece and Cyprus for the eavesdropping system.

<sup>158</sup> Inside Story. Predator: The “spy” who came from Cyprus.

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<sup>152</sup> ShahakAvni. About Shahak Avni.

<sup>153</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>154</sup> Philenews. FILE: The state insulted Avni and Dilian.

<sup>155</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>156</sup> Philenews. FILE: The state insulted Avni and Dilian.

<sup>157</sup> Tovima. The unknown “bridge” between Greece and Cyprus for the eavesdropping system.

<sup>158</sup> Inside Story. Predator: The “spy” who came from Cyprus.

Or. en

## **Amendment 627 Sophia in 't Veld**

### **Motion for a resolution Paragraph 85**

#### *Motion for a resolution*

85. In Cyprus, Dilian got closely associated with Abraham Sahak Avni. Avni has formerly been involved in the Israeli Police Special Forces as special detective<sup>152</sup> . In November 2015, he acquired Cypriot citizenship and a golden passport because of a 2.9 million euro investment in real estate<sup>153</sup> . Avni founded the Cypriot NCIS Intelligence Services Ltd<sup>154</sup> , a company that was reportedly involved with the most powerful technology-oriented companies in the world<sup>155</sup> . NCIS Intelligence and Security Services provided security software to the Police Headquarters between 2014 and 2015 and instructed employees of the

#### *Amendment*

85. In Cyprus, Dilian got closely associated with Abraham Sahak Avni. Avni has formerly been involved in the Israeli Police Special Forces as special detective<sup>152</sup> . In November 2015, he acquired Cypriot citizenship and a golden passport because of a 2.9 million euro investment in real estate<sup>153</sup> . Avni founded the Cypriot NCIS Intelligence Services Ltd<sup>154</sup> , a company that was reportedly involved with the most powerful technology-oriented companies in the world<sup>155</sup> . NCIS Intelligence and Security Services provided security software to the Police Headquarters between 2014 and 2015 and instructed employees of the

Office of Crime Analysis and Statistics between 2015 and 2016<sup>156</sup>. Government Party DISY (Dimokratikós Sinagermós) is also part of the company's clientele. Reportedly, Avni had installed security equipment in the party's offices<sup>157</sup>. Next to Avni's security equipment, Dilian's materials were also sold to the Cyprus Drug Enforcement Agency and the Cypriot Police<sup>158</sup>.

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<sup>152</sup> ShahakAvni. About Shahak Avni.

<sup>153</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>154</sup> Philenews. ***FILE: The state insulted Avni and Dilian.***

<sup>155</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>156</sup> Philenews. ***FILE: The state insulted Avni and Dilian.***

<sup>157</sup> Tovima. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

<sup>158</sup> Inside Story. Predator: The "spy" who came from Cyprus.

Office of Crime Analysis and Statistics between 2015 and 2016<sup>156</sup>. Government Party DISY (Dimokratikós Sinagermós) is also part of the company's clientele. Reportedly, Avni had installed security equipment in the party's offices<sup>157</sup>. Next to Avni's security equipment, Dilian's materials were also sold to the Cyprus Drug Enforcement Agency and the Cypriot Police<sup>158</sup>.

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<sup>152</sup> ShahakAvni. About Shahak Avni.

<sup>153</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>154</sup> Philenews. ***ΦΑΚΕΛΟΣ: Η Πολιτεία υπέθαλπε Άβνι και Ντίλιαν***

<sup>155</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>156</sup> Philenews. ***ΦΑΚΕΛΟΣ: Η Πολιτεία υπέθαλπε Άβνι και Ντίλιαν***

<sup>157</sup> Tovima. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

<sup>158</sup> Inside Story. Predator: The "spy" who came from Cyprus.

Or. en

## **Amendment 628 Sophia in 't Veld**

### **Motion for a resolution Paragraph 85 a (new)**

*Motion for a resolution*

*Amendment*

***85 a. At one point, the Headquarters Crime Investigation Department of the Police found violations of the confidentiality of private communications related to Avni's company. The police however decided to close the case<sup>1a</sup>.***

**Amendment 629**

**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 85 a (new)**

*Motion for a resolution*

*Amendment*

**85 a. *At one point, the Headquarters Crime Investigation Department of the Police found violations of the confidentiality of private communications related to Avni's company. The police however decided to close the case.***

**Amendment 630  
Sophia in 't Veld**

**Motion for a resolution  
Paragraph 87 a (new)**

*Motion for a resolution*

*Amendment*

**87 a. *On 5 August 2019, Dilian gave an interview to Forbes magazine about his black WiSpear van, showing off the different spyware capabilities that his alliance offers. This 9 million euro worth van was capable of hacking devices within a range of 500 meters<sup>1a</sup>. The public attention generated by the Forbes interview<sup>1b</sup> led to an investigation by the Cypriot authorities. Lawyer Elias Stefanou was appointed as independent criminal investigator for this investigation. During this inquiry, the authorities discovered another one of***



*Dilian's undertakings that included Larnaca International Airport<sup>1c</sup>.*

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*<sup>1a</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.*

*<sup>1b</sup> Forbes. A Multimillionaire Surveillance Dealer Steps Out Of The Shadows ... And His \$9 Million Whatsapp Hacking Van.*

*<sup>1c</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.*

Or. en

**Amendment 631**

**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 87 a (new)**

*Motion for a resolution*

*Amendment*

**87 a. On 5 August 2019, Dilian gave an interview to Forbes magazine about his black WiSpear van, showing off the different spyware capabilities that his alliance offers. This 9 million euro worth van was capable of hacking devices within a range of 500 meters. The public attention generated by the Forbes interview led to an investigation by the Cypriot authorities. Lawyer Elias Stefanou was appointed as independent criminal investigator for this investigation. During this inquiry, the authorities discovered another one of Dilian's undertakings that included Larnaca International Airport.**

Or. en

**Amendment 632**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 87 b (new)**

*Motion for a resolution*

*Amendment*

**87 b.** *On June 16 2019, Tal Dilian reportedly entered into a non-contractual arrangement with Hermes Airports to use his WiSpear equipment for the alleged purpose of enhancing the Wi-Fi signal for passengers at Larnaca International Airport, whereafter three WiFi antennas were installed<sup>1a</sup>. Although not registered in Cyprus, Israeli company Go Networks was also involved in the negotiations leading up to the arrangement<sup>1b</sup>. The true reason for the agreement was however to test WiSpear's interception technology. The intercepted data of passengers was saved in the airport server room, close in proximity to the WiSpear office in Larnaca as shared with Avni<sup>1c</sup>. During the period of time when the antennas were operable, intercepted data was retrieved from 9.507.429 mobile devices<sup>1d</sup>.*

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<sup>1a</sup> *Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.*

<sup>1b</sup> *Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.*

<sup>1c</sup> *Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.*

<sup>1d</sup> *Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.*

Or. en

**Amendment 633**  
**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 87 b (new)**

*Motion for a resolution*

*Amendment*

**87 b. On June 16 2019, Tal Dilian reportedly entered into a non-contractual arrangement with Hermes Airports to use his WiSpear equipment for the alleged purpose of enhancing the Wi-Fi signal for passengers at Larnaca International Airport, whereafter three WiFi antennas were installed. Although not registered in Cyprus, Israeli company Go Networks was also involved in the negotiations leading up to the arrangement. The true reason for the agreement was however to test WiSpear's interception technology. The intercepted data of passengers was saved in the airport server room, close in proximity to the WiSpear office in Larnaca as shared with Avni. During the period of time when the antennas were operable, intercepted data was retrieved from 9.507.429 mobile devices.**

Or. en

**Amendment 634**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 88**

*Motion for a resolution*

*Amendment*

88. Following the complaints against Dilian, it became clear that the Israeli Go Networks was reportedly associated with Intellexa by way of shared corporate ownership in Ireland. Former senior representatives were allegedly provided with top **functions** at Intellexa<sup>164</sup>. In addition, the police investigations found that export licenses had been granted to WiSpear for 'Interception equipment designed for the extraction of voice or data, transmitted over the air interface'<sup>165 166</sup>.

88. Following the complaints against Dilian, it became clear that the Israeli Go Networks was reportedly associated with Intellexa by way of shared corporate ownership in Ireland. Former senior representatives **of Israeli Go Networks** were allegedly provided with top **positions** at Intellexa<sup>164</sup>. In addition, the police investigations found that export licenses had been granted to WiSpear for 'Interception equipment designed for the extraction of voice or data, transmitted

over the air interface'<sup>165 166</sup> . ***Recall that, as mentioned above, Dilian's companies, as stated by the Chamber of Commerce, have not received any export licenses in the last two years. At time of writing, it remains unclear who authorised these export licenses***<sup>166a</sup>.

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<sup>164</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.

<sup>165</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.

<sup>166</sup> Philenews. Export of tracking software from Cyprus.

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<sup>164</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.

<sup>165</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.

<sup>166</sup> Philenews. Export of tracking software from Cyprus.

<sup>166a</sup> ***Inside Story. Who signs the exports of spyware from Greece and Cyprus?***

Or. en

## **Amendment 635**

**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 88**

#### *Motion for a resolution*

88. Following the complaints against Dilian, it became clear that the Israeli Go Networks was reportedly associated with Intellexa by way of shared corporate ownership in Ireland. Former senior representatives were allegedly provided with top functions at Intellexa<sup>164</sup> . In addition, the police investigations found that export licenses had been granted to WiSpear for 'Interception equipment designed for the extraction of voice or data, transmitted over the air interface'<sup>165 166</sup> .

#### *Amendment*

88. Following the complaints against Dilian, it became clear that the Israeli Go Networks was reportedly associated with Intellexa by way of shared corporate ownership in Ireland. Former senior representatives were allegedly provided with top functions at Intellexa<sup>164</sup> . In addition, the police investigations found that export licenses had been granted to WiSpear for 'Interception equipment designed for the extraction of voice or data, transmitted over the air interface'<sup>165 166</sup> . ***Recall that, as mentioned above, Dilian's companies, as stated by the Chamber of Commerce, have not received any export licenses in the last two years. At time of***

*writing, it remains unclear who authorised these export licenses.*

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<sup>164</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.

<sup>165</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.

<sup>166</sup> Philenews. Export of tracking software from Cyprus.

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<sup>164</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.

<sup>165</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.

<sup>166</sup> Philenews. Export of tracking software from Cyprus.

Or. en

### **Amendment 636 Sophia in 't Veld**

#### **Motion for a resolution Paragraph 88 a (new)**

*Motion for a resolution*

*Amendment*

***88 a. The electronic data extracted from the confiscated equipment for the investigation was submitted for a three-level forensic examination, by the police, an academic expert, and Europol<sup>1a</sup>. The van has remained in police custody, but it is not clear what has happened to the surveillance equipment. It is thought that it has been returned to Dilian, but there seems to be no confirmation.***

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***<sup>1a</sup> Press Release Deputy Attorney General of 10.08.2022 as acquired on the PEGA mission to Cyprus on 02.11.2022***

Or. en

**Amendment 637**  
**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 88 a (new)**

*Motion for a resolution*

*Amendment*

**88 a.** *The electronic data extracted from the confiscated equipment for the investigation was submitted for a three-level forensic examination, by the police, an academic expert, and Europol. The van has remained in police custody, but it is not clear what has happened to the surveillance equipment. It is thought that it has been returned to Dilian, but there seems to be no confirmation.*

Or. en

**Amendment 638**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 88 b (new)**

*Motion for a resolution*

*Amendment*

**88 b.** *At 15 November 2021, the case was brought before the Criminal Courts with WS WiSpear Systems ltd, Tal Dilian and two other WiSpear employees as defendants. Ultimately, Attorney General George Savvides upheld the case against the company WiSpear, but the criminal proceedings against Dilian and the employees were dropped<sup>1a</sup>. The reasons for that decision are classified. However, the Attorney General could decide at any given moment to reopen the case against the three individuals.*

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<sup>1a</sup> *Financial Mirror. Anger after 'spy van' charges dropped.*

Or. en

**Amendment 639**

**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 88 b (new)**

*Motion for a resolution*

*Amendment*

**88 b. At 15 November 2021, the case was brought before the Criminal Courts with WS WiSpear Systems Ltd, Tal Dilian and two other WiSpear employees as defendants. Ultimately, Attorney General George Savvides upheld the case against the company WiSpear, but the criminal proceedings against Dilian and the employees were dropped. The reasons for that decision are classified. However, the Attorney General could decide at any given moment to reopen the case against the three individuals.**

Or. en

**Amendment 640  
Sophia in 't Veld**

**Motion for a resolution  
Paragraph 88 c (new)**

*Motion for a resolution*

*Amendment*

**88 c. WiSpear pleaded guilty to 42 charges and was fined with 76000 euros in the Assize court on 22 February 2022<sup>1a</sup>. WiSpear confessed to charges of illegal surveillance of private communications and data protection violations<sup>1b</sup>. The Court published its final decision, stating that: “The Assize Court noted and qualified that the infringement attributed to the company never involved any intent, hacking [or] wiretapping, stating that there was never any attempt or purpose to personalize any data. The court emphasized that no damage was**

*caused to any individual person”<sup>1c</sup>. In addition to a fine imposed by the Assize court, Commissioner for Personal Data Protection Irimi Loizidou Nicolaidou fined WiSpear with 925,000 euro in light of GDPR violations<sup>1d</sup>.*

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*<sup>1a</sup> Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022; Press Release Deputy Attorney General of 10.08.2022 as acquired on the PEGA mission to Cyprus on 02.11.2022*

*<sup>1b</sup> Financial Mirror. Spy van company fined €76,000.*

*<sup>1c</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.*

*<sup>1d</sup> CyprusMail. Israeli company that deployed ‘spy van’ fined €925,000 for data violations; Financial Mirror. Spy van company fined €76,000.*

Or. en

#### **Amendment 641**

**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 88 c (new)**

*Motion for a resolution*

*Amendment*

*88 c. WiSpear pleaded guilty to 42 charges and was fined with 76000 euros in the Assize court on 22 February 2022. WiSpear confessed to charges of illegal surveillance of private communications and data protection violations. The Court published its final decision, stating that: “The Assize Court noted and qualified that the infringement attributed to the company never involved any intent, hacking [or] wiretapping, stating that there was never any attempt or purpose to*



*personalize any data. The court emphasized that no damage was caused to any individual person”. In addition to a fine imposed by the Assize court, Commissioner for Personal Data Protection Irimi Loizidou Nicolaidou fined WiSpear with 925,000 euro in light of GDPR violations.*

Or. en

**Amendment 642**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 89**

*Motion for a resolution*

89. In 2011 Avni founded a company with Michael Angelides, the brother of the former minister and current Deputy Attorney General Savvas Angelides. Their company S9S was registered with the Registrar of Companies on 10 November 2011<sup>167</sup> and was registered with the assistance of the former law firm of Savvas Angelides<sup>168</sup>. Their partnership however dissolved in 2012. Nevertheless, Savvas Angelides was the person in charge of **controlling** Avni and Dillian in the case of the surveillance van<sup>169</sup>.

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<sup>167</sup> Politis. “Interceptions” file: Classified Police Report (2016) shows he knew everything about Avni

*Amendment*

89. In 2011 Avni founded a company with Michael Angelides, the brother of the former minister and current Deputy Attorney General Savvas Angelides. Their company S9S was registered with the Registrar of Companies on 10 November 2011<sup>167</sup> and was registered with the assistance of the former law firm of Savvas Angelides<sup>168</sup>. Their partnership *was* however dissolved in 2012. Nevertheless, Savvas Angelides was the person in charge of **investigating** Avni and Dillian in the case of the surveillance van<sup>169</sup>. ***In a press release on 10 August 2022, the Deputy Attorney General distanced himself from the contact between “a relative of mine intended to do business with Mr. Shahak Avni.” He declared that he nor his family has any connection with Tal Dilian and that if there were evidence of surveillance or interception in the case of Dilians’ van, then the criteria for determining the course of the case would have been different<sup>169a</sup>.***

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<sup>167</sup> Politis. “Interceptions” file: Classified Police Report (2016) shows he knew everything about Avni

<sup>168</sup> Press Release Deputy Attorney General of 10.08.2022 as acquired on the PEGA mission to Cyprus on 02.11.2022.

<sup>169</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>168</sup> Press Release Deputy Attorney General of 10.08.2022 as acquired on the PEGA mission to Cyprus on 02.11.2022.

<sup>169</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

***<sup>169a</sup> Press Release Deputy Attorney General of 10.08.2022 as acquired on the PEGA mission to Cyprus on 02.11.2022.***

Or. en

### **Amendment 643**

**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 89**

#### *Motion for a resolution*

89. In 2011 Avni founded a company with Michael Angelides, the brother of the former minister and current Deputy Attorney General Savvas Angelides. Their company S9S was registered with the Registrar of Companies on 10 November 2011<sup>167</sup> and was registered with the assistance of the former law firm of Savvas Angelides<sup>168</sup>. Their partnership however dissolved in 2012. Nevertheless, Savvas Angelides was the person in charge of controlling Avni and Dillian in the case of the surveillance van<sup>169</sup>.

#### *Amendment*

89. In 2011 Avni founded a company with Michael Angelides, the brother of the former minister and current Deputy Attorney General Savvas Angelides. Their company S9S was registered with the Registrar of Companies on 10 November 2011<sup>167</sup> and was registered with the assistance of the former law firm of Savvas Angelides<sup>168</sup>. Their partnership however dissolved in 2012. Nevertheless, Savvas Angelides was the person in charge of controlling Avni and Dillian in the case of the surveillance van<sup>169</sup>. ***In a press release on 10 August 2022, the Deputy Attorney General distanced himself from the contact between “a relative of mine intended to do business with Mr. Shahak Avni.” He declared that he nor his family has any connection with Tal Dillian and that if there were evidence of surveillance or interception in the case of Dilians’ van, then the criteria for determining the course of the case would have been different.***

<sup>167</sup> Politis. “Interceptions” file: Classified Police Report (2016) shows he knew everything about Avni

<sup>168</sup> Press Release Deputy Attorney General of 10.08.2022 as acquired on the PEGA mission to Cyprus on 02.11.2022.

<sup>169</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

<sup>167</sup> Politis. “Interceptions” file: Classified Police Report (2016) shows he knew everything about Avni

<sup>168</sup> Press Release Deputy Attorney General of 10.08.2022 as acquired on the PEGA mission to Cyprus on 02.11.2022.

<sup>169</sup> Report by Fanis Makridis. PEGA Mission to Cyprus on 01.11.2022.

Or. en

## **Amendment 644**

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

### **Motion for a resolution Paragraph 90**

#### *Motion for a resolution*

90. Opposition party AKEL expressed outrage over the cases against Dilian and staff being dropped, and denounced the legal decision as a cover-up by the Attorney General<sup>170</sup>. After all, the Cypriot government had reportedly purchased equipment from Dilian’s company and one of the accused employees had allegedly worked for NSO, providing the KYP with instructions on how to use the Pegasus spyware<sup>171</sup>. Dropping the charges ensured that the information on the links between Dilian’s company and the Cypriot government would remain protected<sup>172</sup>. This example shows that the violation of data protection rights of individuals by mass surveillance equipment is not fully guaranteed. Whilst legal remedy exists on paper, judicial outcomes are influenced by governmental interventions, leaving the individual victim defenceless.

#### *Amendment*

90. Opposition party AKEL expressed outrage over the cases against Dilian and staff being dropped, and denounced the legal decision as a cover-up by the Attorney General<sup>170</sup>. ***The Attorney General GE refused to hand over the conclusions of the investigation, even though it was requested by the official mission by the PEGA Committee in Cyprus.*** After all, the Cypriot government had reportedly purchased equipment from Dilian’s company and one of the accused employees had allegedly worked for NSO, providing the KYP with instructions on how to use the Pegasus spyware<sup>171</sup>. Dropping the charges ensured that the information on the links between Dilian’s company and the Cypriot government would remain protected<sup>172</sup>. This example shows that the violation of data protection rights of individuals by mass surveillance equipment is not fully guaranteed. Whilst legal remedy exists on paper, judicial outcomes are influenced by governmental interventions, leaving the individual victim defenceless.

