



Free Software Movement of India
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The Free Software Movement of India strongly condemns the targeted surveillance of activists, lawyers and journalists with the Israeli Pegasus spyware. WhatsApp itself has accepted that over 1,400 people were targeted globally through its platform. The targets include over 40 politicians (earlier reported to be 24), lawyers, journalists and academics in India. Many of those targeted are involved in the Bhima Koregaon case while others are prominent critics of the government.

The targeting of these individuals is unconstitutional and is a grave violation of democracy and the privacy of these individuals, especially in light of the Supreme Court's judgement declaring privacy as a fundamental right. As per the Telegraph Act, the Supreme Court's judgement in the PUCL case and the current legal framework, surveillance of an individual can be done only on the basis of an order signed by the Home Secretary. Even this surveillance covers only the interception of messages and does not permit any hacking of people's devices. The use of spyware such as Pegasus is equivalent to an illegal search and seizure of the data and information held privately by an individual on his or her device. While the Cyber & Information Security Division of the Ministry of Home Affairs has said it has no information of the purchase of Pegasus, the government is yet to declare that no department has purchased the spyware.

The Indian government must clarify if any of its agencies have used Pegasus against anyone in the country and must immediately take action against those responsible. The theft of personal information must be punished as per the law.

FSMI also demands the passing of a comprehensive data protection law which safeguards the rights and information of individuals.

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