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## IN THE CHAIR : MR SPÉNALE

*President*

*(The sitting was opened at 10.10 a.m.)*

**President.** — The sitting is open.

1. *Approval of minutes*

**President.** — The minutes of proceedings of yesterday's sitting have been distributed.

Are there any comments?

The minutes of proceedings are approved.

2. *Tabling of a motion for a resolution*

**President.** — I have received from Mr Amendola and Mr Ansart, on behalf of the Communist and Allies Group, a motion for a resolution, with request for debate by urgent procedure pursuant to Rule 14 of the Rules of Procedure, on the situation in Spain.

This document has been distributed as No 48/76.

I shall consult Parliament on the adoption of urgent procedure after the next item on the agenda.

3. *Protection of the rights of the individual in connection with data processing*

**President.** — The next item is the

motion for a resolution, tabled by Mr Fellermaier on behalf of the Socialist Group, Mr A. Bertrand on behalf of the Christian-Democratic Group, Mr Durieux on behalf of the Liberal and Allies Group, Mr de la Malène on behalf of the Group of European Progressive Democrats, and Mr Amendola on behalf of the Communist and Allies group with request for debate by urgent procedure pursuant to Rule 14 of the Rules of Procedure, on the protection of the rights of the individual in the face of developing technical progress in the field of automatic data processing (Doc. 46/76).

**Mr Broeks.** — (NL) Mr President, I am sure Parliament will remember that, when Lord Mansfield was a Member, he presented an extremely important report on data processing, in which he described in detail the dangers to the rights of the individual involved in the further development of data processing. Subsequently, Parliament decided to set up a committee to make a detailed study of this field. Unfortunately, this committee has still not been set up, and following the discussions which have been held in Parliament and in parliamentary circles, is not now going to be set up. The question is thus what Parliament plans to do about this vital problem.

Mr Fellermaier, Mr Bertrand, Mr Durieux, Mr de la Malène and Mr Amendola have concluded that the best thing we can do at the moment is to submit it to the Legal Affairs Committee — which accepted Lord Mansfield's report — for further study. In view of the extensive debate we had on the importance of this subject in this House, I do not feel it is necessary to dwell upon the matter further — it will suffice if this motion for a resolution is adopted and if you, Mr President, instruct the Legal Affairs Committee to give the matter further consideration.

**President.** — I call Sir Derek Walker-Smith to speak on behalf of the European Conservative Group.

**Sir Derek Walker-Smith.** — Mr President, although the European Conservative Group does not appear *ex parte* as a sponsor of this motion, we do in fact warmly welcome it.

The development of the computer data processing industry is a matter of great commercial and technical importance but carries with it the inescapable problem of the protection of the rights of the individual and the safeguarding of his reasonable privacy. Where you get police records, tax records, medical records, hire purchase records of the individual, all

**Walker-Smith**

stored in data banks, there is obviously a considerable problem in regard to access to private information.

The Parliament's resolution of 13 March partly derives, as Mr Broeks has reminded us, from the opinion of the Legal Affairs Committee drafted by my former respected colleague Lord Mansfield. It puts forward this ambitious concept of a special committee of this Parliament to investigate this matter. That would, I think, have provoked logistical difficulties for Parliament, most of whose Members are pretty stretched in carrying out their existing committee functions under the dual mandate conditions. Therefore, if these objectives can be attained by simpler methods within our existing procedures, that seems to me to be better and that is what this resolution calls for. The resolution divides the necessary action between the Commission and the Legal Affairs Committee. If I may speak just for a moment, in my capacity as chairman of the Legal Affairs Committee, we shall certainly do our best to fulfil our functions. But obviously we shall be very much dependent on effective action by the Commission, with their much greater resources, and on the transmission from them of information on this matter. We must therefore establish a close and continuing dialogue with them. We in the Legal Affairs Committee and we in my group will do our best to further this task and seek to provide the necessary safeguards for the citizen as these processes go forward.

**President.** — I call Mr Brunner.

**Mr Brunner, Member of the Commission.** — (D) Mr President, the Commission welcomes this motion for a resolution. It is certainly essential for something to be done in this area, and we regret that it has not yet been possible to hold the planned hearings. We shall be having a meeting on 27 and 28 May with government experts, along with experts from the OECD and Members of this Parliament, and we shall press ahead with the relevant work in the Commission. The fact is that everything we have achieved in the nineteenth and twentieth centuries in safeguarding individual rights in Europe could be jeopardized if nothing is done here. The volume of data processing is increasing steadily. Even now, everyday facts, personal data, are being stored — and have to be stored — by the authorities in many Member States. We must protect the individual — if we do nothing, in a few years' time we shall have lost everything we have struggled to achieve over the decades in the field of protection of the individual.

I am therefore glad that you have tabled this motion for a resolution, which has our support.

**President.** — Since no one else wishes to speak, I put the motion for a resolution to the vote.

The resolution is adopted.<sup>1</sup>

<sup>1</sup> OJ C 100 of 3. 5. 1976.

#### 4. *Decision on urgency of a motion for a resolution*

**President.** — We must now vote on the adoption of urgent procedure for the debate on the motion for a resolution concerning the situation in Spain (Doc. 48/76).

I call Mr Sandri to speak on behalf of the Communist and Allies Group.

**Mr Sandri.** — (I) Mr President, I should just like to explain briefly why we are asking Parliament to debate this motion for a resolution.

I think we must all be aware of the great political significance, in the last few days, of the demonstration in which all the opposition forces — formerly divided — combined to call for the full liberty of the Spanish people through an amnesty and the restoration of all rights.

The police action against the organizers of this demonstration is thus all the more serious. Those arrested include prominent members of various parties — socialists, catholics and communists. Among them is Marcelino Camacho, who was released last December after spending 20 years in prison under three successive sentences and is now again in a Spanish prison on a serious charge punishable by up to 30 years imprisonment.

In view of the political and human aspects of this latest event, we feel it right that this House which, on previous occasions, has spoken out so forcefully and with such great effect in Spain, should once again use its vote to help to achieve the freedom of those arrested and the restoration of a free society in Spain.

In view of the moral weight which our vote can have, we thus ask the House to accept the request for debate by urgent procedure.

*(Applause from the extreme left)*

**President.** — I consult Parliament on the adoption of urgent procedure.

As the result of the show of hands is not clear, a fresh vote will be taken by sitting and standing.

I call Lord Castle.

**Lord Castle.** — Mr President, I think the reason for the inexplicable vote of the people on the other side of the Chamber might be that there was some difficulty in getting copies of this resolution; I wonder whether the Members of Parliament sitting on the other side have received copies, because I myself, and two of my colleagues, had some difficulty in getting it. I am quite certain that if they had read it, they would not be against it.

**President** — I call Lord Gladwyn.