<sup>170</sup> Financial Mirror. Anger after ‘spy van’ charges dropped.Le

<sup>171</sup> Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022.

<sup>172</sup> Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022.

<sup>170</sup> Financial Mirror. Anger after ‘spy van’ charges dropped.Le

<sup>171</sup> Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022.

<sup>172</sup> Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022.

Or. en

## **Amendment 645** **Sophia in 't Veld**

### **Motion for a resolution** **Paragraph 91**

#### *Motion for a resolution*

91. Following the episode of the van and the lawsuit, Dilian moved Intellexa’s operations to Greece, although he never left Cyprus *and is still a resident*. Indirect links between several natural and legal persons as registered in Cyprus and Greece expose the facilitation of Dilian’s businesses to Athens<sup>173</sup>.

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<sup>173</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.

#### *Amendment*

91. Following the episode of the van and the lawsuit, Dilian moved Intellexa’s operations to Greece. Although he never left Cyprus, *he is reportedly planning his return to Tel Aviv<sup>1a</sup>*. Indirect links between several natural and legal persons as registered in Cyprus and Greece expose the facilitation of Dilian’s businesses to Athens<sup>173</sup>. *What follows are some of the names that are part of the Cyprus-Greece connections, although the main role of Intellexa SA in Greece is further explained in the chapter on Greece.*

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<sup>1a</sup> *Intelligence Online. Israeli cyber tsar Tal Dilian plans Tel Aviv return.*

<sup>173</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.

Or. en

**Amendment 646**  
**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 91**

*Motion for a resolution*

91. Following the episode of the van and the lawsuit, Dilian moved Intellexa's operations to Greece, although he never left Cyprus and is still a resident. Indirect links between several natural and legal persons as registered in Cyprus and Greece expose the facilitation of Dilian's businesses to Athens<sup>173</sup>.

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<sup>173</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.

*Amendment*

91. .Following the episode of the van and the lawsuit, Dilian moved Intellexa's operations to Greece, although he never left Cyprus and is still a resident. Indirect links between several natural and legal persons as registered in Cyprus and Greece expose the facilitation of Dilian's businesses to Athens<sup>173</sup>. ***What follows are some of the names that are part of the Cyprus-Greece connections, although the main role of Intellexa SA in Greece is further explained in the chapter on Greece.***

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<sup>173</sup> Haaretz. As Israel Reins in Its Cyberarms Industry, an Ex-intel Officer is Building a New Empire.

Or. en

**Amendment 647**

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

**Motion for a resolution**  
**Paragraph 92**

*Motion for a resolution*

***92. According to recent testimonies in light of the judicial investigations in the van case, lawyer Aleksandros Sinka has had significant influence in the move to Greece. Sinka - who formerly played a key role in the centre-right DISY party - apparently had good relations with both Dilian and Avni<sup>174</sup>. It appears that Sinka was also an acquaintance of former General Secretary of the Greek government Dimitriadis. Both men held positions in the Bureau of the European Democrat Students (EDS), the student***

*Amendment*

***deleted***

*organisation of the European People's Party (EPP). Between 2003 and 2004, Sinka served as Chairman and Dimitriadis as Vice-Chairman<sup>175</sup>. Dimitriadis allegedly introduced his friend and Greek businessperson Felix Bitzios to Sinka, in view of Bitzios' long-standing dispute in the Cypriot court. Sinka in turn recommended lawyer Harris Kyriakidis to help Bitzios in his dispute. Kyriakidis equally had good relations with the DISY<sup>176</sup>.*

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<sup>174</sup> *Tovima. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.*

<sup>175</sup> *EDS. 2003/2004 Bureau.*

<sup>176</sup> *Tovima. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.*

Or. en

## **Amendment 648** **Sophia in 't Veld**

### **Motion for a resolution** **Paragraph 92**

#### *Motion for a resolution*

92. According to recent testimonies in light of the judicial investigations in the van case, lawyer **Aleksandros** Sinka has had significant influence in the move to Greece. Sinka - who formerly played a key role in the centre-right DISY party - apparently had good relations with both Dilian and Avni<sup>174</sup>. **It appears that** Sinka was also an acquaintance of former General Secretary of the Greek government Dimitriadis. Both men held positions in the Bureau of the European Democrat Students (EDS), the student organisation of the European People's Party (EPP). Between 2003 and 2004, Sinka served as Chairman

#### *Amendment*

92. According to recent testimonies in light of the judicial investigations in the van case, lawyer **Alexandros** Sinka has had significant influence in the move to Greece. Sinka - who formerly played a key role in the centre-right DISY party - apparently had good relations with both Dilian and Avni<sup>174</sup>. Sinka was also an acquaintance of former General Secretary of the Greek government Dimitriadis. Both men held positions in the Bureau of the European Democrat Students (EDS), the student organisation of the European People's Party (EPP). Between 2003 and 2004, Sinka served as Chairman and

and Dimitriadis as Vice-Chairman<sup>175</sup>. Dimitriadis allegedly introduced his friend and Greek businessperson Felix Bitzios to Sinka, in view of Bitzios' long-standing dispute in the Cypriot court. Sinka in turn recommended lawyer Harris Kyriakidis to help Bitzios in his dispute. Kyriakidis equally had good relations with the DISY<sup>176</sup>.

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<sup>174</sup> *Tovima*. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

<sup>175</sup> EDS. 2003/2004 Bureau.

<sup>176</sup> *Tovima*. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

Dimitriadis as Vice-Chairman<sup>175</sup>. Dimitriadis allegedly introduced his friend and Greek businessperson Felix Bitzios to Sinka, in view of Bitzios' long-standing dispute in the Cypriot court. Sinka in turn recommended lawyer Harris Kyriakidis to help Bitzios in his dispute. Kyriakidis equally had good relations with the DISY<sup>176</sup>. ***Through a letter of his lawyer<sup>176a</sup>, Mr Sinka declares that he does not know Tal Dilian and has never had any contact with him. Furthermore, Mr Sinka disputes the account of events as published in the article of To Vima.***

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<sup>174</sup> *To vima*. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

<sup>175</sup> EDS. 2003/2004 Bureau.

<sup>176</sup> *To vima*. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

<sup>176a</sup> <https://www.sophieintveld.eu/nl/pega-draft-report>

Or. en

## Amendment 649

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

### Motion for a resolution

#### Paragraph 92

##### *Motion for a resolution*

92. According to recent testimonies in light of the judicial investigations in the van case, lawyer Aleksandros Sinka has had significant influence in the move to Greece. Sinka - who formerly played a key role in the centre-right DISY party - apparently had good relations with both Dilian and Avni<sup>174</sup>. It appears that Sinka was also an acquaintance of former General Secretary of the Greek government Dimitriadis. Both men held positions in the

##### *Amendment*

92. According to recent testimonies in light of the judicial investigations in the van case, lawyer Aleksandros Sinka has had significant influence in the move to Greece. Sinka - who formerly played a key role in the centre-right DISY party, ***was one of the closest collaborators/advisors of the DISY President*** - apparently had good relations with both Dilian and Avni<sup>174</sup>. It appears that Sinka was also an acquaintance of former General Secretary

Bureau of the European Democrat Students (EDS), the student organisation of the European People's Party (EPP). Between 2003 and 2004, Sinka served as Chairman and Dimitriadis as Vice-Chairman<sup>175</sup>. Dimitriadis allegedly introduced his friend and Greek businessperson Felix Bitzios to Sinka, in view of Bitzios' long-standing dispute in the Cypriot court. Sinka in turn recommended lawyer Harris Kyriakidis to help Bitzios in his dispute. Kyriakidis equally had good relations with the DISY<sup>176</sup>.

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<sup>174</sup> Tovima. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

<sup>175</sup> EDS. 2003/2004 Bureau.

<sup>176</sup> Tovima. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

of the Greek government Dimitriadis. Both men held positions in the Bureau of the European Democrat Students (EDS), the student organisation of the European People's Party (EPP). Between 2003 and 2004, Sinka served as Chairman and Dimitriadis as Vice-Chairman<sup>175</sup>. Dimitriadis allegedly introduced his friend and Greek businessperson Felix Bitzios to Sinka, in view of Bitzios' long-standing dispute in the Cypriot court. Sinka in turn recommended lawyer Harris Kyriakidis to help Bitzios in his dispute. Kyriakidis equally had good relations with the DISY<sup>176</sup>.

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<sup>174</sup> Tovima. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

<sup>175</sup> EDS. 2003/2004 Bureau.

<sup>176</sup> Tovima. The unknown "bridge" between Greece and Cyprus for the eavesdropping system.

Or. en

## **Amendment 650** **Sophia in 't Veld**

### **Motion for a resolution** **Paragraph 92 a (new)**

*Motion for a resolution*

*Amendment*

***92 a. The judicial investigations led to the transfer of Avni's and Dilian's activities in Poltrex to Yaron Levgoren. Levgoren is a permanent resident of Canada. He became the shareholder, as well as director and secretary of Poltrex. What is important here is that Levgoren is also linked to Intellexa in Greece<sup>1a</sup>. According to his LinkedIn he currently represents the in Greek-based Intellexa company Apollo Technologies.***



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*1a Philenews. How the spyware scandal in Greece is related to Cyprus.*

Or. en

**Amendment 651**

**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 92 a (new)**

*Motion for a resolution*

*Amendment*

**92 a. *The judicial investigations led to the transfer of Avni's and Dilian's activities in Poltrex to Yaron Levgoren. Levgoren is a permanent resident of Canada. He became the shareholder, as well as director and secretary of Poltrex. What is important here is that Levgoren is also linked to Intellexa in Greece. According to his LinkedIn he currently represents the in Greek-based Intellexa company Apollo Technologies.***

Or. en

**Amendment 652**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 93 a (new)**

*Motion for a resolution*

*Amendment*

**93 a. *According to the response from the Cypriot government to the PEGA Committee, the Department of Registrar of Companies and Intellectual Property does not include a registered legal entity of NSO Group. NSO Group does not hold shares in any legal entity registered in Cyprus. However, individual board***

*members of NSO Group have either established or bought six companies. In addition, the Pegasus spyware does not appear to have been developed in, nor officially exported from Cyprus<sup>1a</sup>.*

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*<sup>1a</sup> Reply to European Parliament questionnaire received from Cyprus.*

Or. en

**Amendment 653**

**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 93 a (new)**

*Motion for a resolution*

*Amendment*

*93 a. According to the response from the Cypriot government to the PEGA Committee, the Department of Registrar of Companies and Intellectual Property does not include a registered legal entity of NSO Group. NSO Group does not hold shares in any legal entity registered in Cyprus. Six companies have either been established or bought by Board members of the NSO Group. In addition, the Pegasus spyware does not appear to have been developed in, nor officially exported from Cyprus.*

Or. en

**Amendment 654**

**Sophia in 't Veld**

**Motion for a resolution**

**Paragraph 93 b (new)**

*Motion for a resolution*

*Amendment*

**93 b. Part of this statement seems to be true. Expansion under Francisco Partners between 2014 and 2019 did include six Cypriot companies. Francisco Partners was supplemented with ITOA Holdings Ltd., registered in Cyprus and parent company of CS-Circles Solutions Ltd., Global Hubcom Ltd. and MS Magnet Solutions. Ms Magnet Solutions owns Mi Compass Ltd. CS-Circles Solutions Ltd. furthermore owns CI-Compass Ltd. In addition to the Cypriot entities, CS-Circles Solutions Ltd. also owns Bulgarian entities. NSO Group has stated that “[...] The Bulgarian companies provide, on a contract basis, research and development services to their respective Cypriot affiliates and export the network products for governmental use.”<sup>1a</sup>**

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<sup>1a</sup> *Amnesty International. Operating from the Shadows.*

Or. en

**Amendment 655**

**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 93 b (new)**

*Motion for a resolution*

*Amendment*

**93 b. Part of this statement seems to be true. Expansion under Francisco Partners between 2014 and 2019 did include six Cypriot companies. Francisco Partners was supplemented with ITOA Holdings Ltd., registered in Cyprus and parent company of CS-Circles Solutions Ltd., Global Hubcom Ltd. and MS Magnet Solutions. Ms Magnet Solutions owns Mi Compass Ltd. CS-Circles Solutions Ltd. furthermore owns CI-Compass Ltd. In addition to the Cypriot**

*entities, CS-Circles Solutions Ltd. also owns Bulgarian entities. NSO Group has stated that “[...] The Bulgarian companies provide, on a contract basis, research and development services to their respective Cypriot affiliates and export the network products for governmental use.”*

Or. en

## **Amendment 656** **Sophia in 't Veld**

### **Motion for a resolution** **Paragraph 95**

#### *Motion for a resolution*

95. Reportedly, NSO Group also had an active company in Cyprus that allegedly hosted a customer service center. In 2017, a meeting with NSO officials and Saudi Arabian customers took place in the Four Seasons Hotel in Limassol to present to them the latest capabilities of the Pegasus 3 version spyware. This version had the novel zero-click capability that could infect a device without the necessity of clicking on a link, for example through a missed WhatsApp call. The Saudi Arabian clients immediately purchased the technology for an amount of €55 million<sup>181 182</sup>. It should be noted here that a year later, on 2 October 2018, the Saudi regime killed Jamal Khashoggi in the Saudi consulate in Turkey, after *surveiling him and* his near ones with Pegasus.

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<sup>181</sup> Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022.

<sup>182</sup> Haaretz. Israeli Cyber Firm Negotiated Advanced Attack Capabilities Sale With Saudis, Haaretz Reveals.

#### *Amendment*

95. Reportedly, NSO Group also had an active company in Cyprus that allegedly hosted a customer service center. In 2017, a meeting with NSO officials and Saudi Arabian customers took place in the Four Seasons Hotel in Limassol to present to them the latest capabilities of the Pegasus 3 version spyware. This version had the novel zero-click capability that could infect a device without the necessity of clicking on a link, for example through a missed WhatsApp call. The Saudi Arabian clients immediately purchased the technology for an amount of €55 million<sup>181 182</sup>. It should be noted here that a year later, on 2 October 2018, the Saudi regime killed Jamal Khashoggi in the Saudi consulate in Turkey, after *surveilling* his near ones with Pegasus.

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<sup>181</sup> Makarios Drousiotis. Κράτος Μαφία.. Chapter 6. Published 2022.

<sup>182</sup> Haaretz. Israeli Cyber Firm Negotiated Advanced Attack Capabilities Sale With Saudis, Haaretz Reveals.

Or. en

**Amendment 657**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 95 a (new)**

*Motion for a resolution*

*Amendment*

**95 a. According to CitizenLab, 25 state actors were clients of Circles Technologies in 2020. Amongst these state actors were Belgium, Denmark, Estonia and Serbia<sup>1a</sup>. As of 2020, NSO Group has closed their Circles office stationed in Cyprus. At the time of writing, it remains unclear which Circles' companies remain operable<sup>1b</sup>.**

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<sup>1a</sup> **CitizenLab. Running in Circles. Uncovering the Clients of Cyberespionage Firm Circles**

<sup>1b</sup> **Amnesty International. Operating from the Shadows.**

Or. en

**Amendment 658**

**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 95 a (new)**

*Motion for a resolution*

*Amendment*

**95 a. According to CitizenLab, 25 state actors were clients of Circles Technologies in 2020. Amongst these state actors were Belgium, Denmark, Estonia and Serbia. As of 2020, NSO Group has closed their Circles office stationed in Cyprus. At the time of writing, it remains unclear which Circles' companies remain operable.**

**Amendment 659**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 96**

*Motion for a resolution*

96. Black Cube is a company employing former officers of Israeli Intelligence Agencies, like Mossad. The company uses operatives with fake identities. According to the New Yorker, former CEO of NSO Group Shalev Hulio hired Black Cube after three lawyers - Mazen Masri, Alaa Mahajna and Christiana Markou - sued NSO and an affiliated subsidiary in Israel and Cyprus<sup>183</sup>.

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<sup>183</sup> The New Yorker. How Democracies Spy on their Citizens.

*Amendment*

96. Black Cube is a company employing former officers of Israeli Intelligence Agencies, like Mossad. The company uses operatives with fake identities. According to the New Yorker, former CEO of NSO Group Shalev Hulio hired Black Cube after three lawyers - Mazen Masri, Alaa Mahajna and Christiana Markou - sued NSO and an affiliated subsidiary in Israel and Cyprus<sup>183</sup>. ***In 2018, the three lawyers received several messages from so-called acquaintances of certain firms and individuals, proposing meetings in London. Hulio stated, “For the lawsuit in Cyprus, there was one involvement of Black Cube” since the lawsuit “came from nowhere and I want to understand”<sup>183a</sup>. Black Cube was also exposed in spying scandals in Hungary and Romania.***

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<sup>183</sup> The New Yorker. How Democracies Spy on their Citizens.

***<sup>183a</sup> The New Yorker. How Democracies Spy on their Citizens.***

**Amendment 660**  
**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 96

### *Motion for a resolution*

96. Black Cube is a company employing former officers of Israeli Intelligence Agencies, like Mossad. The company uses operatives with fake identities. According to the New Yorker, former CEO of NSO Group Shalev Hulio hired Black Cube after three lawyers - Mazen Masri, Alaa Mahajna and Christiana Markou - sued NSO and an affiliated subsidiary in Israel and Cyprus<sup>183</sup>

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<sup>183</sup> The New Yorker. How Democracies Spy on their Citizens.

### *Amendment*

96. Black Cube is a company employing former officers of Israeli Intelligence Agencies, like Mossad. The company uses operatives with fake identities. According to the New Yorker, former CEO of NSO Group Shalev Hulio hired Black Cube after three lawyers - Mazen Masri, Alaa Mahajna and Christiana Markou - sued NSO and an affiliated subsidiary in Israel and Cyprus<sup>183</sup>. ***In 2018, the three lawyers received several messages from so-called acquaintances of certain firms and individuals, proposing meetings in London. Hulio stated, “For the lawsuit in Cyprus, there was one involvement of Black Cube” since the lawsuit “came from nowhere and I want to understand”. Black Cube was also exposed in spying scandals in Hungary and Romania.***

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<sup>183</sup> The New Yorker. How Democracies Spy on their Citizens.

