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The PEGA Committee calls on Parliament to conduct an effective investigation into Catalangate

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EFA MEPs in the PEGA Committee joined the calls to the EP to carry out a more extensive and effective investigation into the spyware case they were victims of.

The European Parliament's Committee of Inquiry on Pegasus and other spy programs has today approved in committee its two reports, one of the conclusions and one with recommendations, on the use of these technological weapons in the European Union.

The EFA Group positively values the result of both final texts that "analyze Catalangate in depth, call on the State to act in order to clear responsibilities and denounce the helplessness of the victims".

The EFA MEP and vice-president of the PEGA commission, Diana Riba, emphasizes that "the pressure exerted by the Esquerra Republicana de Catalunya and the Greens/EFA has managed to influence the final text". Riba has made the fact that a large part of the amendments presented by the Greens/EFA group have been accepted.

One of the highlights, in the section on recommendations to the Spanish state, the text calls "clearly and explicitly for a complete, fair and effective investigation, in which all the information on all cases of espionage, including the 47 not recognized by the Spanish government". Also "cooperation with the courts" to ensure that victims "have real and meaningful access" to justice.

Concerning to the current Spanish legislative framework, it is stated that the legal provisions in the State for the use of espionage techniques "are obsolete" and do not adapt to modern technologies such as those represented by Pegasus or others. For this reason, it recommends that the executive "initiate a legal reform of the National Intelligence Centre (CNI)" and even "invite Europol to join the Catalangate investigations to contribute with its technical knowledge".

The report also talks about Spain’s lack of intention to investigate Catalangate.

Along these lines, the text notes that the Spanish Congress voted against establishing a commission of inquiry and, regarding the investigation carried out by the Spanish Ombudsman, Ángel Gabilondo, regrets that it only refers to the 18 Catalangate cases. That he supposedly had a court order and that, to carry out his investigation, he did not meet with any victim. The text goes further and reminds that "the Ombudsman

does not have the competence to assess the suitability and proportionality of the use of cyberespionage tools but a judge". And, in this sense, it highlights the lack of will to investigate judicial cases, since those cases that have been opened in court by pro-independence "progress very slowly".

Diana Riba I Giner, EFA MEP and Vice-president of the PEGA Committee said:

“Today we have voted the final reports on Pegasus and we have to say we are highly satisfied because we have managed to comprehensively address the espionage against Catalan independence."

“These reports highlight the lack of will by the Spanish government and their intelligence agencies, to investigate and uncover the 65 cases of the Catalangate.”

“It makes a special mention to those 18 cases that do have a court order, but evidences how unlawfully they acted with those legal cases, and admitted that there is no legal case for the other 47 cases”

“The report calls for the Spanish state for an update in a framework defined as obsolete, and on the halt court cases.”

Jordi Solé, EFA Group President and victim of the Catalangate said:

“The result of today’s votes is satisfactory, we have managed to agree for Members States to only use spyware, only when a clear criteria is met”.

“One of the biggest arguments by the Members State that utilise these spyware systems is National Security.”

“The recommendations make ample reference to the problematic widespread application of national security; therefore, following a suggestion by Greens/EFA, authorities evoking national security reasons to deploy spyware have to demonstrate the necessity and proportionality of the envisaged measure.”

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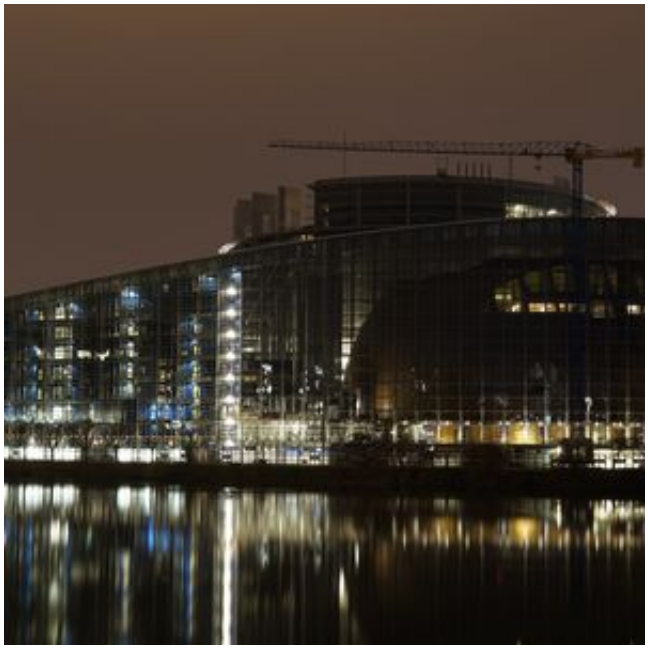

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Responsible MEPs



Diana Riba i Giner

EFA President and first Vice President of the Greens/EFA Group



Jordi Solé

Member

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