



## **ANNEX**

AMNESTY INTERNATIONAL LETTERS RE: PENSION  
FUNDS' ROLE IN HUMAN RIGHTS VIOLATIONS  
RESULTING FROM STATES' USE OF NSO GROUP'S  
SPYWARE

11 OCTOBER 2021

Index Number: DOC 10/4903/2021

To: Alaska Permanent Fund Corps

Ref.: TC DOC 10/2021.2133

**AMNESTY  
INTERNATIONAL**



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To whomsoever it may concern,

**RE: ALASKA PERMANENT FUND CORPS' ROLE IN HUMAN RIGHTS VIOLATIONS RESULTING FROM STATES' USE OF NSO GROUP'S SPYWARE**

I am writing to you from Amnesty International, as a follow-up to our previous correspondence dated 16 April 2021, which has gone unanswered.

This letter is to draw Alaska Permanent Fund Corps's attention to the human rights abuse revealed in the Pegasus Project<sup>1</sup> and to note that Alaska Permanent Fund Corps is directly linked to this abuse through its investment stake in Novalpina Capital, the private equity firm that backed the management buyout of NSO Group- the company which develops and sells the Pegasus spyware.

In July 2021, the Pegasus Project, a collaborative investigation that involved more than 80 journalists from 17 media organizations in 10 countries coordinated by Forbidden Stories with technical support from Amnesty International, revealed to the public just how states' use of the targeted digital surveillance tools supplied by one of the industry's most prominent participants, NSO Group, is utterly out of control, destabilizing, and threatening to individuals' human rights, including physical safety. The investigation revealed that human rights defenders, journalists, lawyers, activists and politicians across the globe have been targeted on a massive scale.<sup>2</sup> The Alaska Permanent Fund Corps would have noted the media reporting around the revelations.

The Pegasus Project revelations have added to a mounting pile of evidence uncovered over the years by researchers, journalists and activists of human rights abuse resulting from the unchecked use of NSO Group's technologies. These revelations disprove any claims by NSO Group that such attacks are a rare or anomalous use of their technology. While the company

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<sup>1</sup> See Amnesty International, "Massive data leak reveals Israeli NSO Group's spyware used to target activists, journalists, and political leaders globally", 18 July 2021, [amnesty.org/en/latest/press-release/2021/07/the-pegasus-project](https://www.amnesty.org/en/latest/press-release/2021/07/the-pegasus-project).

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asserts its spyware is only used for criminal and terror investigations, it has become clear that its technology facilitates systematic abuse, into which NSO Group appears to be complicit.<sup>3</sup>

Under the UN Guiding Principles on Business and Human Rights (UN Guiding Principles), companies have a responsibility to respect all human rights wherever they operate in the world and throughout their operations. This corporate responsibility to respect human rights is independent of a State's own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights. The responsibility to respect human rights requires companies to avoid causing or contributing to human rights abuses through their own business activities, and address impacts in which they are involved, including by remediating any actual abuses. It also requires companies to seek to prevent or mitigate adverse human rights impacts directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

The UN Guiding Principles establish that to meet their corporate responsibility to respect, companies should have in place an ongoing and proactive human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights.

Investors therefore have a responsibility to not contribute to, or be directly linked to, human rights abuses through their investments.<sup>4</sup> Investors should carry out human rights due diligence to identify, prevent, mitigate and account for how they address potential and actual adverse human rights impacts linked to their investments.<sup>5</sup> The UN Working Group on the issue of human rights and transnational corporations and other business enterprises has emphasized the importance of investor leverage and investor due diligence in ensuring that companies fulfil their human rights responsibilities.<sup>6</sup> Failing this, investors run the risk of contributing to, or being directly linked to human rights abuses.

As noted, for a number of years, researchers, journalists, and activists, including Amnesty International, have uncovered significant evidence of human rights abuses facilitated by NSO Group's tools. Amnesty International also made you aware of many of these concerns in a letter to you dated 16 April 2021. In that correspondence, we also noted your fund's stake in NSO Group through investments in Novalpina Capital Partners I SCSp private equity fund and asked for more information on your human rights due diligence practices. We did not receive a reply. Since then, Amnesty International has seen no evidence to demonstrate, including from publicly available information that we have reviewed, that your fund has carried out due diligence on its investment in Novalpina Capital and NSO Group to prevent or mitigate adverse human rights impacts of the Pegasus spyware that Alaska Permanent Fund Corps is directly linked to through their investment in Novalpina Capital.