Or. en

## Amendment 661 Sophia in 't Veld

### Motion for a resolution Paragraph 97 a (new)

#### *Motion for a resolution*

#### *Amendment*

***97 a. After the elections of 2013, Andreas Pentaras was appointed as head of the Cyprus Intelligence Service whilst surveillance expert Andreas Mikellis was responsible for the protection of President Anastasiades' communications. In that same year, Mikellis reportedly visited the ISS surveillance exhibition in Prague, where he allegedly negotiated with***

*Hacking Team for the purchase of the so-called DaVinci software<sup>1a</sup>. The DaVinci software was able to infect applications of a mobile phone and therefore did not meet the official requirements for the lifting of privacy<sup>1b</sup>.*

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<sup>1a</sup> *Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.*

<sup>1b</sup> *Inside Story. Predator: The “spy” who came from Cyprus.*

Or. en

**Amendment 662**

**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 97 a (new)**

*Motion for a resolution*

*Amendment*

**97 a.** *After the elections of 2013, Andreas Pentaras was appointed as head of the Cyprus Intelligence Service whilst surveillance expert Andreas Mikellis was responsible for the protection of President Anastasiades’ communications. In that same year, Mikellis reportedly visited the ISS surveillance exhibition in Prague, where he allegedly negotiated with Hacking Team for the purchase of the so-called DaVinci software. The DaVinci software was able to infect applications of a mobile phone and therefore did not meet the official requirements for the lifting of privacy.*

Or. en

**Amendment 663**  
**Sophia in 't Veld**



**Motion for a resolution**  
**Paragraph 97 b (new)**

*Motion for a resolution*

*Amendment*

**97 b. Disclosed contact information as revealed by WikiLeaks between Mikellis and Hacking Team indicated the bypassing of tender procedures and lack of proper review of the acquired surveillance system. At the start of 2014, the software was reportedly installed and four employees of the KYP were trained, including Mikellis<sup>1a</sup>.**

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<sup>1a</sup> *Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.*

Or. en

**Amendment 664**

**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 97 b (new)**

*Motion for a resolution*

*Amendment*

**97 b. Disclosed contact information as revealed by WikiLeaks between Mikellis and Hacking Team indicated the bypassing of tender procedures and lack of proper review of the acquired surveillance system. At the start of 2014, the software was reportedly installed and four employees of the KYP were trained, including Mikellis.**

Or. en

**Amendment 665**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 97 c (new)**

*Motion for a resolution*

*Amendment*

**97 c. When WikiLeaks revealed the purchase of Hacking Teams' surveillance software, the KYP confirmed that this system was used for national purposes only<sup>1a</sup>. Despite Mikellis contact with Hacking Team<sup>1b</sup>, it was the head of the KYP Andreas Pentaras who ultimately resigned after these revelations came to light<sup>1c</sup>. Kyriakos Kouros replaced Pentaras.**

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<sup>1a</sup> *Inside Story. Predator: The "spy" who came from Cyprus.*

<sup>1b</sup> *Makarios Drousiotis. Κράτος Μαφία. Chapter 6. Published 2022.*

<sup>1c</sup> *CyprusMail. Intelligence chief resigns after spy tech revelations. <https://cyprus-mail.com/2015/07/11/intelligence-chief-resigns-after-spy-tech-revelations/>*

Or. en

**Amendment 666**

**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 97 c (new)**

*Motion for a resolution*

*Amendment*

**97 c. When WikiLeaks revealed the purchase of Hacking Teams' surveillance software, the KYP confirmed that this system was only used for national purposes only. Despite Mikellis contact with Hacking Team, it was the head of the KYP Andreas Pentaras who ultimately resigned after these revelations came to light. Kyriakos Kouros replaced Pentaras.**

**Amendment 667**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 97 d (new)**

*Motion for a resolution*

*Amendment*

***97 d. Another detail of WikiLeaks that is of interest here is that it seems that one more other police department was apparently also interested in purchasing a communications surveillance system from Hacking Team. This department tried to secure this system through Sahak Avni<sup>1a</sup>. It is however unclear which police department is at issue here.***

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***<sup>1a</sup> Inside Story. Predator: The “spy” who came from Cyprus.***

**Amendment 668**  
**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 97 d (new)**

*Motion for a resolution*

*Amendment*

***97 d. Another detail of WikiLeaks that is of interest here is that one more other police department was also interested in purchasing a communications surveillance system from Hacking Team. This department tried to secure this system through Sahak Avni.***

**Amendment 669**

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

**Motion for a resolution**

**Subheading 73**

*Motion for a resolution*

*Amendment*

*Victim* Makarios Drousiotis

*The case of* Makarios Drousiotis

Or. en

**Amendment 670**

**Sophia in 't Veld**

**Motion for a resolution**

**Paragraph 98 a (new)**

*Motion for a resolution*

*Amendment*

**98 a. In the course of Drousiotis' inquiries into the Russian connections, revelations about NSO Group operating from Cyprus started to appear in international media outlets, including on the Pegasus 3 presentation in the Four Season Hotels. CitizenLab moreover suspected Cyprus to be one of the countries using the NSO technologies for the sake of communication interception of the British Foreign Office computer systems<sup>1a</sup>. At this point, Drousiotis started to recall several indications of the Pegasus spyware infiltrating his telephone, including a missed WhatsApp call, rapid battery depletion and the frequent overheating of his device without him using it<sup>1b</sup>. In light of these events, Drousiotis believes the Cypriot government - more particularly the Cyprus Intelligence Service - to be behind the infection of his phone.**

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<sup>1a</sup> **BBC. No 10 network targeted with**

*spyware, says group.*

*<sup>1b</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 5. Published 2022.*

Or. en

**Amendment 671**

**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 98 a (new)**

*Motion for a resolution*

*Amendment*

***98 a. In the course of Drousiotis' inquiries into the Russian connections, revelations about NSO Group operating from Cyprus started to appear in international media outlets, including on the Pegasus 3 presentation in the Four Season Hotels. CitizenLab moreover suspected Cyprus to be one of the countries using the NSO technologies for the sake of communication interception of the British Foreign Office computer systems. At this point, Drousiotis started to recall several indications of the Pegasus spyware infiltrating his telephone, including a missed WhatsApp call, rapid battery depletion and the frequent overheating of his device without him using it. In light of these events, Drousiotis believes the Cypriot government - more particularly the Cyprus Intelligence Service - to be behind the infection of his phone.***

Or. en

**Amendment 672**  
**Sophia in 't Veld**

**Motion for a resolution**

**Paragraph 98 b (new)**

*Motion for a resolution*

*Amendment*

**98 b. In May 2019, Drousiotis sent a letter to President Anastasiades expressing his concerns around the surveillance of his phone, outlining the potential motives behind this surveillance as well as holding the President personally accountable for whatever may happen to him after the espionage. Anastasiades forwarded the letter to the current head of the Cyprus Intelligence Service Kyriakos Kouros. Both Anastasiades and Kouros have refuted the alleged surveillance with the Pegasus software, reiterating that NSO Group was in fact not even registered in Cyprus<sup>1a</sup>.**

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<sup>1a</sup> Makarios Drousiotis. *Κράτος Μαφία*. Chapter 5. Published 2022.

Or. en

**Amendment 673**

**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 98 b (new)**

*Motion for a resolution*

*Amendment*

**98 b. In May 2019, Drousiotis sent a letter to President Anastasiades expressing his concerns around the surveillance of his phone, outlining the potential motives behind this surveillance as well as holding the President personally accountable for whatever may happen to him after the espionage. Anastasiades forwarded the letter to the current head of the Cyprus Intelligence Service Kyriakos Kouros. Both Anastasiades and Kouros have refuted the**

*alleged surveillance with the Pegasus software, reiterating that NSO Group was in fact not even registered in Cyprus.*

Or. en

**Amendment 674**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 98 c (new)**

*Motion for a resolution*

*Amendment*

**98 c. *In the months that followed, several intimidation attempts occurred including the disappearance of evidence on his computer, the disconnection of security camera's at Drousiotis home and being tracked by strangers. After going public with his story and submitting a complaint at the Cypriot police office, Drousiotis got in touch with Lambros Katsonis Head of the Technical Support Department of Panda Security, a Cypriot company specialised in antivirus equipment. Drousiotis was however unaware of the fact that the Cypriot government also used this antivirus software for their own devices. Against this background, Katsonis seems to have been sent to Drousiotis home under false pretences. Possibly with the aim to further infiltrate Drousiotis devices as instructed by the Cypriot Intelligence Service (KYP)<sup>1a</sup>.***

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<sup>1a</sup> *Makarios Drousiotis. Κράτος Μαφία. Chapter 5. Published 2022.*

Or. en

**Amendment 675**  
**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 98 c (new)**

*Motion for a resolution*

*Amendment*

**98 c.** *In the months that followed, several intimidation attempts occurred including the disappearance of evidence on his computer, the disconnection of security camera's at Drousiotis home and being tracked by strangers. After going public with his story and submitting a complaint at the Cypriot police office, Drousiotis got in touch with Lambros Katsonis Head of the Technical Support Department of Panda Security, a Cypriot company specialised in antivirus equipment. Drousiotis was however unaware of the fact that the Cypriot government also used this antivirus software for their own devices. Against this background, Katsonis seems to have been sent to Drousiotis home under false pretences. Possibly with the aim to further infiltrate Drousiotis devices as instructed by the Cypriot Intelligence Service (KYP).*

Or. en

**Amendment 676**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 98 d (new)**

*Motion for a resolution*

*Amendment*

**98 d.** *As of spring 2019, Drousiotis became aware of the suspicious entries in his Android phone and reached out to Google One Support to confirm the nature of these entries. Yet, Google does in general not respond to surveillance related matters, referring the customer in question to the national law enforcement agencies<sup>1a</sup>. Mr Drousiotis, though not*



*having any confidence in the police, did agree to hand over his devices for forensic examination.*

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*<sup>1a</sup> Makarios Drousiotis. Κράτος Μαφία. Chapter 5. Published 2022.*

Or. en

**Amendment 677**

**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 98 d (new)**

*Motion for a resolution*

*Amendment*

*98 d. As of spring 2019, Drousiotis became aware of the suspicious entries in his Android phone and reached out to Google One Support to confirm the nature of these entries. Yet, Google does in general not respond to surveillance related matters, referring the customer in question to the national law enforcement agencies. Mr Drousiotis, though not having any confidence in the police, did agree to hand over his devices for forensic examination.*

Or. en

**Amendment 678**

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

**Motion for a resolution**  
**Paragraph 99**

*Motion for a resolution*

*Amendment*

99. Cyprus appears to have a robust legal framework for the protection of

99. Cyprus appears to have a robust legal framework for the protection of

personal data and privacy, for the authorisation of surveillance, and for exports. However, in practice it would seem that rules are easy to circumvent and there are close ties between politics, the security agencies and the surveillance industry. It seems to be the lax application of the rules that makes Cyprus such an attractive place for the trade in spyware. Cyprus is also of considerable strategic interest to Russia, Turkey and the US.

***Furthermore, close relations with Israel seem to be of particular mutual benefit with regard to the trade in spyware.***

***Export licenses for spyware have become a currency in diplomatic relations.***

personal data and privacy, for the authorisation of surveillance, and for exports. However, in practice it would seem that rules are easy to circumvent and there are close ties between politics, the security agencies and the surveillance industry. It seems to be the lax application of the rules that makes Cyprus such an attractive place for the trade in spyware. Cyprus is also of considerable strategic interest to Russia, Turkey and the US.

Or. en

## **Amendment 679**

**Lukas Mandl**

### **Motion for a resolution**

#### **Paragraph 99**

##### *Motion for a resolution*

99. Cyprus appears to have a robust legal framework for the protection of personal data and privacy, for the authorisation of surveillance, and for exports. However, in practice it would seem that rules are easy to circumvent and there are close ties between politics, the security agencies and the surveillance industry. It seems to be the lax application of the rules that makes Cyprus such an attractive place for the trade in spyware. Cyprus is also of considerable strategic interest to Russia, Turkey and the US.

***Furthermore, close relations with Israel seem to be of particular mutual benefit with regard to the trade in spyware. Export licenses for spyware have become a currency in diplomatic relations.***

##### *Amendment*

99. Cyprus appears to have a robust legal framework for the protection of personal data and privacy, for the authorisation of surveillance, and for exports. However, in practice it would seem that rules are easy to circumvent and there are close ties between politics, the security agencies and the surveillance industry. It seems to be the lax application of the rules that makes Cyprus such an attractive place for the trade in spyware. Cyprus is also of considerable strategic interest to Russia, Turkey and the US. ***Notes that good bilateral relations with Israel give no proof*** with regard to the trade in spyware.

Or. en

## Amendment 680

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

### Motion for a resolution Paragraph 99

#### *Motion for a resolution*

99. Cyprus appears to have a robust legal framework for the protection of personal data and privacy, for the authorisation of surveillance, and for exports. However, in practice *it would seem* that rules are easy to circumvent and there are close ties between politics, the security agencies and the surveillance industry. *It seems to be* the lax application of the rules that makes Cyprus such an attractive place for the trade in spyware. Cyprus is also of considerable strategic interest to Russia, Turkey and the US. Furthermore, close relations with Israel seem to be of particular mutual benefit with regard to the trade in spyware. Export licenses for spyware have become a currency in diplomatic relations.

#### *Amendment*

99. Cyprus appears to have a robust legal framework for the protection of personal data and privacy, for the authorisation of surveillance, and for exports. However, in practice that rules are easy to circumvent and there are close ties between politics, the security agencies and the surveillance industry. The lax application of the rules that makes Cyprus such an attractive place for the trade in spyware. Cyprus is also of considerable strategic interest to Russia, Turkey and the US. Furthermore, close relations with Israel seem to be of particular mutual benefit with regard to the trade in spyware. Export licenses for spyware have become a currency in diplomatic relations.

Or. en

## Amendment 681

**Jordi Cañas**

### Motion for a resolution Paragraph 100

#### *Motion for a resolution*

100. The July 2021 revelations by the Pegasus project showed a large number of targets in Spain. However, *they seem to have been* targeted by different actors and for different reasons. *It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and*

#### *Amendment*

100. The July 2021 revelations by the Pegasus project showed a large number of *alleged* targets in Spain. However, *it seems that these alleged targets were* targeted by different actors and for different reasons.

*Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers<sup>185</sup>. The targeting of a second group of victims is referred to as ‘CatalanGate’<sup>186</sup>. It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those victims<sup>187</sup>. The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not until April 2022 that Citizen Lab completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted<sup>188</sup>. In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation<sup>189</sup>.*

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<sup>185</sup> *Le Monde*, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> *Citizen Lab CatalanGate Report*, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.

<sup>187</sup> *Citizen Lab CatalanGate Report*, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>188</sup> *Citizen Lab CatalanGate Report*, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>189</sup> *El Nacional*, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

**Amendment 682****Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold****Motion for a resolution****Paragraph 100***Motion for a resolution*

100. The *July 2021 revelations by the Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers*<sup>185</sup>. *The targeting of a second group of victims is referred to as ‘CatalanGate’*<sup>186</sup>. *It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those victims*<sup>187</sup>. *The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not until April 2022 that Citizen Lab completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted*<sup>188</sup>. *In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation*<sup>189</sup>.

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<sup>185</sup> Le Monde, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate->

*Amendment*

100. The *Spanish government confirmed that* Prime Minister Pedro Sanchez, Minister *of* Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska *have been infected by Pegasus software, while Minister of Agriculture Luis Planas was targeted but not infected*<sup>185</sup>.

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<sup>185</sup> Le Monde, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/, 18 April 2022.

<sup>187</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>188</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>189</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

Or. en

## Amendment 683

**Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold**

### Motion for a resolution Paragraph 100

#### *Motion for a resolution*

100. ***The July 2021 revelations by the Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers<sup>185</sup>. The targeting of a second group of victims is referred to as ‘CatalanGate’<sup>186</sup>. It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those***

#### *Amendment*

100. ***Since July 2021 a number of alleged targets have been reported in Spain. In May 2022, former director of the CNI Paz Esteban appeared before the Official Secrets Committee of the Parliament to provide justification for the surveillance of 18 persons associated with the secessionist movement with court authorisation<sup>199a</sup>.***

*victims*<sup>187</sup>. *The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not until April 2022 that Citizen Lab completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted*<sup>188</sup>. *In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims* with court authorisation<sup>189</sup>.

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<sup>185</sup> Le Monde,  
[https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> Citizen Lab CatalanGate Report,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.

<sup>187</sup> Citizen Lab CatalanGate Report,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>188</sup> Citizen Lab CatalanGate Report,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>189</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

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<sup>199a</sup> *El País*,  
<https://elpais.com/espana/2022-05-05/la-directora-del-cni-da-explicaciones-sobre-el-espionaje-de-pegasus-ante-el-escepticismo-de-los-partidos.html> 21 May 2022

Or. en

## **Amendment 684**

**Motion for a resolution**  
**Paragraph 100**

*Motion for a resolution*

100. The July 2021 revelations by the Pegasus project showed a large number of targets in Spain. ***However, they seem to have been targeted*** by different actors and for different reasons. ***It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers***<sup>185</sup>. ***The targeting of a second group of victims is referred to as ‘CatalanGate’***<sup>186</sup>. ***It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those victims***<sup>187</sup>. ***The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not until April 2022 that Citizen Lab completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted***<sup>188</sup>. ***In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation***<sup>189</sup>.

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<sup>185</sup> *Le Monde*, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> *Citizen Lab CatalanGate Report*, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.

*Amendment*

100. The July 2021 revelations by the Pegasus project showed a large number of targets in Spain, ***potentially originated*** by different actors and for different reasons. ***The alleged targets include high-ranking members of the Spanish Government, as well as other political figures of the regional Government of Catalonia, members of the pro-Catalan independence movement, lawyers and journalists.***



<sup>187</sup> *Citizen Lab CatalanGate Report*, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>188</sup> *Citizen Lab CatalanGate Report*, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>189</sup> *El Nacional*, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

Or. en

## Amendment 685

Jorge Buxadé Villalba, Dominik Tarczyński, Beata Kempa

### Motion for a resolution

#### Paragraph 100

##### *Motion for a resolution*

100. The July 2021 revelations by the Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers<sup>185</sup>. The **targeting of a** second group of **victims is referred to as ‘CatalanGate’**<sup>186</sup>. It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some **family** and staff **connected to those victims**<sup>187</sup>. The **‘CatalanGate’ surveillance scandal** was first reported **on** in 2020, **but it was not until April 2022 that Citizen Lab**

##### *Amendment*

100. The July 2021 revelations by the Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers<sup>185</sup>. The second group of **persons allegedly targeted by this software** includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some **individuals** and staff **with different degrees of involvement in the attempted coup d'etat in Spain in 2017. The alleged surveillance by law enforcement authorities** was first reported by **some**

***completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted<sup>188</sup>. In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation<sup>189</sup>.***

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<sup>185</sup> Le Monde, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.

<sup>187</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>188</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>189</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

***media outlets in 2020, and was the object of an investigation carried out by Citizen Lab in 2022 in which they conclude that 65 persons were targeted. The results of this study have been contested and in December 2022 the director of Citizen Lab admitted errors with some of the allegedly targeted individuals which may reduce the total numbers. In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation<sup>189</sup>. As for now the accusations made by some of the convicted criminals that attempted a coup d'etat in Spain in 2017 and by some of the fugitives connected to the case or their accolites have not been proved in a court of law.***

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<sup>185</sup> Le Monde, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>189</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

Or. en

**Amendment 686**  
**Carles Puigdemont i Casamajó**

**Motion for a resolution**  
**Paragraph 100**

*Motion for a resolution*

100. The July 2021 revelations by the Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers<sup>185</sup>. The targeting of a second group of victims is referred to as ‘CatalanGate’<sup>186</sup>. It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those victims<sup>187</sup>. The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not until April 2022 that Citizen Lab completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted<sup>188</sup>. In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation<sup>189</sup>.

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<sup>185</sup> Le Monde, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation->

*Amendment*

100. The July 2021 revelations by the Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers<sup>185</sup>. The targeting of a second group of victims is referred to as ‘CatalanGate’<sup>186</sup>. It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those victims<sup>187</sup>. The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not until April 2022 that Citizen Lab completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted<sup>188</sup>. In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation<sup>189</sup>. ***In practice that means that 47 of them were spied illegally by Spanish authorities, some of them being just family members of Catalan politicians.***

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<sup>185</sup> Le Monde, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation->

against-catalans-using-pegasus-candiru/,  
18 April 2022.

<sup>187</sup> Citizen Lab CatalanGate Report,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,  
18 April 2022 at pg. 1.

<sup>188</sup> Citizen Lab CatalanGate Report,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,  
18 April 2022 at pg. 1.

<sup>189</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

against-catalans-using-pegasus-candiru/,  
18 April 2022.

