



16 May 2018

## Report of the independent investigation body on the allegations of corruption within the Parliamentary Assembly

### Findings on the behaviour of individual PACE members and former members

#### Decisions of the committee

Further to the decisions made by the Committee on Rules of Procedure on 24 April 2018 on the follow-up to the recommendations and conclusions of the Independent Investigation Body on the allegations of corruption within the Parliamentary Assembly (IBAC) relating to the behaviour of Assembly members mentioned in its report, and pursuant to the procedure provided for in the Code of Conduct of members of the Parliamentary Assembly (paragraphs 20 *et seq.*), the Committee on Rules of Procedure, Immunities and Institutional Affairs convened a series of hearings in order to hear the PACE members concerned.<sup>1</sup>

#### 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,<sup>2</sup> 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.<sup>3</sup>

<sup>1</sup> The Committee on Rules of Procedure held its first hearing on 25 April 2018 and heard the following members: Mr Tiny Kox, Ms Ria Oomen-Ruijten, Mr Stefan Schennach, Mr Samad Seyidov. It took a decision with regard to Mr Kox, Ms Oomen-Ruijten and Mr Schennach, and decided to postpone its decision with regard to Mr Seyidov to its next meeting

<sup>2</sup> 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”.

<sup>3</sup> 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;

– *Case of Mr Cezar Florin Preda*

4. In accordance with paragraph 25 of the Code of Conduct for members of the Parliamentary Assembly,<sup>2</sup> 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.<sup>3</sup>

– *Case of Mr Samad Seyidov*

6. In accordance with paragraph 25 of the Code of Conduct for members of the Parliamentary Assembly,<sup>2</sup> 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.

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.<sup>3</sup>

– *Case of Mr Jordi Xuclà*

8. In accordance with paragraph 25 of the Code of Conduct for members of the Parliamentary Assembly,<sup>2</sup> 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.<sup>3</sup>

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

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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.”