This letter is to inform you that we note that Alaska Permanent Fund Corps, alongside others, is directly linked to human rights abuses in a new investor briefing entitled, 'Operating in the Shadows: Investor Risk from the Private Surveillance Industry' that we plan to publish shortly. Please find a draft attached. This letter is to also to give you a chance to respond to the information contained in this letter.

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<sup>5</sup> United Nations Guiding Principles on Business and Human Rights, 2011, HR/PUB/11/04, Guiding Principles 15 and 17.

<sup>6</sup> Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises, UN Doc. A/73/163, paras. 85-91 & 95, <https://undocs.org/A/73/163>

Further, we would like the fund to take note of the information contained in the attached briefing, which outlines the human rights and material risks facing investors operating in the private surveillance industry, in order to help them understand whether they and the surveillance companies that they invest in are adequately assessing, preventing, mitigating and addressing these risks and impacts. We hope it will be useful to you.

Please note that we may reflect any information we receive from you, in whole or in part, in published materials as appropriate. We look forward to receiving your response by 18:00 UK time on 19 October 2021 by email to Rasha Abdul-Rahim (Programme Director, Amnesty Tech), copying Likhita Banerji (Researcher/Adviser on Technology and Human Rights).

Regards,

Rasha Abdul-Rahim  
Programme Director, Amnesty Tech  
Amnesty International

To:  
East Riding Pension Fund

Ref.: TC DOC 10/2021.2134

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To whomsoever it may concern,

**RE: EAST RIDING PENSION FUND'S ROLE IN HUMAN RIGHTS VIOLATIONS RESULTING FROM STATES' USE OF NSO GROUP'S SPYWARE**

I am writing to you from Amnesty International, as a follow-up to our previous correspondence dated 16 April 2021, which was gone unanswered.

This letter is to draw East Riding Pension Fund's attention to the human rights abuse revealed in the Pegasus Project<sup>1</sup> and to note that East Riding Pension Fund is directly linked to this abuse through its investment stake in Novalpina Capital, the private equity firm that backed the management buyout of NSO Group- the company which develops and sells the Pegasus spyware.

In July 2021, the Pegasus Project, a collaborative investigation that involved more than 80 journalists from 17 media organizations in 10 countries coordinated by Forbidden Stories with technical support from Amnesty International, revealed to the public just how states' use of the targeted digital surveillance tools supplied by one of the industry's most prominent participants, NSO Group, is utterly out of control, destabilizing, and threatening to individuals' human rights, including physical safety. The investigation revealed that human rights defenders, journalists, lawyers, activists and politicians across the globe have been targeted on a massive scale.<sup>2</sup> The East Riding Pension Fund would have noted the media reporting around the revelations.

The Pegasus Project revelations have added to a mounting pile of evidence uncovered over the years by researchers, journalists and activists of human rights abuse resulting from the unchecked use of NSO Group's technologies. These revelations disprove any claims by NSO Group that such attacks are a rare or anomalous use of their technology. While the company

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asserts its spyware is only used for criminal and terror investigations, it has become clear that its technology facilitates systematic abuse, into which NSO Group appears to be complicit.<sup>3</sup>

Under the UN Guiding Principles on Business and Human Rights (UN Guiding Principles), companies have a responsibility to respect all human rights wherever they operate in the world and throughout their operations. This corporate responsibility to respect human rights is independent of a State's own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights. The responsibility to respect human rights requires companies to avoid causing or contributing to human rights abuses through their own business activities, and address impacts in which they are involved, including by remediating any actual abuses. It also requires companies to seek to prevent or mitigate adverse human rights impacts directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

The UN Guiding Principles establish that to meet their corporate responsibility to respect, companies should have in place an ongoing and proactive human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights.

Investors therefore have a responsibility to not contribute to, or be directly linked to, human rights abuses through their investments.<sup>4</sup> Investors should carry out human rights due diligence to identify, prevent, mitigate and account for how they address potential and actual adverse human rights impacts linked to their investments.<sup>5</sup> The UN Working Group on the issue of human rights and transnational corporations and other business enterprises has emphasized the importance of investor leverage and investor due diligence in ensuring that companies fulfil their human rights responsibilities.<sup>6</sup> Failing this, investors run the risk of contributing to, or being directly linked to human rights abuses.