<sup>187</sup> Citizen Lab CatalanGate Report,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,  
18 April 2022 at pg. 1.

<sup>188</sup> Citizen Lab CatalanGate Report,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,  
18 April 2022 at pg. 1.

<sup>189</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

Or. en

## Amendment 687

Gilles Lebreton, Christine Anderson, Mathilde Androuët

### Motion for a resolution

#### Paragraph 100

##### *Motion for a resolution*

100. The July 2021 revelations by the Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro **Sanchez**, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, **similarly to the case of the French President and government ministers**<sup>185</sup>. The targeting of a second group of victims is referred to as ‘CatalanGate’<sup>186</sup>. It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those victims<sup>187</sup>. The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not

##### *Amendment*

100. The July 2021 revelations by the Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro **Sánchez**, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska. The targeting of a second group of victims is referred to as ‘CatalanGate’<sup>186</sup>. It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those victims<sup>187</sup>. The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not until April 2022 that Citizen Lab completed their in-depth investigation that

until April 2022 that Citizen Lab completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted<sup>188</sup>. In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation<sup>189</sup>.

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<sup>185</sup> *Le Monde*, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.

<sup>187</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 *at pg.* 1.

<sup>188</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 *at pg.* 1.

<sup>189</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted<sup>188</sup>. In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation<sup>189</sup>.

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<sup>186</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.

<sup>187</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022, *p.* 1.

<sup>188</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022, *p.* 1.

<sup>189</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

Or. fr

## **Amendment 688**

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

### **Motion for a resolution Paragraph 100**

*Motion for a resolution*

100. The July 2021 revelations by the

*Amendment*

100. The July 2021 revelations by the

Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers<sup>185</sup>. The targeting of a second group of victims is referred to as ‘CatalanGate’<sup>186</sup>. It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those victims<sup>187</sup>. The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not until April 2022 that Citizen Lab completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted<sup>188</sup>. In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation<sup>189</sup>.

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<sup>185</sup> Le Monde, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.

<sup>187</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>188</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,

Pegasus project showed a large number of targets in Spain. However, they seem to have been targeted by different actors and for different reasons. It is widely believed that the Moroccan authorities targeted Prime Minister Pedro Sanchez, Minister for Defence Margarita Robles and Minister of the Interior Fernando Grande-Marlaska, similarly to the case of the French President and government ministers<sup>185</sup>. The targeting of a second group of victims is referred to as ‘CatalanGate’<sup>186</sup>. It includes Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members, *academics* and some family and staff connected to those victims<sup>187</sup>. The ‘CatalanGate’ surveillance scandal was first reported on in 2020, but it was not until April 2022 that Citizen Lab completed their in-depth investigation that the scale of the scandal was revealed. The results of that probe showed that at least 65 persons were targeted<sup>188</sup>. In May 2020, the Spanish authorities admitted to targeting 18 of those 65 victims with court authorisation<sup>189</sup>.

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<sup>185</sup> Le Monde, [https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>186</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.

<sup>187</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.

<sup>188</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,

18 April 2022 at pg. 1.

<sup>189</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

18 April 2022 at pg. 1.

<sup>189</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

Or. en

## **Amendment 689**

**Jordi Cañas**

### **Motion for a resolution**

#### **Paragraph 100 a (new)**

*Motion for a resolution*

*Amendment*

***100a. In May 2022, a report<sup>189 a</sup> in The Guardian newspaper identified Morocco as possibly having spied on more than 200 Spanish mobile phones, including those of the country's Prime Minister, Pedro Sánchez, Defence Minister Margarita Robles and Interior Minister Fernando Grande-Malarska, against the backdrop of some 10 000 immigrants having entered Ceuta en masse from Morocco on 17 and 18 May 2021. On the same dates it is also suggested that the mobile phone of erstwhile Foreign Minister Arancha González Laya was also spied on, although it has not been possible to establish the origin of the cyberattack or whether it was committed using Pegasus. Ignacio Cembrero, a journalist specialising in Maghreb affairs, also appears on the list of those allegedly spied upon.***

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<sup>189 a</sup>

***<https://www.theguardian.com/world/2022/may/03/over-200-spanish-mobile-numbers-possible-targets-pegasus-spyware>***

Or. es

**Amendment 690**

**Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold**

**Motion for a resolution**

**Paragraph 100 a (new)**

*Motion for a resolution*

*Amendment*

***100 a. A number of alleged cases related to the secessionist movement of Catalonia has also been reported by the organization CitizenLab, which published its findings in a report titled “Catalangate”<sup>186a</sup>. These cases include Catalan parliamentarians, Members of the European Parliament, lawyers, civil society organisation members and some family and staff connected to those alleged victims<sup>187a</sup>. The results of that probe published by Citizen Lab in April of 2022 suggested that at least 65 persons were targeted, although as of December 2022 Citizen Lab acknowledged that some infections have been incorrectly attributed<sup>188a</sup>.***

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***<sup>186a</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.***

***<sup>187a</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1.***

***<sup>188a</sup> Citizen Lab, Correcting a case, CatalanGate report <https://citizenlab.ca/2022/12/catalangate-report-correcting-a-case/> 22 December 2022***

Or. en



**Amendment 691**

**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 100 a (new)**

*Motion for a resolution*

*Amendment*

**100 a. The Spanish government has given little information so far on their role in this targeting, invoking the need for confidentiality in relation to national security. However, on the basis of a series of indicators it is generally assumed that the surveillance of the Catalan targets was conducted by the Spanish authorities, mainly in connection with the 1 October 2017 independence referendum in Catalonia, and ensuing events<sup>189a</sup>. The Spanish government was probably the first EU customer of NSO group<sup>189b</sup>.**

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<sup>189a</sup> *Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1+3*

<sup>189b</sup> *Vice, <https://www.vice.com/en/article/pkyzxcz/spain-nso-group-pegasus-catalonia>, 14 July 2020.*

Or. en

**Amendment 692  
Sophia in 't Veld**

**Motion for a resolution  
Paragraph 100 a (new)**

*Motion for a resolution*

*Amendment*

**100 a. The Spanish government has given little information so far on their role in this targeting, invoking the need for**

*confidentiality in relation to national security. However, on the basis of a series of indicators it is generally assumed that the surveillance of the Catalan targets was conducted by the Spanish authorities, mainly in connection with the 1 October 2017 independence referendum in Catalonia, and ensuing events<sup>1a</sup>. The Spanish government was probably the first EU customer of NSO group<sup>1b</sup>.*

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<sup>1a</sup> *Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 1; Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 3.*

<sup>1b</sup> *Vice, <https://www.vice.com/en/article/pkyzxx/spain-nso-group-pegasus-catalonia>, 14 July 2020;*

Or. en

**Amendment 693**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 100 b (new)**

*Motion for a resolution*

*Amendment*

*100 b. A close analysis of the attacks shows a clear pattern. Most of the "CatalanGate" attacks coincide with, and relate to moments of political relevance, such as court cases against Catalan separatists, public rallies, and communication with Catalan separatists living outside Spain<sup>1a</sup>. Such surveillance includes for example the lawyer-client communications of a jailed separatist on the eve of his trial, contacts between*

*spouses, or communications relating to the taking up of seats in the European Parliament. Given that the authorities have acknowledged only 18 out of 65 cases, and that the warrants for those cases are not disclosed, it is not possible to establish in what way the targets would have an immediate impact on, or constitute an imminent threat to national security or the integrity of the state<sup>1b</sup>.*

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<sup>1a</sup> *Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.*

<sup>1b</sup> *Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.*

Or. en

#### **Amendment 694**

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

#### **Motion for a resolution Paragraph 100 b (new)**

*Motion for a resolution*

*Amendment*

*100 b. A close analysis of the attacks shows a clear pattern. Most of the "CatalanGate" attacks coincide with, and relate to moments of political relevance, such as court cases against Catalan separatists, public rallies, and communication with Catalan separatists living outside Spain<sup>189c</sup>. Such surveillance includes for example the lawyer-client communications of a jailed separatist on the eve of his trial, contacts between partners, or communications relating to the taking up of seats in the European*

*Parliament. Given that the authorities have acknowledged only 18 out of 65 cases, and that the warrants for those cases are not disclosed, it is not possible to establish in what way they would have an immediate impact on, or constitute an imminent threat to national security or the integrity of the state<sup>189d</sup>.*

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<sup>189c</sup> *Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.*

<sup>189d</sup> *Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022.*

Or. en

**Amendment 695**  
**Jordi Cañas**

**Motion for a resolution**  
**Paragraph 100 b (new)**

*Motion for a resolution*

*Amendment*

**100b.** *In April 2022, CitizenLab published a report entitled ‘CatalanGate: Extensive mercenary spyware operation against Catalans using Pegasus and Candiru’ on the alleged use of Pegasus and Candiru to infect phones belonging to people within the Catalan separatist movement. This case allegedly affects Members of the Catalan Parliament and MEPs from separatist political groups, lawyers and members of civil society organisations within the Catalan separatist movement, as well as a number of family members and staff connected with those people<sup>190 a</sup>. According to the investigation’s findings, surveillance is alleged to have been carried out on at*

least 65 people<sup>191 a</sup>.

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<sup>190 a</sup> *Le Monde*,  
[https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking\\_5982990\\_4.html](https://www.lemonde.fr/en/international/article/2022/05/10/spain-fires-head-of-intelligence-services-over-pegasus-phone-hacking_5982990_4.html), 10 May 2022.

<sup>191 a</sup> *Citizen Lab CatalanGate Report*,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,  
18 April 2022 p. 1.

Or. es

## **Amendment 696**

**Jordi Cañas**

### **Motion for a resolution**

#### **Paragraph 100 c (new)**

*Motion for a resolution*

*Amendment*

**100c. In May 2022, the Spanish authorities admitted that they had subjected 18 of those 65 people to surveillance, with prior judicial authorisation<sup>192 a</sup>.**

**According to information reportedly provided by the erstwhile director of the CNI in the Congress of Deputies, monitoring and surveillance of Catalan separatists was carried out in 2019 in the context of completing a task conferred in line with Spanish legislation. That monitoring and surveillance apparently began during a period of violence in Barcelona sparked by the separatist Tsunami Democràtic organisation in response to a trial and court judgment relating to an illegal referendum held in Catalonia in 2017 and the contacts that Catalan separatist political leaders had with people close to Vladimir Putin and the Russian intelligence services with a view to garnering Russia's support for**

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<sup>192 a</sup> <https://elpais.com/espana/2022-05-05/la-directora-del-cni-da-explicaciones-sobre-el-espionaje-de-pegasus-ante-el-escepticismo-de-los-partidos.html>

<sup>192 b</sup> *El gobierno de Sánchez espía a Aragón por ser una “amenaza” para el Estado. El Mundo, 6 May 2022, <https://www.elmundo.es/espana/2022/05/06/62740aecfdddf27338b4587.html>*

Or. es

## Amendment 697

Jordi Cañas

### Motion for a resolution

#### Paragraph 101

##### *Motion for a resolution*

101. The past purchase of various spyware products like SITEL in 2001 and the spyware of Hacking Team in 2010 by the Ministry of the Interior, the Spanish National Intelligence Centre (CNI) and police has been widely publicised<sup>190</sup>. It was also previously reported by CitizenLab that Spain was a suspected customer of Finfisher<sup>191</sup>. ***In 2020, the Spanish newspaper El País reported that Spain has done business with NSO Group and that the CNI routinely uses Pegasus<sup>192</sup>. The Spanish government allegedly purchased the spyware in the first half of the 2010s for an estimated amount of €6 million<sup>193 194</sup>. In addition, a former employee of NSO has further confirmed that Spain has an account with the company despite the Spanish authorities declining to comment or confirm<sup>195</sup>.***

##### *Amendment*

101. The past purchase of various spyware products like SITEL in 2001 and the spyware of Hacking Team in 2010 by the Ministry of the Interior, the Spanish National Intelligence Centre (CNI) and police has been widely publicised<sup>190</sup>. It was also previously reported by CitizenLab that Spain was a suspected customer of Finfisher<sup>191</sup>. ***In 2016 a number of publications revealed the Catalan Government’s intention to buy spyware from an Israeli company<sup>191 b</sup>.***

***In 2020, the Spanish press reported on allegations that the Mossos d’Esquadra (Catalonia’s autonomous police service) had bought a system like Pegasus in***

2014.<sup>192 a</sup>

*In 2020, the Spanish newspaper El País reported that Spain had done business with NSO Group and that the CNI routinely used Pegasus<sup>192</sup>. The Spanish Government allegedly purchased the spyware in the first half of the 2010s for an estimated amount of €6 million<sup>193</sup><sup>194</sup>. In addition, a former employee of NSO has further confirmed that Spain has an account with the company despite the Spanish authorities declining to comment or confirm<sup>195</sup>.*

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<sup>190</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 *at pg. 4 - 5*.

<sup>191</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 *at pg. 5*.

<sup>192</sup> *Citizen Lab CatalanGate Report*, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 *at pg. 5*.

<sup>193</sup> *Politico*, <https://www.politico.eu/article/catalan-president-stronger-eu-rules-against-digital-espionage/>, 20 April 2022.

<sup>194</sup> *El País*, <https://elpais.com/espana/2022-04-20/el-cni-pidio-comprar-el-sistema-pegasus-para-espiar-en-el-extranjero.html>, 20

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<sup>190</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022, *p. 4-5*.

<sup>191</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022, *p. 5*.

<sup>191 b</sup>

[https://www.elconfidencial.com/espana/cataluna/2018-03-19/puigdemont-israel-espionaje-material-compra\\_1536960/](https://www.elconfidencial.com/espana/cataluna/2018-03-19/puigdemont-israel-espionaje-material-compra_1536960/)

<sup>192</sup> *Citizen Lab CatalanGate Report*, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022, *p. 5*.

<sup>192 a</sup>

<https://www.elindependiente.com/politica/2020/07/16/mandos-policiales-creen-que-los-mossos-compraron-a-escondidas-un-sistema-similar-al-pegasus/>

<sup>193</sup> *Politico*, <https://www.politico.eu/article/catalan-president-stronger-eu-rules-against-digital-espionage/> 20 April 2022.

<sup>194</sup> *El País*, <https://elpais.com/espana/2022-04-20/el-cni-pidio-comprar-el-sistema-pegasus-para-espiar-en-el-extranjero.html>, 20

April 2022.

<sup>195</sup> *The New Yorker*,  
<https://www.newyorker.com/magazine/2022/04/25/how-democracies-spy-on-their-citizens> , 18 April 2022.

April 2022.

<sup>195</sup> *The New Yorker*,  
<https://www.newyorker.com/magazine/2022/04/25/how-democracies-spy-on-their-citizens> , 18 April 2022.

Or. es

## Amendment 698

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

### Motion for a resolution Paragraph 101

#### *Motion for a resolution*

101. *The past purchase of various spyware products like SITEL in 2001 and the spyware of Hacking Team in 2010 by the Ministry of the Interior, the Spanish National Intelligence Centre (CNI) and police has been widely publicised<sup>190</sup>. It was also previously reported by CitizenLab that Spain was a suspected customer of Finfisher<sup>191</sup>. In 2020, the Spanish newspaper El Pais reported that Spain has done business with NSO Group and that the CNI routinely uses Pegasus<sup>192</sup>. The Spanish government allegedly purchased the spyware in the first half of the 2010s for an estimated amount of €6 million<sup>193 194</sup>. In addition, a former employee of NSO has further confirmed that Spain has an account with the company despite the Spanish authorities declining to comment or confirm<sup>195</sup>.*

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<sup>190</sup> *Citizen Lab CatalanGate Report*[citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-](https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-)

#### *Amendment*

101. *In its efforts to contributing to ensuring a high-level of security in the European Union, in late 2001, the Spanish Ministry of the Interior began the implementation of the Integrated Telecommunications Interception System, providing the operation units of the State Security Forces and Corps (FCSE) with the necessary means for the reception and recording of electronic communications authorised by a court order<sup>190</sup>. With this aim, the Spanish Authorities acquired legal tools for the interception of telecommunications, like the Systems for the Lawful Interception of Telecommunications (SITEL) in 2001 and Hacking Team's Galileo in 2010<sup>191</sup>. Since its acquisition, SITEL has been used by the Spanish Authorities, among others, in anti-drug operations, to locate the members of the jihadist cell behind the attacks in Madrid on 11 of March 2004, and to fight cases of political corruption.<sup>192,193</sup>. The Spanish government allegedly purchased Pegasus spyware in the first half of the 2010s.*

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<sup>190</sup> *Ministerio del Interior, Secretaría de Estado de Seguridad, Centro Tecnológico de Seguridad, Homeland Security*



*against-catalans-using-pegasus-candiru/*,  
18 April 2022 at pg. 4 - 5.

<sup>191</sup> Citizen Lab CatalanGate Report,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,  
18 April 2022 at pg. 5.

<sup>192</sup> *Citizen Lab CatalanGate Report*,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,  
18 April 2022 at pg. 5.

<sup>193</sup> *Politico*,  
<https://www.politico.eu/article/catalan-president-stronger-eu-rules-against-digital-espionage/>, 20 April 2022.

<sup>194</sup> *El País*,  
<https://elpais.com/espana/2022-04-20/el-cni-pidio-comprar-el-sistema-pegasus-para-espiar-en-el-extranjero.html> , 20 April 2022.

<sup>195</sup> *The New Yorker*,  
<https://www.newyorker.com/magazine/2022/04/25/how-democracies-spy-on-their-citizens> , 18 April 2022.

*Projectscetse.ses.mir.es/publico/cetse/en/proyectosEuropeos/fondoISF/marcoFinanciero-2021-2027/proyectosEuISF*

<sup>191</sup> Citizen Lab CatalanGate Report,  
<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,  
18 April 2022 at pg. 4 - 5.

Or. en

## Amendment 699

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

### Motion for a resolution

#### Paragraph 101

#### *Motion for a resolution*

101. The past purchase of *various* spyware *products* like SITEL in 2001 and the spyware *of* Hacking Team in 2010 by the Ministry of the Interior, the Spanish National Intelligence Centre (CNI) and police *has been widely publicised*<sup>190</sup>. *It was also previously reported by CitizenLab that Spain was a suspected*

#### *Amendment*

101. *The Spanish authorities have acknowledged in* the past *the* purchase of spyware *software* like SITEL in 2001 and the *contracting of* spyware *servics from* Hacking Team in 2010, *to be used* by the Ministry of the Interior, the Spanish National Intelligence Centre (CNI) and *the National Police. The purchase of SITEL*

*customer of Finfisher*<sup>191</sup>. In 2020, the Spanish newspaper El País reported that Spain has done business with NSO Group and that the CNI routinely uses Pegasus<sup>192</sup>. The Spanish government allegedly purchased the spyware in the first half of the 2010s for an estimated amount of €6 million<sup>193</sup> <sup>194</sup>. In addition, a former employee of NSO has further confirmed that Spain has an account with the company despite the Spanish authorities declining to comment or confirm<sup>195</sup>.

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<sup>190</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 4 - 5.

<sup>191</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 5.

<sup>192</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 5.

<sup>193</sup> Politico, <https://www.politico.eu/article/catalan-president-stronger-eu-rules-against-digital-espionage/>, 20 April 2022.

<sup>194</sup> El País, <https://elpais.com/espana/2022-04-20/el-cni-pidio-comprar-el-sistema-pegasus-para-espiar-en-el-extranjero.html>,

was confirmed by former Vice-President de la Vega in 2009<sup>190a</sup>, while he contracting of Hacking Team's services was acknowledged by the CNI in a comment made to the newspaper El Confidencial in 2015<sup>191a</sup>. In relation to Pegasus, a former employee of NSO, talking on the condition of anonymity, has alleged that Spain has an account with the company<sup>193a</sup>. Spanish authorities have declined to comment or confirm.

