

## Briefing note

### Corruption allegations at PACE: a threefold response

On 27 January 2017, the Bureau of the Council of Europe Parliamentary Assembly (PACE) agreed with the [declaration by its Rules Committee](#) on allegations of corruption and fostering of interests made against some members or former members of PACE, and unanimously supported a [three-fold approach](#) to dealing with the matter:

- **To set up an independent external investigation body to assess the functioning of the Assembly and shed light on hidden practices that favour corruption**

On 25 April 2017, PACE ratified [the terms of reference of an independent external investigation body](#) to carry out a detailed independent inquiry into the allegations of corruption and fostering of interests with a view to ending impunity for abuses and restore confidence in the Parliamentary Assembly, its actions and decisions.

Accordingly, [the independent external investigation body to look into allegations of corruption \(IBAC\)](#) shall verify whether there are any forms of individual conduct by members of the Assembly or former members which have not respected the provisions of the Code of Conduct for members of the Parliamentary Assembly and other relevant codes of conduct.

It shall also identify any practices contrary to the Assembly's ethical standards, and determine the extent thereof.

IBAC is due to establish, in the light of these findings, whether there is sufficient proof to take action against members or former members of the Assembly, pursuant to [paragraphs 19 and 20 of the Code of Conduct](#).

Finally, it shall draw up recommendations on the measures to be implemented to rectify the shortcomings and fill the gaps in the Assembly's ethical framework.

IBAC has no jurisdictional competence.

It began its duties with effect from [the appointment of its members on 26 June 2017](#):

- Sir Nicolas Bratza (United Kingdom), former judge and former President of the European Court of Human Rights
- Jean-Louis Bruguière (France), former judge in charge of investigations in particular on cases related to terrorism, expert with international organisations and states on anti-terrorism issues
- Elisabet Fura (Sweden), former judge at the European Court of Human Rights and former chief parliamentary Ombudsman of Sweden, legal adviser.

It will carry out its mission in the greatest confidentiality until its completion. Its duties shall terminate on the submission of its final report to the Bureau. The initial deadline of 31 December 2017 having been extended once by the Bureau, the independent investigation body has now completed its work. The PACE Bureau decided to hold an additional meeting on Sunday 22 April 2018 to have an exchange of views with the three members of the independent investigation body on its final report. At the end of the meeting, at approximately 6.30pm, the report will be published on the [PACE website](#).

- **To revise the Assembly's code of conduct, in the context of the [report prepared by Ian Liddell-Grainger \(United Kingdom, EC\)](#)**

[On 10 October 2017](#), PACE [unanimously adopted a resolution on promoting and strengthening transparency, accountability and integrity of Parliamentary Assembly members](#) with the aim of restoring public confidence in its work.

A new oversight mechanism provides for swift and fair investigations into alleged breaches of ethical standards by members – including those revealed by outside sources – and stronger sanctions when wrongdoing takes place.

Members will be invited to pledge not to promise, give, request or accept any fee, compensation or reward in the course of their duties. To increase transparency, they will have to submit a declaration of interests, at the opening of each annual session, to be posted online. There will also be provisions to ensure that rapporteurs and election observers declare any conflicts of interest.

Measures aimed at increased transparency in relations with extra-institutional actors during Assembly sessions and meetings as well as tighter restrictions on lobbyists, including stricter rules on access to, and movement within, Council of Europe premises will be introduced. And finally, steps will be taken to ensure former members who engage in paid consultancy do not benefit from any special privileges.

The system of sanctions has also been reviewed and the list of potential sanctions extended. In cases of serious or repetitive breaches of the rules of conduct by a member, the Rules Committee may take one or several measures, including the temporary deprivation of the right to speak, to be appointed rapporteur or to participate in an ad hoc election observation committee, to stand as a candidate for President of the Assembly or for chairperson or vice-chairperson of a committee or sub-committee.

- **To invite the [Council of Europe's Group of States against Corruption \(GRECO\)](#) to give advice to the Assembly**

[The new code of conduct](#) takes account of [recommendations from the Council of Europe's anti-corruption body GRECO \(19 June 2017\)](#).