Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Order 312 (1971)

Legal problems connected with industrial spying

Parliamentary Assembly

See attached table.

Appendix – Orders adopted

January 1971

No.	Sitting and date	Directed to :	Subject
310	20th Sitting 20 January 1971	Committee on Science and Technology	*European co-operation in specific scientific fields (Doc. 2865)* The Assembly, 1. Recalling its interest in all initiatives designed to increase Europe's scientific and technological potential ; 2. Having considered the exploratory studies undertaken by research workers with a view to promoting European scientific co-operation in specialised fields, in particular space biophysics and glaciology ; 3. Taking note of the interest aroused in scientific circles by these experiments in co-operation ; 4. Convinced that the preparation of concrete projects of European scientific and technological co-operation in specific fields is likely to contribute to European unification, 5. Instructs its Committee on Science and Technology to help strengthen technological and scientific co-operation in Europe : 1. by promoting the establishment of study groups of leading scientists in various specialities to assess the advantages of organising scientific and technological co-operation in specific fields ; 2. by assisting the establishment of, and if possible by taking the initiative in, the formation of working parties, to promote in co-operation with the Committee on Science and Technology, scientific and technological collaboration in selected specialised fields, and to implement clearly-defined research projects as part of such European co-operation ; 3. by encouraging meetings between research workers with a view to spreading scientific knowledge and promoting useful exchanges of opinion.
311	20th Sitting 20 January 1971	Committee on Agriculture	*Problems of animal welfare in industrial stock-breeding (Doc. 2869)* The Assembly, 1. Considering the report by its Committee on Agriculture on the problems of domestic animal welfare in industrial stock-breeding (Doc. 2869) and its Recommendation 620 (1971) ; 2. Considering that these problems call for international regulations to be respected in intensive stock-breeding in order to prevent unfair competition ; 3. Considering that such regulations should be the subject of an international convention similar to the Agreement on the Protection of Animals during International Transport drawn up by the Council of Europe, 4. Instructs its Committee on Agriculture to prepare, in liaison with the appropriate departments of the Secretariat General and with the representatives of the competent international organisations, a draft Convention on domestic animal welfare in industrial stock-breeding in the spirit of its Recommendation 620 (1971), which might serve as a basis for discussion in the committee of experts to be created for that purpose.

No.	Sitting and date	Directed to :	Subject
312	22nd Sitting 21 January 1971	Legal Affairs Committee	*Legal problems connected with industrial spying (Doc. 2897)* The Assembly, 1. Convinced of the increasing need to provide better protection for trade secrets and to combat industrial spying, i.e. the misappropriation of trade secrets ; 2. Considering that industrial spying may not only cause serious damage to an industrial enterprise, but also harm vital national economic interests ; 3. Considering that trade secrets, which may sometimes be the fruit of long and costly research, years of experience or special skills, are not, as a rule, covered by the protection afforded to the traditional components of industrial property ; 4. Considering that all the Council of Europe member States have enacted legislation severely punishing military and political spying, which frequently involve industrial spying (e.g. where military production is concerned), where as the legislation governing industrial spying is generally insufficient and inadequate to present needs ; 5. Considering that adequate protection is impossible nationally without internationally harmonised legislation or an international agreement on industrial spying ; 6. Considering that it is desirable to establish a legal framework in which to combat industrial spying effectively by means of penal and civil law provisions or other legal measures, 7. Instructs the Legal Affairs Committee : *(a)* to make, with the assistance of specialised experts, a critical appraisal of member States' legislation on industrial spying ; *(b)* to consider how the protection of trade secrets in the Council of Europe member States might be improved ; *(c)* to prepare a draft model law which, after approval by the Assembly, might serve as a guide for the parliaments of member States.
313	22nd Sitting 21 January 1971	Legal Affairs Committee	*Exploration and exploitation oj the seabed and its subsoil (Doc. 2895)* The Assembly, Having regard to its Recommendation 625 (1971) and to the Legal Affairs Committee's report (Doc. 2895). Instructs that committee to continue studying the question of exploration and exploitation of the seabed and its subsoil, in particular with a view to reconciling national viewpoints, by studying present differences and their foundations and by indicating practical solutions which might provide a starting point for a general European common policy on the use of ocean spaces.
314	22nd Sitting 21 January 1971	Committee on Regional Planning and Local Authorities	*Protection of Europe's coastal areas (Doc. 2901)* The Assembly, 1. After noting the report on the protection of Europe's coastal areas (Doc. 2901) ; 2. Considering that the protection and development of coastal areas is in the first place the responsibility of the local and regional authorities in the areas concerned, and that consequently local officials must be made aware of frequently complex problems by exchanges of information, ideas and experience, 3. Instructs its Committee on Regional Planning and Local Authorities to investigate, with the European Conference of Local Authorities, means of organising with minimum delay a European Symposium of representatives of local authorities in coastal areas with a view to exchanging information and experience in regard to the protection and development of Europe's coasts.

No.	Sitting and date	Directed to :	Subject
315	24th Sitting 22 January 1971	Committee on Social and Health Questions	*Repercussions of supersonic flights on environment (Doc. 2903)* The Assembly, 1. Having taken note of the report on the organisation of a European network of trunk communications as a part of European regional planning (Doc. 2903) ; 2. Having regard to Order No. 278 of 26 September 1968, 3. Instructs its Committee on Social and Health Questions, to submit as soon as possible, after consultation with the Committee on Regional Planning and Local Authorities, a report with, if need be, proposals concerning the repercussions of supersonic flights on the human and natural environment.
316	25th Sitting 23 January 1971	Bureau of the Assembly	*Addresses by guest speakers at plenary sittings oj the Assembly (Doc. 2858)* The Assembly, 1. Considering that the time available for debates in plenary sittings is strictly limited and that the number of addresses by guest speakers at such sittings has increased considerably ; 2. Considering also that its debates must be conducted on the basis of the best available information, and that such information can be provided by representatives of national governments and international organisations ; 3. Considering that it must preserve its function as an international parliamentary forum, 4. Instructs the Bureau, in discharging its duties under Rules 15 and 16 of the Rules of Procedure in matters relating to the preparation of the agenda and the order of business for Assembly sessions, to observe the following principles : *(a)* Under Rule 49 (1) of the Rules of Procedure, any member of the government of a member State has the right of access to the Assembly and the right to speak ; this also applies to the Secretary General of the Council of Europe ; *(b)* Without prejudice to Order No. 299 (1970) on the participation of parliamentarians from non-member countries in the debate on development co-operation, exchanges of views during sessions with delegations from parliamentary and interparliamentary assemblies of non-member States must remain restricted to one a year, the position of parliamentary observers being governed as hitherto by Rule 54 of the Rules of Procedure ; *(c)* The proper place for meetings with officials and experts is in the committees, which organise for that purpose hearings, symposia and round tables, the results of which are stated in the committees' reports to the Assembly ; *(d)* If, nonetheless, as an exception, the Bureau decides to invite someone who is neither a Minister nor a member of parliament to address the Assembly, such an invitation must be approved by the Standing Committee ; it shall be strictly personal and the guest speaker must be informed of the nature and the desired length of his address.