

December 3, 2021

## Joint open letter by civil society organizations and independent experts urging EU targeted sanctions against NSO Group

Dear High Representative Borrell,

Dear Foreign Ministers of EU member states,

We are writing following credible [revelations](#) that Israeli NSO Group's Pegasus Spyware was used to hack the devices of six Palestinian human rights activists – the latest in a growing series of reports about human rights abuses linked to the use of NSO technology – to urge that the EU takes serious and effective measures against NSO Group, including the designation of the entity under the EU's global human rights sanctions regime.

Already in July, reporting by [the Pegasus Project](#) – a collaboration of more than 80 journalists from 16 media organizations in 10 countries coordinated by [Forbidden Stories](#) with the technical support of Amnesty International – exposed how the Pegasus software was used to infiltrate the devices of activists, journalists, and opposition figures, including in the EU. Forbidden Stories and its media partners [identified](#) potential NSO clients in countries known to engage in unlawful and arbitrary surveillance of their citizens and also known to have been clients of NSO Group.

The systemic targeting of Palestinian human rights defenders with Pegasus provides further evidence of a pattern of human rights abuses facilitated by NSO Group through spyware sales to governments that use the technology to persecute civil society and social movements in many countries around the world. Furthermore, these abuses underscore how NSO Group's [human rights policy](#) fails to prevent and mitigate human rights abuse in a meaningful way.

NSO Group has [repeatedly denied](#) the allegations included in the Pegasus Project reporting and the [revelations](#) that Pegasus was used to target Palestinian human rights defenders. None of the Pegasus Project partners or groups that revealed the hacking of Palestinians have retracted their reporting. In fact, additional [independent reporting](#) and [investigations](#) from [authorities](#) [corroborated](#) the Pegasus Project's findings.

Following allegations on the use of the software by the Hungarian government, Commissioner Reynders [announced](#) an investigation into the matter and called for urgent action against the use of the spyware.

The EU's global human rights sanctions regime allows the EU to adopt targeted sanctions against entities deemed responsible for violations or abuses that are “of serious concern as regards the objectives of the common foreign and security policy”, including violations or abuses of freedom

of peaceful assembly and of association, or of freedom of opinion and expression (art. 1, par. d, iii and iv of [Council Decision CFSP 2020/1999](#)). These rights have been repeatedly violated using NSO technology, and, as highlighted by the [UN Special Rapporteur](#) on freedom of opinion and expression, the use of spyware by abusive governments can also facilitate extrajudicial, summary or arbitrary executions and killings, or enforced disappearance of persons, covered by art. 1, par. c, iii and iv of the Decision.

On November 3, the US Department of Commerce [added NSO Group to its trade restriction list \(Entity List\)](#), for “acting contrary to the foreign policy and national security interests of the United States”. The Department cited the use of NSO Group tools by foreign government clients to “maliciously target government officials, journalists, businesspeople, activists, academics, and embassy workers” and to enable “foreign governments to conduct transnational repression” by “targeting dissidents, journalists and activists outside of their sovereign borders to silence dissent.”

The EU should follow suit and urgently put NSO on its global sanction list and take all appropriate action to prohibit the sale, transfer, export, import and use of NSO Group technologies, as well as the provision of services that support NSO Group's products, until [adequate human rights safeguards](#) are in place.

#### **Signatories:**

##### **Civil society organizations**

1. Access Now
2. Agir ensemble pour les droits humains
3. Americans for Democracy & Human Rights in Bahrain (ADHRB)
4. Amnesty International
5. Article 19
6. ASEAN Parliamentarians for Human Rights
7. Asia Democracy Network (ADN)
8. Asian Forum for Human Rights and Development (FORUM-ASIA)
9. Asian Network for Free Elections (ANFREL)
10. Association for Progressive Communications (APC)