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<sup>190a</sup> Newtral, <https://www.newtral.es/sitel-programa-espia-guardia-civil-policia-espana/20220509/> 9 May 2022

<sup>191a</sup> El Confidencial, [https://www.elconfidencial.com/tecnologia/2015-07-06/cni-hackers-team-espionaje-contratos\\_916216/](https://www.elconfidencial.com/tecnologia/2015-07-06/cni-hackers-team-espionaje-contratos_916216/) 6 July 2015

<sup>193a</sup> The New Yorker, <https://www.newyorker.com/magazine/2022/04/25/how-democracies-spy-on-their-citizens> 18 April 2022

20 April 2022.

<sup>195</sup> The New Yorker,  
<https://www.newyorker.com/magazine/2022/04/25/how-democracies-spy-on-their-citizens> , 18 April 2022.

Or. en

### **Amendment 700**

**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 101 a (new)**

*Motion for a resolution*

*Amendment*

***101 a. Reportedly, the Spanish government was also exploring the idea of purchasing Predator spyware from Intellexa Alliance. Documents dating 1 July 2022 have been leaked, containing details on what services Intellexa offer for what price, accompanied by a brochure for their spyware in Spanish<sup>1a</sup>. In the documents, it is clearly visible just how intrusive this spyware can be, with specific details on which phone models are susceptible and how far back the retroactive spying can stretch<sup>1b</sup>. However, there has been no confirmation to date as to whether or not the Spanish government or secret services have acquired the tool.***

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<sup>1a</sup> <https://en.secnews.gr/417192/ipoklopes-agera-predator-spyware/>

<sup>1b</sup> <https://en.secnews.gr/417192/ipoklopes-agera-predator-spyware/>

Or. en

### **Amendment 701 Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 101 a (new)**

*Motion for a resolution*

*Amendment*

**101 a. Reportedly, the Spanish government was also exploring the idea of purchasing Predator spyware from Intellexa Alliance. Documents dating 1 July 2022 have been leaked, containing details on what services Intellexa offer for what price, accompanied by a brochure for their spyware in Spanish<sup>1a</sup>. In the documents, it is clearly visible just how intrusive this spyware can be, with specific details on which phone models are susceptible and how far back the retroactive spying can stretch<sup>1b</sup>. However, there has been no confirmation to date as to whether or not the Spanish government or secret services have acquired the tool.**

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<sup>1a</sup> <https://en.secnews.gr/417192/ipoklopes-agera-predator-spyware/>

<sup>1b</sup> <https://en.secnews.gr/417192/ipoklopes-agera-predator-spyware/>

Or. en

**Amendment 702**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 101 b (new)**

*Motion for a resolution*

*Amendment*

**101 b. According to Google's Threat Analysis Group (TAG), spyware company Variston IT as based in Barcelona, is allegedly linked to a framework that exploits n-day vulnerabilities in Microsoft Defender, Chrome and Firefox, installing spyware on targeted devices. The vulnerabilities were fixed in 2021 and early 2022<sup>1a</sup>. According to its website,**

*Variston offers ‘tailor made Information Security Solutions’<sup>1b</sup>.*

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*<sup>1a</sup> Threat Analysis Group. New details on commercial spyware vendor Variston.; Techcrunch. Spyware vendor Variston exploited Chrome, Firefox and Windows zero-days, says Google.*

*<sup>1b</sup> <https://variston.net/>*

Or. en

## **Amendment 703**

**Jordi Cañas**

### **Motion for a resolution**

#### **Paragraph 102**

##### *Motion for a resolution*

102. The right to privacy is protected under Article 18 of the Spanish Constitution of 1978, including the right to secrecy in ‘postal, telegraphic and telephone communication’<sup>196</sup>. The use of spyware such as Pegasus and Candiru *is* a violation of Article 18; **however, there is an exception to this right in the case of a court granting authorisation**<sup>197</sup>. The constitution also provides further exceptions to those rights in Part I Section 55 by stating that some freedoms are eligible to be suspended with ‘participation of the courts and proper parliamentary control’ in the case of individuals under investigation for activities relating to armed groups or terrorist organisations<sup>198</sup>.

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<sup>196</sup> Constitution of Spain 1978, [https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero).

##### *Amendment*

102. The right to privacy is protected under Article 18 of the Spanish Constitution of 1978, including the right to secrecy in ‘postal, telegraphic and telephone communication’<sup>196</sup>. The use of spyware such as Pegasus and Candiru **would be** a violation of Article 18 **if no judicial authorisation has been granted, but this possibility is provided for under Spanish law**<sup>197</sup>. The constitution also provides further exceptions to those rights in Part I Section 55 by stating that some freedoms are eligible to be suspended with ‘participation of the courts and proper parliamentary control’ in the case of individuals under investigation for activities relating to armed groups or terrorist organisations<sup>198</sup>. **Furthermore, Article 55 includes democratic safeguards to ensure that ‘unjustified use or misuse’ of those powers will give rise to criminal liability.**

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<sup>196</sup> Constitution of Spain 1978, [https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero).

aspx , *at* Section 18.

<sup>197</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , *at* Section 18.

<sup>198</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , *at* Section 55.

aspx, Section 18.

<sup>197</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx), Section 18.

<sup>198</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx), Section 55.

Or. es

#### **Amendment 704**

**Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar**

#### **Motion for a resolution**

#### **Paragraph 102**

##### *Motion for a resolution*

102. The right to privacy is protected under Article 18 of the Spanish Constitution of 1978, including the right to secrecy *in* 'postal, telegraphic and telephone communication'<sup>196</sup> . ***The use of spyware such as Pegasus and Candiru is a violation of Article 18; however, there is an exception to this right in the case of a court granting authorisation***<sup>197</sup> . The constitution also provides further exceptions *to those rights* in Part I Section 55 by stating that some *freedoms* are eligible to be suspended *with 'participation of the courts and proper parliamentary control'* in the case of individuals under investigation for activities relating to armed groups or terrorist organisations<sup>198</sup> .

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<sup>196</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx).

##### *Amendment*

102. The right to privacy is protected under Article 18 of the Spanish Constitution of 1978, including the right to "***secrecy of communication, especially of postal, telegraphic and telephone communication***"<sup>196</sup> , ***which is guaranteed***. The Constitution also provides further exceptions in Part I Section 55 by stating that some *rights* are eligible to "be suspended ***when the declaration of state of emergency or siege is agreed under the terms provided in the Constitution***", and ***that "an organic law may determine the manner and cases in which individually and with the necessary judicial intervention and adequate parliamentary control" certain rights "can be suspended*** in the case of individuals under investigation for activities relating to armed groups or terrorist organisations"<sup>198</sup> .

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<sup>196</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx).

aspx , at Section 18.

<sup>197</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , at Section 18.

<sup>198</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , at Section 55.

aspx , at Section 18.

<sup>198</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , at Section 55.

Or. en

## Amendment 705

Gilles Lebreton, Christine Anderson, Mathilde Androuët

### Motion for a resolution Paragraph 102

#### *Motion for a resolution*

102. The right to privacy is protected under Article 18 of the Spanish Constitution of 1978, including the right to secrecy in ‘postal, telegraphic and telephone communication’<sup>196</sup>. ***The use of spyware such as Pegasus and Candiru is a violation of Article 18;*** however, there is an exception to this right in the case of a court granting authorisation<sup>197</sup>. The constitution also provides further exceptions to those rights in Part I Section 55 by stating that some freedoms are eligible to be suspended with ‘participation of the courts and proper parliamentary control’ in the case of individuals under investigation for activities relating to armed groups or terrorist organisations<sup>198</sup>.

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<sup>196</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , **at** Section 18.

<sup>197</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) .

#### *Amendment*

102. The right to privacy is protected under Article 18 of the Spanish Constitution of 1978, including the right to secrecy in ‘postal, telegraphic and telephone communication’<sup>196</sup>. However, there is an exception to this right in the case of a court granting authorisation<sup>197</sup>. The constitution also provides further exceptions to those rights in Part I Section 55 by stating that some freedoms are eligible to be suspended with ‘participation of the courts and proper parliamentary control’ in the case of individuals under investigation for activities relating to armed groups or terrorist organisations<sup>198</sup>.

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<sup>196</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , Section 18.

<sup>197</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) .

aspx , *at* Section 18.

<sup>198</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , *at* Section 55.

aspx, Section 18.

<sup>198</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx), Section 55.

Or. fr

## **Amendment 706**

**Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold**

### **Motion for a resolution Paragraph 102**

#### *Motion for a resolution*

102. The right to privacy is protected under Article 18 of the Spanish Constitution of 1978, including the right to secrecy in ‘postal, telegraphic and telephone communication’<sup>196</sup> . ***The use of spyware such as Pegasus and Candiru is a violation of Article 18;*** however, there is an exception to this right in the case of a court granting authorisation<sup>197</sup> . The constitution also provides further exceptions to those rights in Part I Section 55 by stating that some freedoms are eligible to be suspended with ‘participation of the courts and proper parliamentary control’ in the case of individuals under investigation for activities relating to armed groups or terrorist organisations<sup>198</sup> .

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<sup>196</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , at Section 18.

<sup>197</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , at Section 18.

<sup>198</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx).

#### *Amendment*

102. The right to privacy is protected under Article 18 of the Spanish Constitution of 1978, including the right to secrecy in ‘postal, telegraphic and telephone communication’<sup>196</sup> . However, there is an exception to this right in the case of a court granting authorisation<sup>197</sup> . The constitution also provides further exceptions to those rights in Part I Section 55 by stating that some freedoms are eligible to be suspended with ‘participation of the courts and proper parliamentary control’ in the case of individuals under investigation for activities relating to armed groups or terrorist organisations<sup>198</sup> .

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<sup>196</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , at Section 18.

<sup>197</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx) , at Section 18.

<sup>198</sup> Constitution of Spain 1978,  
[https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo\\_primero.aspx](https://www.lamoncloa.gob.es/lang/en/espana/leyfundamental/Paginas/titulo_primero.aspx).



**Amendment 707**

**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 102 a (new)**

*Motion for a resolution*

*Amendment*

***102 a. Further detail on the exemptions to the Article 18 right to privacy is outlined in the Criminal Procedure Act. Article 588 of the Act requires authorisation to be provided by a judge, subject to four specific principles. Firstly, speciality (that the surveillance is related to a specific crime). Secondly, adequacy (outlining duration, objective and the subjective scope). Thirdly, proportionality (strength of existing evidence, severity of the case and result sought), and finally the exceptional nature and necessity (there are no other measures available and without it, the investigation will be interfered with).<sup>198a</sup> Article 588 septies (a,b and c) specifically sets the conditions on remote computer searches. The competent judge may authorise [...] under Article 588 septies the installation of software, allowing remote and telematic examination without the knowledge of the owner or user, provided that it pursues the investigation of certain criminal offences. To that end, the measure shall have a strict duration of one month, extendable for equal periods up to a maximum of three months.***

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<sup>198a</sup> ***Criminal Procedure Act 2016, <https://www.mjusticia.gob.es/es/AreaTematica/DocumentacionPublicaciones/Documentos/Criminal%20Procedure%20Act%20>***

**Amendment 708**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 102 a (new)**

*Motion for a resolution*

*Amendment*

***102 a. Further detail on the exemptions to the Article 18 right to privacy is outlined in the Criminal Procedure Act<sup>1a</sup>. Article 588 of the Act requires authorisation to be provided by a judge, subject to four specific principles. Firstly, speciality (that the surveillance is related to a specific crime). Secondly, adequacy (outlining duration, objective and the subjective scope). Thirdly, proportionality (strength of existing evidence, severity of the case and result sought), and finally the exceptional nature and necessity (there are no other measures available and without it, the investigation will be interfered with)<sup>1b</sup>.***

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***<sup>1a</sup> Criminal Procedure Act 2016,  
<https://www.mjusticia.gob.es/es/AreaTematica/DocumentacionPublicaciones/Documents/Criminal%20Procedure%20Act%202016.pdf>***

***<sup>1b</sup> Criminal Procedure Act, 2016  
<https://www.mjusticia.gob.es/es/AreaTematica/DocumentacionPublicaciones/Documents/Criminal%20Procedure%20Act%202016.pdf> at Article 588.***

**Amendment 709**

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

**Motion for a resolution**  
**Paragraph 102 a (new)**

*Motion for a resolution*

*Amendment*

**102 a.** *For activities that may affect the inviolability of the home and the secrecy of communications, article 18 of the Spanish Constitution requires judicial authorization, and article 8 of the European Convention for the Protection of Human Rights (ECHR) and Fundamental Freedoms requires that this interference is provided for in the Law and constitutes a measure that, in a democratic society, is necessary for national security, public safety, the economic interest of the country, the protection of public order and the prevention of crime, the protection of health or morality, and the protection of the rights and freedoms of others.*

Or. en

**Amendment 710**

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

**Motion for a resolution**  
**Paragraph 102 b (new)**

*Motion for a resolution*

*Amendment*

**102 b.** *The limitations to article 18 of the Constitution are set out in the Spanish Law of Criminal Procedure<sup>198a</sup>, articles 588 ter a) to 588 ter m), specifically limiting the use of investigative measures to the investigation of those facts, which, due to their particular seriousness, justify the limitation of fundamental rights. Nevertheless, the cases contemplated in the following are excluded from this provision: a) Organic Law 2/2002, of 6 May, "regulating the prior judicial control of the National Intelligence*

*Centre"; b) Organic Law 4/1981, "of 1 June, on states of alarm, exception and siege"; and c) Provision of Organic Law 2/1989, of 13 April, on Military Procedure, in which the regulation of the Law of Criminal Procedure is supplementary applicable.*

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*<sup>198a</sup> Royal Decree of 14 September 1882 approving the Criminal Procedure Act, <https://www.boe.es/buscar/act.php?id=BOE-A-1882-6036&tn=1&p=20220907>*

Or. en

### **Amendment 711**

**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 102 b (new)**

*Motion for a resolution*

*Amendment*

*102 b. Article 197 of the Criminal Code sets out a four-year prison sentence for persons who seize or intercept i.a. electronic mail and telecommunications without correct permission.<sup>198c</sup> Additionally, Article 264 of the Code of Criminal Procedure further regulates this area in relation to the criminal act of erasing or deleting of data, but does not criminalise the act of gaining access to the data itself in situations where the required authorisation has been granted.<sup>198d</sup>*

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*<sup>198c</sup> Criminal Code 1995, [https://www.mjusticia.gob.es/es/AreaTematica/DocumentacionPublicaciones/Documents/Criminal\\_Code\\_2016.pdf](https://www.mjusticia.gob.es/es/AreaTematica/DocumentacionPublicaciones/Documents/Criminal_Code_2016.pdf), at Article 197.*

*<sup>198d</sup> Criminal Procedure Act, 2016 <https://www.mjusticia.gob.es/es/AreaTematica>*

**Amendment 712**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 102 b (new)**

*Motion for a resolution*

*Amendment*

***102 b. Article 197 of the Criminal Code sets out a four-year prison sentence for persons who seize or intercept i.a. electronic mail and telecommunications without correct permission<sup>1a</sup>. Additionally, Article 264 of the Code of Criminal Procedure further regulates this area in relation to the criminal act of erasing or deleting of data, but does not criminalise the act of gaining access to the data itself in situations where the required authorisation has been granted<sup>1b</sup>.***

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<sup>1a</sup> ***Criminal Code 1995,***  
***[https://www.mjusticia.gob.es/es/AreaTematica/DocumentacionPublicaciones/Documents/Criminal\\_Code\\_2016.pdf](https://www.mjusticia.gob.es/es/AreaTematica/DocumentacionPublicaciones/Documents/Criminal_Code_2016.pdf), at Article 197.***

<sup>1b</sup> ***Criminal Procedure Act, 2016***  
***<https://www.mjusticia.gob.es/es/AreaTematica/DocumentacionPublicaciones/Documents/Criminal%20Procedure%20Act%202016.pdf> at Article 264.***

**Amendment 713**  
**Hannes Heide, Nikos Androulakis, Costas Mavrides, Demetris Papadakis, Ibán García Del Blanco, Juan Fernando López Aguilar, Katarina Barley**

**Motion for a resolution**

**Paragraph 102 c (new)**

*Motion for a resolution*

*Amendment*

***102 c. Article 588 ter a) provides that "authorisation for the interception of telephone and telematic communications may only be granted when the purpose of the investigation is serious crimes such as terrorism or crimes committed through computerised instruments or any other information or communication technology or communication service". In addition, limitations must be authorised by a judicial authority.***

Or. en

**Amendment 714**

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

**Motion for a resolution**

**Paragraph 102 d (new)**

*Motion for a resolution*

*Amendment*

***102 d. Regarding the judicial control, the following requirements must be complied with: a) That the judicial police inform the examining magistrate of the development and results of the measure; b) That the judge establishes in the enabling judicial decision the frequency and form in which the judicial police must inform him/her of the development of the measure; c) That the Judicial Police should make available to the judge, within the established deadlines, two different digital supports, one with the transcription of the passages considered to be of interest and the other with the complete recordings made; d) That the recordings indicate the origin and destination of each of the communications; e) That the Judicial Police ensure, by means of an advanced electronic sealing or signature system or a***

*sufficiently reliable warning system, the authenticity and integrity of the information transferred from the central computer to the digital media on which the communications have been recorded; and f) That the judicial police report the results of the measure when the measure is terminated.*

Or. en

## Amendment 715

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

### Motion for a resolution

#### Paragraph 103

##### *Motion for a resolution*

103. The Spanish intelligence service is made up of three main agencies. Firstly, the National Intelligence Service (CNI) which is under the control of the Ministry of Defence. The Director of the CNI is nominated by the Minister for Defence and serves as the Prime Minister's lead advisor on issues relating to intelligence and counter-intelligence<sup>199</sup>. The second body is the domestic intelligence agency, the Intelligence Centre for Counter-Terrorism and Organised Crime (CITCO). The third and final body is the Spanish Armed Forces Intelligence Centre (CIFAS). The CIFAS is also under the direct supervision of the Ministry of Defence<sup>200 201</sup>.

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<sup>199</sup> <https://www.cni.es/en/intelligence>

<sup>200</sup>

[https://emad.defensa.gob.es/en/?\\_\\_locale=e](https://emad.defensa.gob.es/en/?__locale=e)

##### *Amendment*

103. The Spanish intelligence service is made up of three main agencies. Firstly, the National Intelligence Service (CNI) which ***acts as both a domestic and international agency***, is under the control of the Ministry of Defence. The Director of the CNI is nominated by the Minister for Defence and serves as the Prime Minister's lead advisor on issues relating to intelligence and counter-intelligence<sup>199</sup>. The second body is the domestic intelligence agency, the Intelligence Centre for Counter-Terrorism and Organised Crime (CITCO). The third and final body is the Spanish Armed Forces Intelligence Centre (CIFAS). The CIFAS is also under the direct supervision of the Ministry of Defence<sup>200 201</sup>. ***The country's policing and law enforcement, known as the 'Guardia Civil' is of a 'military nature' which is also accountable to the head of government through the Ministry of Defense.***

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<sup>199</sup> <https://www.cni.es/en/intelligence>

<sup>200</sup>

[https://emad.defensa.gob.es/en/?\\_\\_locale=e](https://emad.defensa.gob.es/en/?__locale=e)

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<sup>201</sup> Geneva Centre for Security Sector Governance report 2020, [https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence\\_jan2021.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence_jan2021.pdf) at pg. 40.

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<sup>201</sup> Geneva Centre for Security Sector Governance report 2020, [https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence\\_jan2021.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence_jan2021.pdf) at pg. 40.

