

## EUROPEAN PARLIAMENT

# Working Documents

1982 - 1983

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13 May 1982

DOCUMENT 1-263/82

### MOTION FOR A RESOLUTION

tabled by Mr CALVEZ, Mr DELEAU, Mr TYRRELL,  
Mrs von ALEMANN, Mr BANGEMANN, Mr BEYER DE RYKE,  
Mr BERKHOUWER, Mrs BOOT, Mr CECOVINI,  
Mr DE GOEDE, Mr DELATTE, Mr DELOROZOY,  
Mr d'ORMESSON, Mr EISMA, Mr GALLAND, Mr ISRAEL,  
Mr PAULHAN, Mrs PAUWELYN, Mr PONIATOWSKI,  
Mrs PRUVOT, Mr SABLE, Mrs SCRIVENER,  
Mr SEITLINGER and Mr SHERLOCK

pursuant to Rule 47 of the Rules of Procedure

on professional secrecy



The European Parliament,

- A Whereas, in the European Community, as a result of technological, economic and social developments, the private life of individuals is subjected to increasingly complex and technical problems - thereby necessitating the advice and assistance of qualified specialists in a growing number of areas,
- B whereas this applies in particular to medical, para-medical, legal, financial and technical areas, in which such assistance is provided by the members of the professions,
- C whereas it is more important than ever scrupulously to respect not only this right in itself, but also the necessary guarantees which accompany it - in particular that of secrecy,
- D whereas the right to secrecy should, however, be invoked by the members of the professions solely to protect their clients and not to shelter themselves,
- E whereas the 'right to secrecy' is regarded as an essential basic freedom and human right,
- F noting that, while professional secrecy is required by national legislation in the Community Member States in many cases, deliberate or incidental, direct or indirect derogations, which seriously breach the abovementioned freedoms and rights, are either embodied in laws or regulations on the one hand, or are customary, tolerated or established practice on the other,
- G noting that such breaches cannot be justified, whether they are of a political, scientific or administrative nature, and that nothing must be allowed to endanger the rights and freedoms which are based on professional secrecy,
- H whereas it is essential for the European Parliament, as guardian of the abovementioned rights and liberties, to address itself to this problem and take measures to solve it,

1. Requests the Commission to inform it, as a matter of urgency, of the situation in each of the Community Member States in connection with the above matter;
2. Requests the Commission to submit to the European Parliament a report containing appropriate proposals;
3. Instructs its President to forward this resolution to the Council and the Commission.