

Resolution 721 (1980)¹

Data processing and the protection of human rights

Parliamentary Assembly

The Assembly,

1. Convinced that the pace of technological development in data processing and telecommunications should be matched by effective national and international legislation to protect the rights and interests of citizens, and in particular the right to privacy in accordance with Article 8 of the European Convention on Human Rights ;
2. Welcoming the rapid progress which has been made to this end by the Council of Europe in framing an international convention for the protection of individuals with regard to automatic processing of personal data (draft convention on data protection) ;
3. Noting that the negotiation, as from November 1976, of the draft convention on data protection has been greatly facilitated by the earlier negotiation and adoption by the Committee of Ministers of the Council of Europe in 1973 and 1974 of resolutions establishing principles of data protection for, respectively, the private and public sectors ;
4. Recalling that these resolutions were based on a study conducted by the Committee of Ministers of the Council of Europe, in response to Assembly [Recommendation 509 \(1968\)](#), on the degree of protection of privacy and of other rights and interests of individuals afforded by the European Convention on Human Rights and the domestic law of member countries vis-à-vis developments in the field of science and technology ;
5. Believing that the work of the Council of Europe over the last twelve years has exercised a sustained and fruitful influence on the development of national legislation and public opinion in all member countries, including those of the European Communities, in conformity with the Council of Europe's vocation for the protection of human rights ;
6. Welcoming complementary endeavours to the same purpose which are undertaken in other international frameworks and in particular the interest shown by the European Parliament ;
7. Having regard to the communication to the Council of Europe by the former European Parliament of its resolution, adopted in May 1979, on the protection of the rights of the individual in the face of technical developments in data processing ([Doc. 4377](#)) ;
8. Noting the views subsequently expressed in regard to this resolution by spokesmen of the political groups of the directly elected European Parliament at its debate of 24 September 1979 ;
9. Considering that it is in the interests of all member states, including those of the European Communities, to preserve the delicate balance which has been achieved in the draft convention of the Council of Europe between the free flow of information and the protection of the rights and interests of individual citizens,

1. Assembly debate on 1 February 1980 (27th Sitting) (see [Doc. 4472](#), report of the Committee on Science and Technology). Text adopted by the Assembly on 1 February 1980 (27th Sitting).



10. 10. Resolves accordingly :

- a. to invite the European Parliament to direct its attention to how action within the framework of the European Communities could most effectively strengthen the principles and provisions to be embodied in the convention on data protection of the Council of Europe ;
- b. to call on national parliaments in those countries where such action may still be necessary to press, in accordance with its [Recommendation 866 \(1979\)](#), for the introduction of legislation on data protection based on the principles defined by the Council of Europe, thus facilitating the rapid conclusion and entry into force of the convention.