Or. en

## **Amendment 716** **Jordi Cañas**

### **Motion for a resolution** **Paragraph 103**

#### *Motion for a resolution*

103. The Spanish intelligence service is made up of three main agencies. Firstly, the National Intelligence Service (CNI) which is under the control of the Ministry of Defence. The Director of the CNI is nominated by the Minister for Defence and serves as the Prime Minister's lead advisor on issues relating to intelligence and counter-intelligence<sup>199</sup>. The second body is the domestic intelligence agency, the Intelligence Centre for Counter-Terrorism and Organised Crime (CITCO). The third and final body is the Spanish Armed Forces Intelligence Centre (CIFAS). The CIFAS is also under the direct supervision of the Ministry of Defence<sup>200 201</sup>.

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<sup>199</sup> <https://www.cni.es/en/intelligence>

<sup>200</sup> [https://emad.defensa.gob.es/en/?\\_\\_locale=en](https://emad.defensa.gob.es/en/?__locale=en)

<sup>201</sup> Geneva Centre for Security Sector Governance report 2020, [https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence\\_jan2021.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence_jan2021.pdf)

#### *Amendment*

103. The Spanish intelligence service is made up of three main agencies. Firstly, the National Intelligence Service (CNI) which is under the control of the Ministry of Defence. The Director of the CNI is nominated by the Minister for Defence and serves as the Prime Minister's lead advisor on issues relating to intelligence and counter-intelligence<sup>199</sup>. The second body is the domestic intelligence agency, the Intelligence Centre for Counter-Terrorism and Organised Crime (CITCO). The third and final body is the Spanish Armed Forces Intelligence Centre (CIFAS). The CIFAS is also under the direct supervision of the Ministry of Defence<sup>200 201</sup>. ***The CNI was established under Law No 11/2002 of 6 May 2002, pursuant to which it is authorised to conduct 'security investigations'.***<sup>202 a</sup>

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<sup>199</sup> <https://www.cni.es/en/intelligence>

<sup>200</sup> [https://emad.defensa.gob.es/en/?\\_\\_locale=en](https://emad.defensa.gob.es/en/?__locale=en)

<sup>201</sup> Geneva Centre for Security Sector Governance report 2020, [https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence\\_jan2021.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence_jan2021.pdf)



<sup>202 a</sup> **Law 11/2002 May 6,**  
**[https://www.global-  
regulation.com/translation/spain/1451143  
/law-11-2002%252c-6-may%252c-  
regulating-the-national-intelligence-  
centre.html](https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html) Article 5.5.**

Or. es

### **Amendment 717**

**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 103**

#### *Motion for a resolution*

103. The Spanish intelligence service is made up of three main agencies. Firstly, the National Intelligence Service (CNI) which *is* under the control of the Ministry of Defence. The Director of the CNI is nominated by the Minister for Defence and serves as the Prime Minister's lead advisor on issues relating to intelligence and counter-intelligence<sup>199</sup>. The second body is the domestic intelligence agency, the Intelligence Centre for Counter-Terrorism and Organised Crime (CITCO). The third and final body is the Spanish Armed Forces Intelligence Centre (CIFAS). The CIFAS is also under the direct supervision of the Ministry of Defence<sup>200 201</sup>.

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<sup>199</sup> <https://www.cni.es/en/intelligence>

<sup>200</sup>

[https://emad.defensa.gob.es/en/?\\_\\_locale=e](https://emad.defensa.gob.es/en/?__locale=e)

#### *Amendment*

103. The Spanish intelligence service is made up of three main agencies. Firstly, the National Intelligence Service (CNI) which *acts* under the *supervision and control of the executive, legislative and judicial powers and is attached to* the Ministry of Defence.<sup>198b</sup> The Director of the CNI is nominated by the Minister for Defence and serves as the Prime Minister's lead advisor on issues relating to intelligence and counter-intelligence<sup>199</sup>. The second body is the domestic intelligence agency, the Intelligence Centre for Counter-Terrorism and Organised Crime (CITCO). The third and final body is the Spanish Armed Forces Intelligence Centre (CIFAS). The CIFAS is also under the direct supervision of the Ministry of Defence<sup>200 201</sup>.

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<sup>198b</sup> **National Intelligence Centre (CNI),**  
**<https://www.cni.es/>**

<sup>199</sup> <https://www.cni.es/en/intelligence>

<sup>200</sup>

[https://emad.defensa.gob.es/en/?\\_\\_locale=e](https://emad.defensa.gob.es/en/?__locale=e)

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<sup>201</sup> Geneva Centre for Security Sector Governance report 2020, [https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence\\_jan2021.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence_jan2021.pdf) at pg. 40.

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<sup>201</sup> Geneva Centre for Security Sector Governance report 2020, [https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence\\_jan2021.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence_jan2021.pdf) at pg. 40.

Or. en

### **Amendment 718**

**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 103 a (new)**

*Motion for a resolution*

*Amendment*

***103 a. Despite the fact that the Spanish legislative framework appears to have given significant consideration to the necessity of judicial consent for surveillance, there still appears to be a major gap in the law relating to the retroactive nature of spyware. Even with the legal requirement for the duration of the surveillance to be specifically stipulated before authorisation, this does not provide for the fact that once a device is infected with spyware, it is possible to retroactively review past communications and data in a way that was not possible with traditional surveillance measures.***

Or. en

### **Amendment 719 Sophia in 't Veld**

#### **Motion for a resolution Paragraph 103 a (new)**

*Motion for a resolution*

*Amendment*

*103 a. Despite the fact that the Spanish legislative framework appears to have given significant consideration to the necessity of judicial consent for surveillance, there still appears to be a major gap in the law relating to the retroactive nature of spyware. Even with the legal requirement for the duration of the surveillance to be specifically stipulated before authorisation, this does not provide for the fact that once a device is infected with spyware, it is possible to retroactively review past communications and data in a way that was not possible with traditional surveillance measures.*

Or. en

**Amendment 720**

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

**Motion for a resolution  
Paragraph 103 a (new)**

*Motion for a resolution*

*Amendment*

*103 a. The Official Secrets Law, which dates back to 1968 in the midst of the dictatorship of General Francisco Franco, ensures that when a document is classified in Spain, it remains that way forever, unless the government specifically orders its release. This means de facto that barring the express declassification of a document by a ministry or other official body, they can remain out of the view of the public forever. This law is currently under revision by the Spanish government, but the adoption does not have an end date.*

Or. en

**Amendment 721**

**Ibán García Del Blanco, Juan Fernando López Aguilar**

**Motion for a resolution**  
**Paragraph 104**

*Motion for a resolution*

104. *Much of the surveillance conducted in Spain was carried out by the CNI, a body that has been embroiled in a number of scandals relating to surveillance in the past*<sup>202</sup>. The CNI was established under Law 11/2002 May 6 *and it authorises* the CNI to conduct ‘security investigations’<sup>203</sup>. *However, there is little clarification on the means or limitations of such activities*<sup>204</sup>. Law 11/2002 also established parliamentary, executive and legislative oversight control over the CNI<sup>205</sup> *Parliamentary oversight* is to be carried out by the Official Secrets Committee of the Spanish Congress, which was established in 1995<sup>206</sup>. The Delegated Committee for Intelligence Affairs *is in executive control of the body, and coordinates the intelligence activities of the CNI*<sup>207</sup>. *Lastly, the Defence Committee of the Congress of Deputies conducts legislative oversight over the CNI*<sup>208</sup>. The annual Intelligence Directive *dictates* the intelligence priorities *of the CNI for the year*<sup>209</sup>.

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<sup>202</sup> *Citizen Lab CatalanGate Report, [PE742.288v01-00](https://citizenlab.ca/2022/04/catalangate-</a></i></p></div><div data-bbox=)*

*Amendment*

104. The CNI was established under Law 11/2002, of May 6, *with the mission to provide the Spanish Government with the information and intelligence necessary to prevent and avoid any risk or threat that affects the independence and integrity of the State, national interests and the stability of the Rule of law and its institutions*<sup>201a</sup>. Law 11/2002 grants the CNI *powers* to conduct ‘security investigations on *persons or entities*’ *and to carry out such investigations, and the CNI "may request the necessary collaboration from public and private organisations and institutions"*<sup>203</sup>. *The CNI activities, as well as its organisation and internal structure, means and procedures, personnel, facilities, databases and data centres, sources of information and information or data that may lead to knowledge of the above matters, constitute classified information, with the degree of secrecy*<sup>204</sup>. Law 11/2002 also established parliamentary, executive and legislative oversight. *Parliamentary control over the CNI is to be carried out by the Committee on the use and control of credits allocated to secret funds (the so-called Official Secrets Committee) of the Spanish Congress, which was established in 1995*<sup>206</sup>.

The *Government's* Delegated Committee for Intelligence Affairs *ensures the adequate coordination of Spain's overall information and intelligence services*<sup>207</sup>. The annual Intelligence Directive *sets* the intelligence priorities *for* the CNI<sup>209</sup>.

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<sup>201a</sup> *Law 11/2002, of May 6, Regulating the National Intelligence Centre, Explanatory statement*

*extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/*, 18 April 2022 at pg. 2.

<sup>203</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 5.5.

<sup>204</sup> *OMCT*, <https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on-journalists-politicians-and-lawyers-in-spain> , 4 May 2022.

<sup>205</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>206</sup> Law 11/1995 May 11, <https://www.boe.es/eli/es/l/1995/05/11/11/con> .

<sup>207</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 6.

<sup>208</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>209</sup> *On Balance: Intelligence Democratization in Post-Franco Spain*, <https://www.tandfonline.com/doi/full/10.1080/08850607.2018.1466588?scroll=top&needAccess=true> , *International Journal of Intelligence and Counter intelligence* [2018] Vol 31 issue 4, 769-804 at pg. 776.

<sup>203</sup> Law 11/2002, of May 6, *Regulating the National Intelligence Centre*, at Article 5.5.

<sup>204</sup> Law 11/2002, of May 6, *Regulating the National Intelligence Centre*, at Article 5.1.

<sup>206</sup> Law 11/1995, of May 11, <https://www.boe.es/eli/es/l/1995/05/11/11/con> .

<sup>207</sup> Law 11/2002, of May 6, *Regulating the National Intelligence Centre*, at Article 6.

<sup>209</sup> Law 11/2002, of May 6, *Regulating the National Intelligence Centre*, at *Explanatory statement*.

Or. en

## Amendment 722

Jordi Cañas

### Motion for a resolution

#### Paragraph 104

##### *Motion for a resolution*

104. Much of the surveillance conducted in Spain was carried out by the CNI, a body ***that has been embroiled in a number of scandals relating to surveillance in the past***<sup>202</sup>. ***The CNI was established under Law 11/2002 May 6 and it*** authorises the CNI to conduct ‘security investigations’<sup>203</sup>. ***However, there is little clarification on the means or limitations of such activities***<sup>204</sup>. Law 11/2002 also established parliamentary, executive and legislative oversight control over the CNI<sup>205</sup>. Parliamentary oversight is to be carried out by the Official Secrets Committee of the Spanish Congress, which was established in 1995<sup>206</sup>. The Delegated Committee for Intelligence Affairs is in executive control of the body, and ***co-ordinates*** the intelligence activities of the CNI<sup>207</sup>. Lastly, the Defence Committee of the Congress of Deputies conducts legislative oversight over the CNI<sup>208</sup>. ***The annual Intelligence Directive dictates the intelligence priorities of the CNI for the year***<sup>209</sup>.

##### *Amendment*

104. Much of the surveillance conducted in Spain was carried out by the CNI, a body established under Law ***No 11/2002 of May 6 2002, which*** authorises the CNI to conduct ‘security investigations’<sup>203</sup>. Law 11/2002 also established parliamentary, executive and legislative oversight control over the CNI<sup>205</sup>. Parliamentary oversight is to be carried out by the Official Secrets Committee of the Spanish Congress, which was established in 1995<sup>206</sup>. The Delegated Committee for Intelligence Affairs is in executive control of the body, and ***coordinates*** the intelligence activities of the CNI<sup>207</sup>. Lastly, the Defence Committee of the Congress of Deputies conducts legislative oversight over the CNI<sup>208</sup>.

***A Supreme Court judge is responsible for authorising intelligence service activities that affect the inviolability of the home and the confidentiality of communications.***

***The annual Intelligence Directive dictates the intelligence priorities of the CNI for the year. As stipulated by Law 11/2002 governing the National Intelligence Service, the CNI’s main task is to ‘provide the government with the information and intelligence necessary to prevent and avoid any risk or threat that affects the independence and integrity of Spain, its national interests and the stability of the rule of law and its institutions’.***

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<sup>202</sup> ***Citizen Lab CatalanGate Report,***  
***<https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,***  
***18 April 2022 at pg. 2.***

<sup>203</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> **at** Article 5.5.

<sup>204</sup> ***OMCT,***  
***<https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on-journalists-politicians-and-lawyers-in-spain> ,***  
***4 May 2022.***

<sup>205</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> **at** Article 11.

<sup>206</sup> Law 11/1995 May 11,  
<https://www.boe.es/eli/es/l/1995/05/11/11/con> .

<sup>207</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> **at** Article 6.

<sup>208</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> **at** Article 11.

<sup>209</sup> ***On Balance: Intelligence Democratization in Post-Franco Spain,***  
***<https://www.tandfonline.com/doi/full/10.1080/08850607.2018.1466588?scroll=top&needAccess=true> ,***  
***International Journal of Intelligence and Counter intelligence [2018] Vol 31 issue 4, 769-804 at pg. 776.***

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<sup>203</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> Article 5.5.

<sup>205</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> Article 11.

<sup>206</sup> Law 11/1995 May 11,  
<https://www.boe.es/eli/es/l/1995/05/11/11/con> .

<sup>207</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> Article 6.

<sup>208</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> Article 11.

**Amendment 723****Jorge Buxadé Villalba, Dominik Tarczyński, Beata Kempa****Motion for a resolution****Paragraph 104***Motion for a resolution*

104. ***Much of the surveillance conducted in Spain was carried out by the CNI, a body that has been embroiled in a number of scandals relating to surveillance in the past***<sup>202</sup>. The CNI was established under Law 11/2002 May 6 and it authorises the CNI to conduct ‘security investigations’<sup>203</sup>. ***However, there is little clarification on the means or limitations of such activities***<sup>204</sup>. Law 11/2002 also established parliamentary, executive and legislative oversight control over the CNI<sup>205</sup>. Parliamentary oversight is to be carried out by the Official Secrets Committee of the Spanish Congress, which was established in 1995<sup>206</sup>. The Delegated Committee for Intelligence Affairs is in executive control of the body, and co-ordinates the intelligence activities of the CNI<sup>207</sup>. Lastly, the Defence Committee of the Congress of Deputies conducts legislative oversight over the CNI<sup>208</sup>. The annual Intelligence Directive dictates the intelligence priorities of the CNI for the year<sup>209</sup>.

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<sup>202</sup> ***Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 2.***

<sup>203</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence->

*Amendment*

104. The CNI was established under Law 11/2002 May 6 and it authorises the CNI to conduct ‘security investigations’<sup>203</sup>. Law 11/2002 also established parliamentary, executive and legislative oversight control over the CNI<sup>205</sup>. Parliamentary oversight is to be carried out by the Official Secrets Committee of the Spanish Congress, which was established in 1995<sup>206</sup>. The Delegated Committee for Intelligence Affairs is in executive control of the body, and co-ordinates the intelligence activities of the CNI<sup>207</sup>. Lastly, the Defence Committee of the Congress of Deputies conducts legislative oversight over the CNI<sup>208</sup>. The annual Intelligence Directive dictates the intelligence priorities of the CNI for the year<sup>209</sup>.

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<sup>203</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence->



centre.html at Article 5.5.

<sup>204</sup> *OMCT*,  
<https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on-journalists-politicians-and-lawyers-in-spain> , 4 May 2022.

<sup>205</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>206</sup> Law 11/1995 May 11,  
<https://www.boe.es/eli/es/l/1995/05/11/11/con> .

<sup>207</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 6.

<sup>208</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>209</sup> On Balance: Intelligence Democratization in Post-Franco Spain,  
<https://www.tandfonline.com/doi/full/10.1080/08850607.2018.1466588?scroll=top&needAccess=true> , International Journal of Intelligence and Counter intelligence [2018] Vol 31 issue 4, 769-804 at pg. 776.

centre.html at Article 5.5.

<sup>205</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>206</sup> Law 11/1995 May 11,  
<https://www.boe.es/eli/es/l/1995/05/11/11/con> .

<sup>207</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 6.

<sup>208</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>209</sup> On Balance: Intelligence Democratization in Post-Franco Spain,  
<https://www.tandfonline.com/doi/full/10.1080/08850607.2018.1466588?scroll=top&needAccess=true> , International Journal of Intelligence and Counter intelligence [2018] Vol 31 issue 4, 769-804 at pg. 776.

Or. en

## **Amendment 724**

**Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold**

### **Motion for a resolution Paragraph 104**

104. ***Much of the surveillance conducted in Spain was carried out by the CNI, a body that has been embroiled in a number of scandals relating to surveillance in the past***<sup>202</sup>. The CNI was established under Law 11/2002 May 6 and it authorises the CNI to conduct ‘security investigations’<sup>203</sup>. ***However, there is little clarification on the means or limitations of such activities***<sup>204</sup>. Law 11/2002 also established parliamentary, executive and legislative oversight control over the CNI<sup>205</sup>. Parliamentary oversight is to be carried out by the Official Secrets Committee of the Spanish Congress, which was established in 1995<sup>206</sup>. The Delegated Committee for Intelligence Affairs is in executive control of the body, and co-ordinates the intelligence activities of the CNI<sup>207</sup>. Lastly, the Defence Committee of the Congress of Deputies conducts legislative oversight over the CNI<sup>208</sup>. The annual Intelligence Directive dictates the intelligence priorities of the CNI for the year<sup>209</sup>.

104. The CNI was established under Law 11/2002 May 6 ***which regulates its activities*** and it authorises the CNI to conduct ‘security investigations’<sup>203</sup>. ***According to article 4.b. of the aforementioned law, one of the main responsibilities of the CNI is to prevent, detect and enable the neutralization of those activities of foreign services, groups or individuals that endanger, threaten or violate the constitutional order, the rights and freedoms of Spanish citizens, the sovereignty, integrity and security of the State, stability of its institutions, the national economic interests and the welfare of the population.*** Law 11/2002 also established parliamentary, executive and legislative oversight control over the CNI<sup>205</sup>. Parliamentary oversight is to be carried out by the Official Secrets Committee of the Spanish Congress, which was established in 1995<sup>206</sup>. The Delegated Committee for Intelligence Affairs is in executive control of the body, and co-ordinates the intelligence activities of the CNI<sup>207</sup>. Lastly, the Defence Committee of the Congress of Deputies conducts legislative oversight over the CNI<sup>208</sup>. The annual Intelligence Directive dictates the intelligence priorities of the CNI for the year<sup>209</sup>.

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<sup>202</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 2.

<sup>203</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 5.5.

<sup>204</sup> OMCT, <https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on->

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<sup>203</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 5.5.

journalists-politicians-and-lawyers-in-spain  
, 4 May 2022.

<sup>205</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>206</sup> Law 11/1995 May 11,  
<https://www.boe.es/eli/es/l/1995/05/11/11/con> .

<sup>207</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 6.

<sup>208</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>209</sup> On Balance: Intelligence Democratization in Post-Franco Spain,  
<https://www.tandfonline.com/doi/full/10.1080/08850607.2018.1466588?scroll=top&needAccess=true> , International Journal of Intelligence and Counter intelligence [2018] Vol 31 issue 4, 769-804 at pg. 776.

<sup>205</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>206</sup> Law 11/1995 May 11,  
<https://www.boe.es/eli/es/l/1995/05/11/11/con> .