11. Bahrain Institute for Rights and Democracy (BIRD)
12. BoloBhi
13. Cairo Institute for Human Rights Studies (CIHRS)
14. Cambodian Alliance of Trade Unions (CATU)
15. Cambodian Center for Human Rights (CCHR)
16. Cambodian Food And Service Workers Federation (CFSWF)
17. Cambodian Human Rights and Development Association (ADHOC)
18. Cambodian Institute for Democracy (CID)
19. Cambodian Journalists Alliance Association (CamboJA)
20. Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
21. Cambodian Youth Network Association (CYN)
22. Center for Alliance Of Labor and Human Rights (CENTRAL)
23. Centre for Democracy and Technology (CDT)
24. Centro de Derechos Humanos Miguel Agustín Pro Juárez / Miguel Agustín Pro Juárez Human Rights Centre
25. CNCD-11.11.11
26. CIVICUS
27. Coalition of Cambodian Farmer Community (CCFC)
28. Committee for Free and Fair Elections in Cambodia (COMFREL)
29. Consortium on Gender, Security and Human Rights
30. CyberPeace Institute
31. Daraj
32. Democracy for the Arab World Now (DAWN)
33. Derechos Digitales
34. Digital Rights Foundation

35. Egyptian Front for Human Rights (EFHR)
36. Egyptian Initiative for Personal Rights (EIPR)
37. Election Monitoring and Democracy Studies Center, Azerbaijan
38. Electronic Frontier Foundation (EFF)
39. Equitable Cambodia (EC)
40. EuroMed Rights
41. FEMENA
42. Free Press Unlimited
43. Front Line Defenders
44. Fundación Karisma, Colombia
45. Global Centre for the Responsibility to Protect
46. Global Forum for Media Development (GFMD)
47. Human Rights Commission of Pakistan (HRCP)
48. Human Rights House Foundation
49. Human Rights Watch
50. International Service for Human Rights (ISHR)
51. International Federation for Human Rights (FIDH), within the framework of the Observatory for the Protection of Human Rights Defenders
52. Internet Freedom Foundation (IFF), India
53. Labour Rights Supported Union of Khmer Employees of NagaWorld (LRSU)
54. Lebanese Association for Democratic Elections (LADE)
55. Lebanese Center for Human Rights (CLDH)
56. Legal Education Society, Azerbaijan
57. Maharat Foundation
58. MENA Rights Group

59. Mother Nature Cambodia
60. Network of Chinese Human Rights Defenders
61. Not1More (N1M)
62. Paradigm Initiative (PIN)
63. Privacy International
64. Red en Defensa de los Derechos Digitales (R3D)
65. Reporters Without Borders (RSF)
66. Sahmakum Teang Tnaut (STT)
67. Samir Kassir Foundation
68. Samuelson-Glushko Canadian Internet Policy & Public Interest Clinic (CIPPIC) Canada
69. Sharq
70. SEEDS For Legal Initiatives
71. SMEX
72. Southeast Asia Freedom of Expression Network (SAFEnet)
73. Tecnología, Investigación y Comunidad (TEDIC) Paraguay
74. The Miaan Group
75. Urgent Action Fund for Women's Human Rights
76. Women's Association for Rational Development (WARD), Azerbaijan
77. Women's International League for Peace and Freedom (WILPF)
78. World Organisation Against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders
79. Youth Resources Development Program (YRDP) Cambodia
80. 11.11.11
81. 7amleh - The Arab Center for the Advancement of Social Media

**Independent Experts**

1. Siena Anstis, Senior Legal Advisor, the Citizen Lab at the University of Toronto's Munk School of Global Affairs & Public Policy
2. Ron Deibert, Director of the Citizen Lab at the University of Toronto's Munk School of Global Affairs & Public Policy
3. Tamir Israel, Clinical Lecturer, University of Ottawa, Faculty of Law (Canada)
4. Dr. Courtney Radsch, independent media, technology and human rights expert
5. Marietje Schaake, Stanford Cyber Policy Center