

Decision on setting up a committee of inquiry to investigate the use of the Pegasus and equivalent surveillance spyware, and defining the subject of the inquiry, as well as the responsibilities, numerical strength and term of office of the committee

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The European Parliament adopted by 635 votes to 36, with 20 abstentions, a decision on setting up a committee of inquiry to investigate the use of the Pegasus and equivalent surveillance spyware, and defining the subject of the inquiry, as well as the responsibilities, numerical strength and term of office of the committee.

The **38-member committee** of inquiry will investigate allegations of infringement or maladministration in the application of EU law in relation to the use of Pegasus and equivalent spyware surveillance software.

The committee will be asked to gather information on the extent to which Member States, including Hungary and Poland, or third countries, are using intrusive surveillance to the extent that it violates the rights and freedoms enshrined in the Charter of Fundamental Rights of the European Union.

It will analyse information to determine, *inter alia*:

- whether Member States' authorities have used Pegasus and equivalent spyware surveillance software for political, economic or other unjustified purposes to spy on journalists, politicians, law enforcement officials, diplomats, lawyers, business people, civil society actors or others in violation of EU law;
- whether the use of the Pegasus and equivalent surveillance spyware had an adverse impact on democratic processes in the Member States concerning elections on local, national and European levels;
- whether the Commission had evidence of the use of the Pegasus and equivalent surveillance spyware against persons and whether Member States provided sufficient institutional and legal safeguards to prevent the illegal use of spyware;
- the alleged failure of Member States to act in respect of the involvement of entities in the EU in the development, dissemination, or financing of the Pegasus and equivalent surveillance spyware;
- whether the use of the Pegasus or equivalent surveillance spyware by Member State authorities has resulted in the transfer of personal data to third countries;
- whether the use of the Pegasus or equivalent surveillance spyware by third countries had an impact on fundamental rights ensured under Union law and whether, there were sufficient grounds for the Council to reassess any international cooperation agreements in the Area of Freedom, Security and Justice concluded with third countries.

The committee will make any recommendations it deems necessary in this regard, as well as recommendations to protect the EU institutions, its members and staff from such spyware surveillance.

The committee of inquiry will submit its final report within 12 months of the adoption of this decision.