

AS/Pro (2018) CB 04
16 May 2018

To the members of the Committee on Rules of Procedure, Immunities and Institutional Affairs

Synopsis of the meeting held in Paris on 15 May 2018

The Committee on Rules of Procedure, Immunities and Institutional Affairs, meeting in Paris on 15 May 2018, with Ms Petra De Sutter (Belgium, SOC) in the Chair, as regards:

- **Report of the Independent Investigation Body on the allegations of corruption within the Parliamentary Assembly: follow-up to the conclusions relating to the behaviour of Assembly's members (in camera):**
 - . heard three of the four invited members and decided to postpone to its next meeting the hearing of the fourth member, excused;
 - . after deliberation, took a decision, in accordance with the Code of conduct for the members of the Parliamentary Assembly, with regard to Mr Agramunt (Spain, NR), Mr Preda (Romania, EPP/CD), Mr Seyidov (Azerbaijan, EC) and Mr Xuclà (Spain, ALDE) (see decisions appended);
 - . decided to consider at its next meeting the consequences on its work programme of the decision affecting Mr Xuclà;
 - . asked the chairperson to contact the former members of the Assembly mentioned in the report of the Investigation Body, in order to give them the opportunity to submit their comments in writing or to be heard by the committee;
- **Declaration of interests of Parliamentary Assembly members (implementation of paragraph 17 of the Code of conduct for members of the Parliamentary Assembly):** considered, amended and unanimously approved an explanatory note to the declaration of interests of the members of the Assembly, and asked its chairperson to inform the Bureau of the Assembly accordingly;
- **Analysis of the use made by the Assembly's political groups of their allocations for 2017 (General rapporteur: Mr George Loucaides, Cyprus, UEL):** in the absence of the rapporteur, postponed to its next meeting the consideration of a draft communication to the Bureau of the Assembly;
- **Modification of various provisions of the Assembly's Rules of Procedure (Rapporteur: Mr Egidijus Vareikis, Lithuania, EPP/CD):** considered an introductory memorandum, presented by the rapporteur, and decided to resume consideration of the issue at its next meeting;
- **Composition of the Sub-Committee on Ethics:** appointed Ms Trisse, Mr van de Ven and Mr Vareikis members of the Sub-Committee;
- **Work programme:** took note of the resignation of Mr Schennach (Austria, SOC), rapporteur on "the need to enable the Committee of Ministers to give answers to the Assembly even in the absence of a consensus";
- **Next meeting:**
 - . in Strasbourg, during the Assembly's 3rd part-session (25-29 June 2018).

Valérie Clamer

cc. Secretary General of the Assembly
Director and all staff of the Secretariat of the Assembly
Secretaries of National Delegations and of Political Groups of the Assembly
Secretaries of observer and partner for democracy delegations

Secretary General of the Congress
Secretary to the Committee of Ministers
Directors General
Director of the Private Office of the Secretary General of the Council of Europe
Director of the Office of the Commissioner for Human Rights
Director of Communication
Permanent Representations to the Council of Europe

Appendix - Decisions of the committee on the follow-up to the recommendations and conclusions of the Independent Investigation Body on the allegations of corruption within the Parliamentary Assembly relating to the behaviour of individual Assembly members and former members mentioned in its report

Second hearing – Tuesday 15 May 2018

1. At its second hearing, the committee heard the following members (in alphabetical order): Mr Pedro Agramunt, Mr Cezar Florin Preda and Mr Jordi Xuclà. Mr Samad Seyidov was heard on 25 April 2018, at the first hearing.

– *Case of Mr Pedro Agramunt*

2. In accordance with paragraph 25 of the Code of Conduct for members of the Parliamentary Assembly,¹ the committee found, in the case of Mr Pedro Agramunt (Spain, NR), that there has been a serious breach of the ethical rules of the Parliamentary Assembly by not complying with the provisions of paragraphs 5.1, 5.3, 5.7, 7 and 22 of the Code of Conduct for members of the Parliamentary Assembly, paragraphs 1.1.2, 1.1.4 and 1.2 of the Code of Conduct for rapporteurs of the Parliamentary Assembly, as well as by not complying with his duty to co-operate with the IBAC, having not responded to its summons to give oral evidence.