<sup>207</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 6.

<sup>208</sup> Law 11/2002 May 6,  
<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>209</sup> On Balance: Intelligence Democratization in Post-Franco Spain,  
<https://www.tandfonline.com/doi/full/10.1080/08850607.2018.1466588?scroll=top&needAccess=true> , International Journal of Intelligence and Counter intelligence [2018] Vol 31 issue 4, 769-804 at pg. 776.

Or. en

## Amendment 725

Gilles Lebreton, Christine Anderson, Mathilde Androuët

### Motion for a resolution Paragraph 104

#### *Motion for a resolution*

104. Much of the surveillance conducted in Spain was carried out by the CNI, ***a body that has been embroiled in a number of scandals relating to surveillance in the past***<sup>202</sup>. The CNI was established under

#### *Amendment*

104. Much of the surveillance conducted in Spain was carried out by the CNI. The CNI was established under Law 11/2002 May 6 and it authorises the CNI to conduct ‘security investigations’<sup>203</sup>. Law 11/2002

Law 11/2002 May 6 and it authorises the CNI to conduct ‘security investigations’<sup>203</sup>. **However, there is little clarification on the means or limitations of such activities**<sup>204</sup>. Law 11/2002 also established parliamentary, executive and legislative oversight control over the CNI<sup>205</sup> **Parliamentary oversight** is to be carried out by the Official Secrets Committee of the Spanish Congress, which was established in 1995<sup>206</sup>. The Delegated Committee for Intelligence Affairs is in executive control of the body, and **co-ordinates** the intelligence activities of the CNI<sup>207</sup>. Lastly, the Defence Committee of the Congress of Deputies conducts legislative oversight over the CNI<sup>208</sup>. The annual Intelligence Directive dictates the intelligence priorities of the CNI for the year<sup>209</sup>.

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<sup>202</sup> **Citizen Lab CatalanGate Report**, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 2.

<sup>203</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 5.5.

<sup>204</sup> **OMCT**, <https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on-journalists-politicians-and-lawyers-in-spain>, 4 May 2022.

<sup>205</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> at Article 11.

<sup>206</sup> Law 11/1995 May 11, <https://www.boe.es/eli/es/l/1995/05/11/11/con>.

<sup>207</sup> Law 11/2002 May 6,

also established parliamentary, executive and legislative oversight control over the CNI<sup>205</sup> **which** is to be carried out by the Official Secrets Committee of the Spanish Congress, which was established in 1995<sup>206</sup>. The Delegated Committee for Intelligence Affairs is in executive control of the body, and **coordinates** the intelligence activities of the CNI<sup>207</sup>. Lastly, the Defence Committee of the Congress of Deputies conducts legislative oversight over the CNI<sup>208</sup>. The annual Intelligence Directive dictates the intelligence priorities of the CNI for the year<sup>209</sup>.

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<sup>203</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html>, Article 5.5.

<sup>205</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/law-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html>, Article 11.

<sup>206</sup> Law 11/1995 May 11, <https://www.boe.es/eli/es/l/1995/05/11/11/con>.

<sup>207</sup> Law 11/2002 May 6,

<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> *at* Article 6.

<sup>208</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html> *at* Article 11.

<sup>209</sup> On Balance: Intelligence Democratization in Post-Franco Spain, <https://www.tandfonline.com/doi/full/10.1080/08850607.2018.1466588?scroll=top&needAccess=true>, International Journal of Intelligence and Counter intelligence [2018] Vol 31 issue 4, 769-804 *at pg.* 776.

<https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html>, Article 6.

<sup>208</sup> Law 11/2002 May 6, <https://www.global-regulation.com/translation/spain/1451143/aw-11-2002%252c-6-may%252c-regulating-the-national-intelligence-centre.html>, Article 11.

<sup>209</sup> On Balance: Intelligence Democratization in Post-Franco Spain, <https://www.tandfonline.com/doi/full/10.1080/08850607.2018.1466588?scroll=top&needAccess=true>, International Journal of Intelligence and Counter intelligence [2018] Vol 31 issue 4, 769-804, *p.* 776.

Or. fr

## **Amendment 726**

**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 104 a (new)**

*Motion for a resolution*

*Amendment*

***104 a. Judicial control over the actions of the CNI is provided for in Organic Law 2/2002 May 6. <sup>209a</sup> <sup>209b</sup> It states that a Magistrate of the Supreme Court may grant authorisation for measures taken in limitation of the right to privacy of communications. <sup>209c</sup> These provisions were brought in to force at a time when surveillance technology was far less advanced, and spyware such as Pegasus and Candiru did not exist. The legal safeguards risk therefore being outdated and do not provide citizens with sufficient protection.***

<sup>209a</sup> **OMCT**,  
<https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on-journalists-politicians-and-lawyers-in-spain> , 4 May 2022.

<sup>209b</sup> **Organic Law 2/2002 May 6**,  
<https://www.global-regulation.com/translation/spain/1451142/law-2-2002%252c-6-may%252c-regulating-the-prior-judicial-control-of-the-national-intelligence-center.html>.

<sup>209c</sup> **OMCT**,  
<https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on-journalists-politicians-and-lawyers-in-spain> , 4 May 2022

Or. en

**Amendment 727**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 104 a (new)**

*Motion for a resolution*

*Amendment*

**104 a. Judicial control over the actions of the CNI is provided for in Organic Law 2/2002 May 6<sup>1a</sup>. It states that a Magistrate of the Supreme Court may grant authorisation for measures taken in violation of the right to privacy of communications<sup>1b</sup>. These provisions were brought in to force at a time when surveillance technology was far less advanced, and spyware such as Pegasus and Candiru did not exist. The legal safeguards risk therefore being outdated and do not provide citizens with sufficient protection.**

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<sup>1a</sup> **OMCT**,  
[https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on-journalists-politicians-and-lawyers-in-](https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on-journalists-politicians-and-lawyers-in)

*spain , 4 May 2022; Organic Law 2/2002 May 6, <https://www.global-regulation.com/translation/spain/1451142/law-2-2002%252c-6-may%252c-regulating-the-prior-judicial-control-of-the-national-intelligence-center.html>*

*<sup>1b</sup> OMCT, <https://www.omct.org/en/resources/urgent-interventions/state-surveillance-on-journalists-politicians-and-lawyers-in-spain> , 4 May 2022.*

Or. en

#### **Amendment 728**

**Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold**

**Motion for a resolution  
Paragraph 104 a (new)**

*Motion for a resolution*

*Amendment*

***104 a. Judicial oversight of the activities of the CNI is regulated by the Organic Law 2/2002 of May 6<sup>195a</sup>. In particular, this regulation requires that when the CNI seeks to conduct surveillance, the CNI Secretary of State has the obligation to request authorization from a competent magistrate of the Supreme Court. In addition, the law stipulates that surveillance operations cannot last more than three months, and any extension of said term must be properly justified.***

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*<sup>195a</sup> Organic Law 2/2002, <https://www.boe.es/buscar/doc.php?id=BOE-A-2002-8627> 6 May 2002*

Or. en

#### **Amendment 729**

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

**Motion for a resolution**  
**Paragraph 104 a (new)**

*Motion for a resolution*

*Amendment*

***104 a. The CNI activities affecting the fundamental rights recognised in Article 18.2 and 3 of the Spanish Constitution are regulated under the LO 2/2002, of 6 May, "regulating the prior judicial control of the National Intelligence Centre" which is complementary to Law 11/2002, of 7 May, regulating the National Intelligence Centre.***

Or. en

**Amendment 730**

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

**Motion for a resolution**  
**Paragraph 104 b (new)**

*Motion for a resolution*

*Amendment*

***104 b. For access to communications by the CNI, the Secretary of State Director of the CNI can request the competent Supreme Court Magistrate, in accordance with the Organic Law of the Judiciary, to authorise the adoption of measures affecting the inviolability of the home and the secrecy of communications, provided that such measures are necessary for the fulfilment of the functions assigned to the Centre. The Magistrate shall decide, by means of a reasoned decision within a non-extendable period of seventy-two hours, whether to grant the authorisation requested.***

Or. en

**Amendment 731**



**Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold**

**Motion for a resolution  
Paragraph 104 b (new)**

*Motion for a resolution*

*Amendment*

***104 b. The information gathered by the CNI is subject to secrecy according to the Official Secrets Act<sup>196a</sup>, a law that applies to information whose disclosure could potentially harm the security of the State, the fundamental interests of the nation, and the constitutional order.***

***Notwithstanding, none of the provisions included in this law impedes the exercise of the oversight and controls carried out by the Courts and other oversight organisms, including the Parliamentary Committee of Official Secrets and the ombudsman.***

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***<sup>196a</sup> Ley 9/1968***

***<https://www.boe.es/buscar/act.php?id=BOE-A-1968-444> 5 April 1968***

Or. en

**Amendment 732**

**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 104 b (new)**

*Motion for a resolution*

*Amendment*

***104 b. The Official Secrets Act of 1968 originates in the Franco regime era and its reform has been long debated in Spain. The biggest issue with this largely antiquated piece of legislation is that it does not outline a time period beyond which the imposed secrecy would expire.***  
209d

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*<sup>209d</sup> El Pais,  
[https://english.elpais.com/spanish\\_news/2021-04-05/spanish-government-begins-reform-of-franco-era-official-secrets-law.html](https://english.elpais.com/spanish_news/2021-04-05/spanish-government-begins-reform-of-franco-era-official-secrets-law.html) , 5 April 2021; Official Secrets Act of 1968.*

Or. en

**Amendment 733**  
**Sophia in 't Veld**

**Motion for a resolution**  
**Paragraph 104 b (new)**

*Motion for a resolution*

*Amendment*

***104 b. The Official Secrets Act of 1968 originates in the Franco regime era and its reform has been long debated in Spain. The biggest issue with this largely antiquated piece of legislation is that it does not outline a time period beyond which the imposed secrecy would expire<sup>1a</sup>.***

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*<sup>1a</sup> El Pais,  
[https://english.elpais.com/spanish\\_news/2021-04-05/spanish-government-begins-reform-of-franco-era-official-secrets-law.html](https://english.elpais.com/spanish_news/2021-04-05/spanish-government-begins-reform-of-franco-era-official-secrets-law.html) , 5 April 2021; Official Secrets Act of 1968.*

Or. en

**Amendment 734**  
**Cornelia Ernst, Stelios Kouloglou, Giorgos Georgiou, Anne-Sophie Pelletier**

**Motion for a resolution**  
**Paragraph 105**

*Motion for a resolution*

*Amendment*

105. The laws establishing the CNI also established the Defence Committee of the

105. The laws establishing the CNI also established the Defence Committee of the

Congress of Deputies and it is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. However, the Spanish Constitution does not stipulate that access will be granted to documents or information relating to the work of the intelligence services and the requirement is also notably absent in the legal framework of the law on transparency. Therefore, much of the work of the CNI is kept secret and lacks transparency<sup>210</sup>.

Congress of Deputies and it is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. However, the Spanish Constitution does not stipulate that access will be granted to documents or information relating to the work of the intelligence services and the requirement is also notably absent in the legal framework of the law on transparency. Therefore, much of the work of the CNI is kept secret and lacks transparency<sup>210</sup>. *The CNI's activities are shrouded in secrecy, and the agency lacks public transparency. The CNI has also been at the centre of surveillance and espionage scandals. Ensuring transparency and public accountability in the operations of Spain's intelligence apparatus is an enduring challenge, despite the requirement of some degree of judicial oversight. However, given the secret nature of the Commission, the Spanish public opinion still does not know if the Spanish government has made any purchase contract with NGO group and specifically, if it has acquired and use for this purpose Pegasus, and the victims do not know the scope and consequences of the interception of their communication.*<sup>210a</sup>

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<sup>210</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 2.

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<sup>210</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 2.

<sup>210a</sup> *Footnote: Amnesty International 10 medidas que garanticen la no repetición de violaciones de Derechos Humanos*

Or. en

## **Amendment 735**

**Ibán García Del Blanco, Juan Fernando López Aguilar**

### **Motion for a resolution**

## Paragraph 105

### *Motion for a resolution*

105. The *laws establishing the CNI also established the Defence Committee of the Congress of Deputies and it is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. However, the Spanish Constitution does not stipulate that access will be granted to documents or information relating to the work of the intelligence services and the requirement is also notably absent in the legal framework of the law on transparency. Therefore, much of the work of the CNI is kept secret and lacks transparency*<sup>210</sup>.

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<sup>210</sup> *Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>,*

### *Amendment*

105. The *amounts assigned to secret funds are set in the Spanish General Budget Law for each financial year*<sup>209a</sup>. *Such amounts are subject to control by the Committee on the use and control of credits allocated to secret funds of the Spanish Congress, which also exercises parliamentary oversight over the CNI and allocates its funds. The Government determines and approves annually the objectives of the CNI through the Intelligence Directive, which is secret*<sup>209b</sup>. *The Director of the CNI has exclusive competencies on determining the purpose and destination of the funds assigned, and periodically has to report on their use to the Head of the Government. The Committee on the use and control of credits allocated to secret funds is informed about the intelligence objectives, has the prerogative to submit an annual report on the activities of the intelligence services*<sup>209c</sup>, *and has access to the annual report produced on a yearly basis by the Director of the CNI on the assessment of activities, status, and degree of fulfilment of the objectives.*

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<sup>209a</sup> *Law 11/1995, of May 11, regulating the use and control of credits allocated to secret funds, Article 2, <https://www.boe.es/eli/es/l/1995/05/11/11/c> on*

<sup>209b</sup> *Law 11/2002, of May 6, regulating the Intelligence Nacional Centre (CNI), at Article 3.*

<sup>209c</sup> *Law 11/1995, of May 11, regulating the use and control of credits allocated to secret funds, at Article 7.4.*

**Amendment 736**

**Jorge Buxadé Villalba, Dominik Tarczyński, Beata Kempa**

**Motion for a resolution**

**Paragraph 105**

*Motion for a resolution*

105. The laws establishing the CNI also established the Defence Committee of the Congress of Deputies and it is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. ***However, the Spanish Constitution does not stipulate that access will be granted to documents or information relating to the work of the intelligence services and the requirement is also notably absent in the legal framework of the law on transparency. Therefore, much of the work of the CNI is kept secret and lacks transparency***<sup>210</sup>.

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<sup>210</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 2.

*Amendment*

105. The laws establishing the CNI also established the Defence Committee of the Congress of Deputies and it is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI.

**Amendment 737**

**Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold**

**Motion for a resolution**

**Paragraph 105**

*Motion for a resolution*

105. The laws establishing the CNI also

*Amendment*

105. The laws establishing the CNI also

established the Defence Committee of the Congress of Deputies **and it** is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. **However, the Spanish Constitution does not stipulate that access will be granted to documents or information relating to the work of the intelligence services and the requirement is also notably absent in the legal framework of the law on transparency. Therefore, much of the work of the CNI is kept secret and lacks transparency**<sup>210</sup>.

established the Defence Committee of the Congress of Deputies **which** is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. **While the information related to the operation of the intelligence services is subject to the requirements of secrecy and confidentiality contained in the law, all the bodies that are tasked with conducting oversight of the CNI, such as the Defence Committee, the Official Secrets Committee or the ombudsman have complete access to the necessary information to assess whether operations were lawfully and correctly pursued.**

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<sup>210</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 at pg. 2.

Or. en

## Amendment 738

Jordi Cañas

### Motion for a resolution

#### Paragraph 105

##### *Motion for a resolution*

105. The laws establishing the CNI also established the Defence Committee of the Congress of Deputies and it is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. **However, the Spanish Constitution does not stipulate that access will be granted to documents or information relating to the work of the intelligence services and the requirement is also notably absent in the legal framework of the law on transparency. Therefore, much of the work of the CNI is kept secret and lacks transparency**<sup>210</sup>.

##### *Amendment*

105. The laws establishing the CNI also established the Defence Committee of the Congress of Deputies and it is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. Spanish **legislation** does not stipulate that **public** access will be granted to documents or information relating to the work of the intelligence services **Therefore, and in line with the legislation, much of the work of the CNI, being an intelligence service, is kept secret**<sup>210</sup>.

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<sup>210</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 *at pg. 2*.

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<sup>210</sup> Citizen Lab CatalanGate Report, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022, *p. 2*.

Or. es

### **Amendment 739**

**Gilles Lebreton, Christine Anderson, Mathilde Androuët**

#### **Motion for a resolution**

##### **Paragraph 105**

###### *Motion for a resolution*

105. The laws establishing the CNI also established the Defence Committee of the Congress of Deputies and it is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. **However**, the Spanish Constitution does not stipulate that access will be granted to documents or information relating to the work of the intelligence services and the requirement is also notably absent in the legal framework of the law on transparency. Therefore, much of the work of the CNI is kept secret **and lacks transparency**<sup>210</sup>.

###### *Amendment*

105. The laws establishing the CNI also established the Defence Committee of the Congress of Deputies and it is responsible for allocating the confidential funds for the CNI and producing an annual report on the CNI. The Spanish Constitution does not stipulate that access will be granted to documents or information relating to the work of the intelligence services and the requirement is also notably absent in the legal framework of the law on transparency. Therefore, much of the work of the CNI is kept secret.

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<sup>210</sup> *Citizen Lab CatalanGate Report*, <https://citizenlab.ca/2022/04/catalangate-extensive-mercenary-spyware-operation-against-catalans-using-pegasus-candiru/>, 18 April 2022 *at pg. 2*.

Or. fr

### **Amendment 740**

**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 105 a (new)**

*Motion for a resolution*

*Amendment*

***105 a. As result of the revelation that the CNI has used Pegasus and Candiru, the Spanish Ombudsman began conducting an investigation. However, this investigation was only concerning the 18 persons that the Spanish authorities have confirmed they targeted with court authorisation.<sup>210a</sup> Furthermore, the Ombudsman failed to contact and interview the victims of the CatalanGate or even their lawyers. Moreover, the Ombudsman does not deal with issues regarding the CNI, but rather only the police. The result of the investigation was to conclude that everything was done within the law and to recommend a review of the existing legal provisions and make reforms where necessary to reflect the modernisation of surveillance systems. On foot of this, the Spanish government announced in May 2022 that there would be a review conducted on the Official Secrets Act of 1968, and the Organic Law Regulating Prior Judicial Control of the CNI (Law 2/2002).<sup>210b</sup>***

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<sup>210a</sup> *The Guardian,*  
<https://www.theguardian.com/world/2022/may/05/catalans-demand-answers-after-spanish-spy-chief-confirms-phone-hacking> , 5 May 2022.

<sup>210b</sup> *El Nacional,*  
[https://www.elnacional.cat/en/politics/spanish-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spanish-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

Or. en

**Amendment 741**  
**Sophia in 't Veld**



**Motion for a resolution  
Paragraph 105 a (new)**

*Motion for a resolution*

*Amendment*

***105 a. As result of the revelation that the CNI has used Pegasus and Candiru, the Spanish Ombudsman began conducting an investigation. However, this investigation was only concerning the 18 persons that the Spanish authorities have confirmed they targeted with court authorisation<sup>1a</sup>. Moreover, the Ombudsman does not deal with issues regarding the CNI, but rather only the police. The result of the investigation was to conclude that everything was done within the law<sup>1b</sup> and to recommend a review of the existing legal provisions and make reforms where necessary to reflect the modernisation of surveillance systems<sup>1c</sup>. On foot of this, the Spanish government announced in May 2022 that there would be a review conducted on the Official Secrets Act of 1968, and the Organic Law Regulating Prior Judicial Control of the CNI (Law 2/2002)<sup>1d</sup>.***

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<sup>1a</sup> *The Guardian*,  
<https://www.theguardian.com/world/2022/may/05/catalans-demand-answers-after-spanish-spy-chief-confirms-phone-hacking> , 5 May 2022; *El Nacional*,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>1b</sup> *La Moncloa*,  
[https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526\\_appearance.aspx](https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526_appearance.aspx) , 26 May 2022.

