

**COMMISSION RECOMMENDATION****of 29 July 1981****relating to the Council of Europe convention for the protection of individuals  
with regard to automatic processing of personal data**

(81/679/EEC)

**I**

1. The introduction of electronic data processing and the extension thereof into many departments of life increase the danger that data will be misused. This applies especially to data relating to individuals. Their privacy demands comprehensive protection in this field.

2. Data-protection is a necessary part of the protection of the individual. It is quite fundamental. In the Member States of the European Community it is desirable that an approximated level of data-protection be achieved. This will be an important contribution to the effective establishment of citizens' rights at European level.

3. Divergent data-protection law in the EC Member States creates disparate conditions for data processing. The establishment and functioning of the common market in data processing calls for extensive standardization of the conditions obtaining in relation to data processing and, therefore, to data-protection at European level. Approximation of data-protection is desirable so that there can be free movement of data and information across frontiers and in order to prevent unequal conditions of competition and the consequent distortion of competition in the common market.

4. Lastly, an approximated and assured level of data-protection in the Member States will help to break down the reserve which exists in regard to data processing and to the data-processing industry.

5. The Commission of the European Communities accordingly welcomes the Council of Europe convention for the protection of individuals with regard to

automatic processing of personal data. It is of the opinion that this convention is appropriate for the purpose of creating a uniform level of data-protection in Europe.

If, however, all the Member States do not within a reasonable time sign and ratify the convention, the Commission reserves the right to propose that the Council adopt an instrument on the basis of the EEC Treaty.

**II**

For the foregoing reasons and having regard to the Treaty establishing the European Economic Community, in particular the second indent of Article 155 thereof, the Commission makes the following recommendation :

1. The Commission recommends those Member States of the Community which have not already done so to sign, during the course of 1981, the Council of Europe convention for the protection of individuals with regard to automatic processing of personal data, and to ratify it before the end of 1982.
2. This recommendation is addressed to the Member States.

Done at Brussels, 29 July 1981.

*For the Commission***Karl-Heinz NARJES***Member of the Commission*