



# Joint Letter on Concerns Regarding Procurement, Use and Regulation of Spyware in EU Member States

Dear Members of the European Parliament,

We, the undersigned 12 organisations, members of the Spyware Coordination Group, are writing to voice our deep concern about the worrying developments regarding the potential procurement of Spyware (in the case of Slovakia) and its use and regulation (in the case of Greece). The deployment of such technologies represents a severe invasion to privacy and a breach of data protection, allowing unrestricted access to personal communications, location data, and other sensitive information on devices. Pegasus and Predator are both highly invasive spyware technologies that have been used against human rights defenders, lawyers, politicians, journalists, opposition voices, and civil society members around the world. Particularly within the [context of democratic backsliding in Slovakia](#) and rule of law concerns in Greece, such developments present serious threats to the rule of law and democracy that must be promptly investigated.

According to an [investigation](#) by the independent and reliable Slovak media outlet Dennik N, the Slovak government has likely acquired PEGASUS and the tool is being used by the Slovak Intelligence agency. According to the journalistic investigation, the described usage involves extensive surveillance capabilities, purportedly allowing for total control over mobile devices nationwide, including the ability to monitor microphones, cameras, mobile screens and access the content of encrypted communications. The claims have been backed up by opposition Members of Parliament. However, the [government has publicly denied](#) these allegations and the intelligence agency has issued an [inconclusive response](#) that neither confirms nor denies the allegations

We also wish to express concerns over the situation in Greece. [Recent Government communications indicate](#) that the preparations and adoption of the Presidential Decree allowing state authorities to procure spyware is nearing its final stages. However, key oversight bodies such as the Hellenic Authority for Communication Security and Privacy (ADAΕ) and the Hellenic Data Protection Authority (HDPA) have not been consulted in the process, in breach of constitutional obligations and creating a credible risk that the provisions of the Draft Presidential Decree may not comply with the requirements under EU law to protect and respect human rights.

Of additional concern is the lack of transparency and openness regarding the process of drafting legislation, as well as the absence of an informed dialogue with the independent authorities and advisory bodies - which is a long-standing issue in Greece that the EU Commission has repeatedly highlighted in its 2023 and 2024 Rule of Law reports. The lack of consultation by the two supervisory authorities creates a credible risk that the provisions of the Draft Presidential Decree may not comply with the requirements under EU and international human rights law. This development comes within the context of [ongoing investigations into the 'PREDATOR scandal,'](#) which continues to be an area of concern when it comes to due process, accountability, effective access to remedies for victims, and independent judicial oversight. There are also unresolved questions surrounding the illegal surveillance of journalists, politicians, and lawyers as well as the integrity of the Supreme Court investigation.

Therefore we urge the Members of the European Parliament to:

- Seek immediate clarification from the Government of Slovakia on these developments - for instance holding a public debate at committee or plenary level - and their implications and prompt the EU Commission to investigate the issue.
- Seek immediate clarification from the Greek Government on the status of the preparations of the Presidential Decree - for instance by organising a committee debate or sending an official letter - urging them to respect their legal and constitutional obligations to consult all relevant oversight bodies in a timely and transparent manner.
- Urge the Greek authorities to ensure that the investigation into the deployment of PREDATOR spyware in the country is conducted in an independent manner that adequately addresses the significant allegations and concerns of victims, fully investigates all lines of enquiry, and provides effective remedy to those found to have been harmed.
- Request the EU Commission to closely monitor the preparations for the Presidential Decree to ensure proceedings adhere to EU law principles and address the Commission's concerns stated in its annual Rule of Law report.
- Call on the EU Commission to put forward legislative proposals to address the threats to fundamental rights posed by spyware in the new legislative term and to develop comprehensive frameworks that prioritise the protection of privacy and freedom of expression, alongside rigorous accountability mechanisms for state surveillance practices.

Sincerely,

Centre for Democracy and Technology Europe

Access Now

ARTICLE 19

Civil Liberties Union for Europe (Liberties)

Electronic Privacy Information Center (EPIC)

Epicenter.works – for digital rights

European Digital Rights (EDRi)

European Federation of Journalists (EFJ)

Homo Digitalis

The Hungarian Civil Liberties Union (HCLU)

Privacy International (PI)

Wikimedia Europe