As noted, for a number of years, researchers, journalists, and activists, including Amnesty International, have uncovered significant evidence of human rights abuses facilitated by NSO Group's tools. Amnesty International also made you aware of many of these concerns in a letter to you dated 16 April 2021. In that correspondence, we also noted your fund's stake in NSO Group through investments in Novalpina Capital Partners I SCSp private equity fund and asked for more information on your human rights due diligence practices. We did not receive a reply. Since then, Amnesty International has seen no evidence to demonstrate, including from publicly available information that we have reviewed, that your fund has carried out due diligence on its investment in Novalpina Capital and NSO Group to prevent or mitigate adverse human rights impacts of the Pegasus spyware that East Riding Pension Fund is directly linked to through their investment in Novalpina Capital.

This letter is to inform you that we note that East Riding Pension Fund, alongside others, is directly linked to human rights abuses in a new investor briefing entitled, 'Operating in the Shadows: Investor Risk from the Private Surveillance Industry' that we plan to publish shortly. Please find a draft attached. This letter is to also to give you a chance to respond to the information contained in this letter.

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Further, we would like the fund to take note of the information contained in the attached briefing, which outlines the human rights and material risks facing investors operating in the private surveillance industry, in order to help them understand whether they and the surveillance companies that they invest in are adequately assessing, preventing, mitigating and addressing these risks and impacts. We hope it will be useful to you.

Please note that we may reflect any information we receive from you, in whole or in part, in published materials as appropriate. We look forward to receiving your response by 18:00 UK time on 19 October 2021 by email to Rasha Abdul-Rahim (Programme Director, Amnesty Tech), copying Likhita Banerji (Researcher/Adviser on Technology and Human Rights).

Regards,

Rasha Abdul-Rahim  
Programme Director, Amnesty Tech  
Amnesty International

To: Oregon Public Employees Retirement System

Ref no.: TC DOC 10/2021.2136

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To whomsoever it may concern,

**RE: OREGON PUBLIC EMPLOYEES RETIREMENT SYSTEM'S ROLE IN HUMAN RIGHTS VIOLATIONS RESULTING FROM STATES' USE OF NSO GROUP'S SPYWARE**

I am writing to you from Amnesty International, as a follow-up to our previous correspondence dated 16 April 2021, which has gone unanswered.

This letter is to draw Oregon Public Employees Retirement System's attention to the human rights abuse revealed in the Pegasus Project<sup>1</sup> and to note that Oregon Public Employees Retirement System is directly linked to this abuse through its investment stake in Novalpina Capital, the private equity firm that backed the management buyout of NSO Group- the company which develops and sells the Pegasus spyware.

In July 2021, the Pegasus Project, a collaborative investigation that involved more than 80 journalists from 17 media organizations in 10 countries coordinated by Forbidden Stories with technical support from Amnesty International, revealed to the public just how states' use of the targeted digital surveillance tools supplied by one of the industry's most prominent participants, NSO Group, is utterly out of control, destabilizing, and threatening to individuals' human rights, including physical safety. The investigation revealed that human rights defenders, journalists, lawyers, activists and politicians across the globe have been targeted on a massive scale.<sup>2</sup> The Oregon Public Employees Retirement System would have noted the media reporting around the revelations.

The Pegasus Project revelations have added to a mounting pile of evidence uncovered over the years by researchers, journalists and activists of human rights abuse resulting from the unchecked use of NSO Group's technologies. These revelations disprove any claims by NSO Group that such attacks are a rare or anomalous use of their technology. While the company

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asserts its spyware is only used for criminal and terror investigations, it has become clear that its technology facilitates systematic abuse, into which NSO Group appears to be complicit.<sup>3</sup>

Under the UN Guiding Principles on Business and Human Rights (UN Guiding Principles), companies have a responsibility to respect all human rights wherever they operate in the world and throughout their operations. This corporate responsibility to respect human rights is independent of a State's own human rights obligations and exists over and above compliance with national laws and regulations protecting human rights. The responsibility to respect human rights requires companies to avoid causing or contributing to human rights abuses through their own business activities, and address impacts in which they are involved, including by remediating any actual abuses. It also requires companies to seek to prevent or mitigate adverse human rights impacts directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

The UN Guiding Principles establish that to meet their corporate responsibility to respect, companies should have in place an ongoing and proactive human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights.