<sup>1c</sup> *La Moncloa*,  
[https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526\\_appearance.aspx](https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526_appearance.aspx) , 26 May 2022.

<sup>1d</sup> *La Moncloa*,  
[https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526\\_appearance.aspx](https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526_appearance.aspx)

**Amendment 742**

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

**Motion for a resolution  
Paragraph 105 a (new)**

*Motion for a resolution*

*Amendment*

***105 a. The Spanish Ombudsman recognised in its official statement of 18 May 2022 that the Council of Ministers granted full access to classified documents to the Ombudsman to their examination, not making use of its prerogative provided for in Article 22 of Organic Law 3/1981 on the Ombudsman.***

**Amendment 743**

**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 106**

*Motion for a resolution*

*Amendment*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years. Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and those present

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years. Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and those present

were not allowed to enter with any electronic on them whatsoever<sup>212</sup> .

were not allowed to enter with any electronic on them whatsoever<sup>212</sup>

*. According to the spokespersons present at the hearing, it was almost solely focused on the Catalan victims and not on Pedro Sanchez or Margarita Robles and the alleged 3GB of data that was taken from their devices by mercenary spyware. Robles has repeatedly insisted that the targeting of the 18 Catalans was valid owing to the ‘situations of violence against people’ following the Supreme Court sentencing nine key pro-independence figures to jail. <sup>212a</sup>*

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<sup>211</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

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<sup>211</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212a</sup> *El Nacional,*  
*[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022*

Or. en

## **Amendment 744** **Sophia in 't Veld**

### **Motion for a resolution** **Paragraph 106**

#### *Motion for a resolution*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years. Head of the CNI Paz Esteban

#### *Amendment*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years. Head of the CNI Paz Esteban

appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and those present were not allowed to enter with any electronic on them whatsoever<sup>212</sup>.

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<sup>211</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

<sup>212</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and those present were not allowed to enter with any electronic on them whatsoever<sup>212</sup>. *According to the spokespersons present at the hearing, it was almost solely focused on the Catalan victims and not on Pedro Sanchez or Margarita Robles and the alleged 3GB of data that was taken from their devices by mercenary spyware<sup>212a</sup>. Robles has repeatedly insisted that the targeting of the 18 Catalans was valid owing to the ‘situations of violence against people’ following the Supreme Court sentencing nine key pro-independence figures to jail<sup>212b</sup>.*

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<sup>211</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

<sup>212</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

<sup>212a</sup> *El Nacional*, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

<sup>212b</sup> *El Nacional*, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

Or. en

**Amendment 745**  
**Carles Puigdemont i Casamajó**

**Motion for a resolution**  
**Paragraph 106**

*Motion for a resolution*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years. Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and those present were not allowed to enter with any electronic on them whatsoever<sup>212</sup>.

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<sup>211</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

**Amendment 746**  
**Jordi Cañas**

**Motion for a resolution**  
**Paragraph 106**

*Amendment*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years. Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and those present were not allowed to enter with any electronic on them whatsoever<sup>212</sup>.

*. Moreover, on April-May 2022 the Spanish Congress voted down a proposal to establish a committee of investigation on the Pegasus scandal and the ‘CatalanGate’ which could have been an opportunity for the public scrutiny of Pegasus use in Spain. A Pegasus committee has been established in the Catalan Parliament.*

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<sup>211</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

Or. en

106. The **Official Secrets Committee** is required to submit an annual report on the activities of the intelligence services, however when it was convened **as a result of the surveillance by the CNI, it** was the first meeting of the body in more than **two** years. **Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.**<sup>211</sup>The hearing was not public and those present were not allowed to enter with any **electronic** on them whatsoever<sup>212</sup>.

106. The **committee responsible for monitoring appropriations for reserved expenditure** is required to submit an annual report on the activities of the intelligence services; however, when it was convened **in the wake of reports published across a number of media outlets about alleged espionage being carried out against more than 60 Catalan separatist leaders, that** was the first meeting of the body in more than **three** years. **At that meeting held in camera on 5 May 2022, CNI Director Paz Esteban admitted that surveillance had been carried out on 18 separatists. She also supplied evidence that all operations on mobile phones had been carried out with judicial authorisation. Given that it was confidential,** the hearing was not public and those present were not allowed to enter with any **electronics** on them whatsoever, **which is normal practice in confidential meetings .**

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<sup>211</sup> *El Nacional*,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212</sup> *El Nacional*,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

Or. es

#### **Amendment 747**

**Gilles Lebreton, Christine Anderson, Mathilde Androuët**

#### **Motion for a resolution**

#### **Paragraph 106**

106. **The Official Secrets Committee is**

106. Head of the CNI Paz Esteban

***required to submit an annual report on the activities of the intelligence services, however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years.*** Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.<sup>211</sup>The hearing was not public and those present were not allowed to enter with any ***electronic*** on them whatsoever<sup>212</sup>.

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<sup>211</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting<sup>211</sup>. The hearing was not public and those present were not allowed to enter with any ***electronics*** on them whatsoever<sup>212</sup>.

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<sup>211</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

<sup>212</sup> El Nacional, [https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html), 5 May 2022.

Or. fr

## **Amendment 748**

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

### **Motion for a resolution**

#### **Paragraph 106**

##### *Motion for a resolution*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years. Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and those present were not allowed to enter with any

##### *Amendment*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years. Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and those present were not allowed to enter with any ***electronic*** on them whatsoever<sup>212</sup>.

electronic on them whatsoever<sup>212</sup> .

*According to the information that has since transcended, the director of the CNI would have shown documentation that would support that the intervention of the communications would have been carried out according to the current legislation.*

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<sup>211</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

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<sup>211</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212</sup> El Nacional,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

Or. en

#### **Amendment 749**

**Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold**

#### **Motion for a resolution Paragraph 106**

##### *Motion for a resolution*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, **however** when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years. Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 **victims** that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and **those present were not allowed to enter with any electronic on them whatsoever**<sup>212</sup> .

##### *Amendment*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services. When it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years **as a result of the disruption of parliamentary activity caused by COVID-19**. Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 **figures associated with the secessionist movement** that the authorities have taken responsibility for targeting<sup>197a</sup>. The hearing was not public and, **with the exception of the number of figures surveilled, no specific information has transpired in any official capacity.**



<sup>197a</sup> *El País*,  
<https://elpais.com/espana/2022-05-05/la-directora-del-cni-da-explicaciones-sobre-el-espionaje-de-pegasus-ante-el-escepticismo-de-los-partidos.html> 21 May 2022

<sup>211</sup> *El National*,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

<sup>212</sup> *El National*,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5 May 2022.

Or. en

## Amendment 750

Jorge Buxadé Villalba, Dominik Tarczyński, Beata Kempa

### Motion for a resolution

#### Paragraph 106

##### *Motion for a resolution*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services, ***however when it was convened as a result of the surveillance by the CNI, it was the first meeting of the body in more than two years.*** Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 ***victims*** that the authorities have taken responsibility for targeting.<sup>211</sup> The hearing was not public and those present were not allowed to enter with any electronic on them whatsoever<sup>212</sup> .

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<sup>211</sup> *El National*,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5

##### *Amendment*

106. The Official Secrets Committee is required to submit an annual report on the activities of the intelligence services. Head of the CNI Paz Esteban appeared before the Committee on 5 May 2022 to present the court authorisations for the 18 ***individuals*** that the authorities have taken responsibility for targeting. The hearing was not public and those present were not allowed to enter with any electronic on them whatsoever .

May 2022.

<sup>212</sup> *El Nacional*,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5  
May 2022.

Or. en

## Amendment 751

Ibán García Del Blanco, Juan Fernando López Aguilar

### Motion for a resolution

#### Paragraph 106

##### *Motion for a resolution*

106. The **Official Secrets** Committee is **required to submit an annual report** on the **activities** of the **intelligence services**, **however when it** was convened **as a result of the surveillance by the CNI**, **it was the first meeting of the body in more than two years**. Head of the CNI **Paz Esteban** appeared before the Committee **on 5 May 2022 to present the court authorisations for the 18 victims that the authorities have taken responsibility for targeting**.<sup>211</sup> The hearing was **not public and those present were not allowed to enter with any electronic on them whatsoever**<sup>212</sup> .

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<sup>211</sup> *El Nacional*,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5  
May 2022.

<sup>212</sup> *El Nacional*,  
[https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge\\_752448\\_102.html](https://www.elnacional.cat/en/politics/spain-cni-admits-spying-catalan-independence-judge_752448_102.html) , 5  
May 2022.

##### *Amendment*

106. The Committee on the **use and control** of the **credits allocated to secret funds** was convened **on 5 May 2022, and the Head of the CNI at the time** appeared before the Committee **to debrief the Deputies and provide CNI's account of the use of the Pegasus spyware**. **In accordance to Article 5.5 of Law 11/2002, this hearing was conducted in-camera. In this session, the Head of the CNI reportedly admitted to intercepting the communications of 18 individuals.**

Or. en

**Amendment 752**

**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 106 a (new)**

*Motion for a resolution*

*Amendment*

**106 a. Sanchez has also spoken on the issue in the Spanish Lower House where he once again reiterated that everything has been done within the law, and that the national security is subject to the control of the Parliament and other government bodies.<sup>212c</sup> The idea that the use of Pegasus by the CNI was all legal was also claimed by former NSO Group CEO, Shalev Hulio, who told the New Yorker that the use of Pegasus by Spain was legitimate given Spain's strong respect for the rule of law and requirement for Supreme Court authorisation.<sup>212d</sup>**

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<sup>212c</sup> *La Moncloa,*  
[https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526\\_appearance.aspx](https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526_appearance.aspx) , 26 May 2022.

<sup>212d</sup> *The New Yorker,*  
<https://www.newyorker.com/magazine/2022/04/25/how-democracies-spy-on-their-citizens> , 18 April 2022.

Or. en

**Amendment 753**  
**Sophia in 't Veld**

**Motion for a resolution  
Paragraph 106 a (new)**

*Motion for a resolution*

*Amendment*

**106 a. Sanchez has also spoken on the issue in the Spanish Lower House where he once again reiterated that everything**

*has been done within the law, and that the national security is subject to the control of the Parliament and other government bodies<sup>1a</sup>. The idea that the use of Pegasus by the CNI was all legal was also claimed by former NSO Group CEO, Shalev Hulio, who told the New Yorker that the use of Pegasus by Spain was legitimate given Spain's strong respect for the rule of law and requirement for Supreme Court authorisation<sup>1b</sup>.*

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<sup>1a</sup> *La Moncloa,*  
*[https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526\\_appearance.aspx](https://www.lamoncloa.gob.es/lang/en/presidente/news/Paginas/2022/20220526_appearance.aspx) , 26 May 2022.*

<sup>1b</sup> *The New Yorker,*  
*<https://www.newyorker.com/magazine/2022/04/25/how-democracies-spy-on-their-citizens> , 18 April 2022.*

Or. en

#### **Amendment 754**

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

#### **Motion for a resolution Paragraph 106 a (new)**

*Motion for a resolution*

*Amendment*

*106 a. The Spanish Ombudsman announced an ex officio investigation<sup>212a</sup>, which concluded that the CNI actions were compliant with the Spanish Constitution and laws, and recommended to further reflect on the adequacy of parliamentary and judicial controls, since the committee on the use and control of credits allocated to secret funds of the Spanish Congress had not convened for the past three years technological progress may challenge traditional judicial control<sup>212b</sup>.*

<sup>212a</sup> <https://www.reuters.com/article/us-spain-politics-catalonia-spying-idCAKCN2MG0A6>, 24 April 2022

<sup>212b</sup> *El Defensor del Pueblo verifica que la actuación del CNI se ha realizado conforme a la Constitución y la Ley en los casos examinados, 18 May 2022*

Or. en

**Amendment 755**  
**Jordi Cañas**

**Motion for a resolution**  
**Paragraph 106 a (new)**

*Motion for a resolution*

*Amendment*

**106a.** *The Spanish Ombudsman, acting on his own initiative, checked that the CNI's action was carried out in accordance with the Spanish Constitution and the laws of the country, i.e. in line with the various legal provisions on prior judicial oversight of the monitoring of communications in the 18 cases acknowledged by the CNI.*<sup>212 b</sup>

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<sup>212 b</sup>

<https://www.defensordelpueblo.es/noticias/defensor-del-pueblo-verifica-la-actuacion-del-cni-se-ha-realizado-conforme-la-constitucion-la-ley-los-casos-examinados/>

Or. es

**Amendment 756**  
**Jordi Cañas**

**Motion for a resolution**  
**Paragraph 107**

*Motion for a resolution*

*Amendment*

107. There has been *a significant amount of public scrutiny on the ‘CatalanGate’ scandal since it came to light in April 2022. The Spanish media and media outlets around the world have worked extensively in conjunction with civil society organisations to scrutinise the surveillance system in Spain and advocate for the fundamental rights of the victims. Inversely, some Spanish politicians have tried to discredit CitizensLab, suggesting their methods are unsound or that they are politically motivated. A collaborator of CitizensLab, himself of Catalan origin, was among the targets, along with his parents, who are not politically active at all*<sup>213</sup>.

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<sup>213</sup> *Dit Kan Geen Toeval Zijn, De Volkskrant podcast series by Huib Modderkolk and Simone Eleveld, 2022.*

107. There has been *interest in the ‘CatalanGate’ case on the part of media outlets in Spain and in other countries since it came to light in April 2022.*

Or. es

#### **Amendment 757**

**Vladimír Bilčík, Juan Ignacio Zoido Álvarez, Gabriel Mato, Karolin Braunsberger-Reinhold**

#### **Motion for a resolution**

##### **Paragraph 107**

###### *Motion for a resolution*

107. There has been a significant amount of public scrutiny on the ‘CatalanGate’ scandal since it came to light in April 2022. The Spanish media and media outlets around the world have worked extensively in conjunction with civil society organisations to scrutinise the surveillance system in Spain *and advocate for the fundamental rights of the victims. Inversely, some Spanish politicians have tried to discredit CitizensLab, suggesting their methods are unsound or that they are politically motivated. A collaborator of CitizensLab, himself of Catalan origin,*

###### *Amendment*

107. There has been a significant amount of public scrutiny on the ‘CatalanGate’ scandal since it came to light in April 2022. The Spanish media and media outlets around the world have worked extensively in conjunction with civil society organisations to scrutinise the surveillance system in Spain. *Throughout these proceedings, it has been shown that an author of the report, who is of Catalan origin and who also featured as a victim in the report, may have been politically motivated. An investigation in the National Court is assessing the links*

*was among the targets, along with his parents, who are not politically active at all*<sup>213</sup>.

*between him and the members of the violent secessionist organization Tsunami Democratic*<sup>198a</sup>, and according to the Guardia Civil he traveled multiple times to debrief Mr. Carles Puigdemont, a fugitive leader of the secessionist movement, on the advances achieved on the digital voting software Vocdoni and a virtual currency which could potentially enable the organization a second illegal referendum<sup>199a</sup>.

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<sup>198a</sup> *Vozpopuli*

<https://www.vozpopuli.com/espana/pegasus-tsunami-democratic-2.html> 28 April 2022

<sup>199a</sup> *El Periodico*

<https://www.elperiodico.com/es/politica/20220430/elies-campo-carles-puigdemont-pegasus-catalangate-13590631> 30 April 2020

<sup>213</sup> *Dit Kan Geen Toeval Zijn, De Volkskrant podcast series by Huib Modderkolk and Simone Eleveld, 2022.*

Or. en

## Amendment 758

Ibán García Del Blanco, Juan Fernando López Aguilar

### Motion for a resolution

#### Paragraph 107

##### *Motion for a resolution*

107. There has been a significant amount of public scrutiny on the ***‘CatalanGate’ scandal since it came to light in April 2022***. The Spanish media and media outlets around the world have worked extensively in conjunction with civil society organisations to scrutinise the surveillance system in Spain and advocate for the fundamental rights of the victims. ***Inversely, some Spanish politicians have tried to discredit CitizensLab, suggesting***

##### *Amendment*

107. There has been a significant amount of public scrutiny on the ***use of spyware against public authorities and civilians***. The Spanish media and media outlets around the world have worked extensively in conjunction with civil society organisations to scrutinise the surveillance system in Spain and advocate for the fundamental rights of the victims.

*their methods are unsound or that they are politically motivated. A collaborator of CitizensLab, himself of Catalan origin, was among the targets, along with his parents, who are not politically active at all*<sup>213</sup>.

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<sup>213</sup> *Dit Kan Geen Toeval Zijn, De Volkskrant podcast series by Huib Modderkolk and Simone Eleveld, 2022.*

Or. en

## Amendment 759

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

### Motion for a resolution

#### Paragraph 107

##### *Motion for a resolution*

107. There has been a significant amount of public scrutiny on the ‘CatalanGate’ scandal since it came to light in April 2022. The Spanish media and media outlets around the world have worked extensively in conjunction with civil society organisations to scrutinise the surveillance system in Spain and advocate for the fundamental rights of the victims. Inversely, some Spanish politicians have tried to discredit CitizensLab, suggesting their methods are unsound or that they are politically motivated. A collaborator of CitizensLab, himself of Catalan origin, was among the targets, along with his parents, who are not politically active at all<sup>213</sup>.

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<sup>213</sup> *Dit Kan Geen Toeval Zijn, De Volkskrant podcast series by Huib Modderkolk and Simone Eleveld, 2022.*

##### *Amendment*

107. There has been a significant amount of public scrutiny on the ‘CatalanGate’ scandal since it came to light in April 2022. The Spanish media and media outlets around the world have worked extensively in conjunction with civil society organisations to scrutinise the surveillance system in Spain and advocate for the fundamental rights of the victims. ***It violates basic fundamental rights such as right to privacy, freedom of expression and assembly, and the right to equality in political participation.*** Inversely, some Spanish politicians have tried to discredit CitizensLab, suggesting their methods are unsound or that they are politically motivated. A collaborator of CitizensLab, himself of Catalan origin, was among the targets, along with his parents, who are not politically active at all<sup>213</sup>.

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<sup>213</sup> *Dit Kan Geen Toeval Zijn, De Volkskrant podcast series by Huib Modderkolk and Simone Eleveld, 2022.*



**Amendment 760****Jorge Buxadé Villalba, Dominik Tarczyński, Beata Kempa****Motion for a resolution****Paragraph 107***Motion for a resolution*

107. There has been *a significant amount of public scrutiny on the ‘CatalanGate’ scandal* since *it came to light in April 2022*. The Spanish media and media outlets around the world have *worked extensively in conjunction with civil society organisations to scrutinise the surveillance system in Spain and advocate for the fundamental rights of the victims. Inversely, some Spanish politicians have tried to discredit CitizensLab, suggesting their methods are unsound or that they are politically motivated. A collaborator of CitizensLab, himself of Catalan origin, was among the targets, along with his parents, who are not politically active at all*<sup>213</sup>.

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<sup>213</sup> *Dit Kan Geen Toeval Zijn, De Volkskrant podcast series by Huib Modderkolk and Simone Eleveld, 2022.*

*Amendment*

107. There has been *an attempt by the political parties involved in the attempted coup d'etat in Spain in 2017 and by their affiliated media to use the so-called ‘CatalanGate’ to discredit the Spanish judicial system* since *the information was published in 2020*. The Spanish media and media outlets around the world have *published the information available and the fact that the surveillance is part of the criminal investigation around the attempted coup d'etat in Spain in 2017. There is no proof of any wrongdoing or any action outside the law by the Spanish law enforcement authorities or intelligence agencies so far.*