3. In accordance with paragraph 27 of the Code of Conduct for members of the Parliamentary Assembly, the committee decided that all measures mentioned under paragraphs 27.3 to 27.7 inclusive of the Code of Conduct shall apply for a period of ten years.²

– *Case of Mr Cezar Florin Preda*

4. In accordance with paragraph 25 of the Code of Conduct for members of the Parliamentary Assembly,² the committee found, in the case of Mr Cezar Florin Preda (Romania, EPP/CD), that there has been a serious breach of the ethical rules of the Parliamentary Assembly by not complying with the provisions of paragraphs 5.1 and 5.7 of the Code of Conduct for members of the Parliamentary Assembly, paragraphs 1.1.4 and 2.1 of the Code of Conduct for rapporteurs of the Parliamentary Assembly, as well as by not complying with his duty to co-operate with the IBAC, having not responded to its summons to give oral evidence.

5. In accordance with paragraph 27 of the Code of Conduct for members of the Parliamentary Assembly, the committee decided that all measures mentioned under paragraphs 27.3 to 27.7 inclusive of the Code of Conduct shall apply for a period of two years.³

– *Case of Mr Samad Seyidov*

6. In accordance with paragraph 25 of the Code of Conduct for members of the Parliamentary Assembly,² the committee found, in the case of Mr Samad Seyidov (Azerbaijan, EC), that there has been a serious breach of the ethical rules of the Parliamentary Assembly by not complying with the provisions of paragraphs 5.1 and 5.7 of the Code of Conduct for members of the Parliamentary Assembly.

¹ Paragraph 25 of the Code of conduct for members of the Parliamentary Assembly: *“If the committee finds that there has been a serious breach of the code of conduct, it will prepare a report containing all the evidence gathered in the course of the investigation, the observations of the member concerned, and its conclusions. This report will be published on the Assembly’s website. The committee shall decide whether to impose a sanction and determine the appropriate sanction, in accordance with paragraph 27”.*

² Measures in the event of non-compliance with the code of conduct

“27. In cases of serious or repetitive breaches of the rules of conduct by a given member, the Committee on Rules of Procedure, Immunities and Institutional Affairs may take one or several of the following measures: (...)

27.3. temporary deprivation of the right to address questions to the Committee of Ministers;

27.4. temporary deprivation of the right to be appointed rapporteur or temporary ban on acting as a committee rapporteur;

27.5. temporary ban on being a member of an ad hoc election observation committee;

27.6. temporary deprivation of the right to stand as a candidate for President of the Assembly or chairperson or vice-chairperson of a committee or sub-committee;

27.7. and temporary deprivation of the right of institutional representation of the Assembly and its committees.”

7. In accordance with paragraph 27 of the Code of Conduct for members of the Parliamentary Assembly, the committee decided that all measures mentioned under paragraphs 27.3 to 27.7 inclusive of the Code of Conduct shall apply for a period of two years.³

– *Case of Mr Jordi Xuclà*

8. In accordance with paragraph 25 of the Code of Conduct for members of the Parliamentary Assembly,² the committee found, in the case of Mr Jordi Xuclà (Spain, ALDE), that there has been a serious breach of the ethical rules of the Parliamentary Assembly by not complying with the provisions of paragraphs 5.7, 13 and 22 of the Code of Conduct for members of the Parliamentary Assembly.

9. In accordance with paragraph 27 of the Code of Conduct for members of the Parliamentary Assembly, the committee decided that all measures mentioned under paragraphs 27.3 to 27.7 inclusive of the Code of Conduct shall apply for a period of two years.³

These decisions are effective from the date of approval by the committee.