



Doc. 15751

26 April 2023

Investigation into the illegal surveillance of foreign leaders, political opponents and activists in Poland

Motion for a resolution

tabled by Mr Krzysztof ŚMISZEK and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Despite the Parliamentary Assembly [Resolution 2316 \(2020\)](#) and [Resolution 2359 \(2021\)](#), Polish intelligence agencies were reportedly found to be conducting illegal surveillance in state-owned hotels of Belarusian president-in-exile Sviatlana Tsikhanouskaya, the Open Dialogue Foundation – a human rights NGO enjoying participatory status with the Council of Europe – and democratic opposition politicians.

These practices indicate a continued abuse of the Pegasus surveillance system against political opponents and independent prosecutors – which had been condemned in Written declaration “Poland: the lack of respect for the rule of law and the crackdown on critical voices must stop” ([Doc.15458](#)) – creating a pattern that represents a serious threat to civil rights, the right to privacy, and individual freedoms.

The abusive practices of Polish state security services for political persecution of opponents are an affront to the principles of democracy and the rule of law which the Council of Europe stands for. They have no place in a modern, democratic society and must be investigated and condemned.

We call on the Assembly to conduct a thorough and impartial investigation into these allegations, based on numerous sources available in the media, and to urge the Polish authorities to hold those responsible accountable. A first-hand testimony can be obtained from a whistle-blower in this case, protecting his rights and safety as called for by the Assembly [Resolution 2300 \(2019\)](#).

It is essential that the Polish Government takes concrete measures to prevent such abuses from happening again and brings to justice any State officials who have abused power for personal or political gain.

The Assembly should also show solidarity with everyone whose right to privacy has been violated, via abuses of the Pegasus surveillance system, other similar spywares or by illegal surveillance, addressing their cases as part of its monitoring procedure.

Signed (see overleaf)



*Signed*¹:

ŚMISZEK Krzysztof, Poland, SOC
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ARATÓ Gergely, Hungary, SOC
BAYR Petra, Austria, SOC
BOER Margreet, De, Netherlands, SOC
CEGONHO Pedro, Portugal, SOC
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FILATOV Tarja, Finland, SOC
FLORIDIA Aurora, Italy, SOC
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1. ALDE: Alliance of Liberals and Democrats for Europe
EPP/CD: Group of the European People's Party
SOC: Socialists, Democrats and Greens Group
NR: Representatives not belonging to a Political Group