Investors therefore have a responsibility to not contribute to, or be directly linked to, human rights abuses through their investments.<sup>4</sup> Investors should carry out human rights due diligence to identify, prevent, mitigate and account for how they address potential and actual adverse human rights impacts linked to their investments.<sup>5</sup> The UN Working Group on the issue of human rights and transnational corporations and other business enterprises has emphasized the importance of investor leverage and investor due diligence in ensuring that companies fulfil their human rights responsibilities.<sup>6</sup> Failing this, investors run the risk of contributing to, or being directly linked to human rights abuses.

As noted, for a number of years, researchers, journalists, and activists, including Amnesty International, have uncovered significant evidence of human rights abuses facilitated by NSO Group's tools. Amnesty International also made you aware of many of these concerns in a letter to you dated 16 April 2021. In that correspondence, we also noted your fund's stake in NSO Group through investments in Novalpina Capital Partners I SCSp private equity fund and asked for more information on your human rights due diligence practices. We did not receive a reply. Since then, Amnesty International has seen no evidence to demonstrate, including from publicly available information that we have reviewed, that your fund has carried out due diligence on its investment in Novalpina Capital and NSO Group to prevent or mitigate adverse human rights impacts of the Pegasus spyware that Oregon Public Employees Retirement System is directly linked to through their investment in Novalpina Capital.

This letter is to inform you that we note that Oregon Public Employees Retirement System, alongside others, is directly linked to human rights abuses in a new investor briefing entitled, 'Operating in the Shadows: Investor Risk from the Private Surveillance Industry' that we plan to publish shortly. Please find a draft attached. This letter is to also to give you a chance to respond to the information contained in this letter.

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Further, we would like the fund to take note of the information contained in the attached briefing, which outlines the human rights and material risks facing investors operating in the private surveillance industry, in order to help them understand whether they and the surveillance companies that they invest in are adequately assessing, preventing, mitigating and addressing these risks and impacts. We hope it will be useful to you.

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Regards,

Rasha Abdul-Rahim  
Programme Director, Amnesty Tech  
Amnesty International

To:  
South Yorkshire Pensions Authority

Ref.: TC DOC 10/2021.2137

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Dear Mr. Graham,

**RE: SOUTH YORKSHIRE PENSIONS AUTHORITY'S ROLE IN HUMAN RIGHTS VIOLATIONS RESULTING FROM STATES' USE OF NSO GROUP'S SPYWARE**

I am writing to you from Amnesty International, as a follow-up to our previous correspondence dated 16 April 2021.

This letter is to draw South Yorkshire Pensions Authority's attention to the human rights abuse revealed in the Pegasus Project<sup>1</sup> and to note that South Yorkshire Pensions Authority is directly linked to this abuse through its investment stake in Novalpina Capital, the private equity firm that backed the management buyout of NSO Group- the company which develops and sells the Pegasus spyware.

In July 2021, the Pegasus Project, a collaborative investigation that involved more than 80 journalists from 17 media organizations in 10 countries coordinated by Forbidden Stories with technical support from Amnesty International, revealed to the public just how states' use of the targeted digital surveillance tools supplied by one of the industry's most prominent participants, NSO Group, is utterly out of control, destabilizing, and threatening to individuals' human rights, including physical safety. The investigation revealed that human rights defenders, journalists, lawyers, activists and politicians across the globe have been targeted on a massive scale.<sup>2</sup> The South Yorkshire Pensions Authority would have noted the media reporting around the revelations.

The Pegasus Project revelations have added to a mounting pile of evidence uncovered over the years by researchers, journalists and activists of human rights abuse resulting from the unchecked use of NSO Group's technologies. These revelations disprove any claims by NSO Group that such attacks are a rare or anomalous use of their technology. While the company

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This letter is to inform you that we note that South Yorkshire Pensions Authority, alongside others, is directly linked to human rights abuses in a new investor briefing entitled, 'Operating in the Shadows: Investor Risk from the Private Surveillance Industry' that we plan to publish shortly. Please find a draft attached. This letter is to also to give you a chance to respond to the information contained in this letter.

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Further, we would like the fund to take note of the information contained in the attached briefing, which outlines the human rights and material risks facing investors operating in the private surveillance industry, in order to help them understand whether they and the surveillance companies that they invest in are adequately assessing, preventing, mitigating and addressing these risks and impacts. We hope it will be useful to you.

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