

AS/Pro (2018) CB 06

5 September 2018

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

Synopsis of the meeting held in Paris on 3 and 4 September 2018

The Committee on Rules of Procedure, Immunities and Institutional Affairs, meeting in Paris on 3 and 4 September 2018, with Ms Petra De Sutter (Belgium, SOC) in the Chair, as regards:

- **Proposals of the ad hoc Committee on the role and mission of the Parliamentary Assembly:**
 - . held an exchange of views on proposals relating to the challenge or reconsideration of credentials of national delegations, their representation and participation rights, as well as those concerning the voting rights of members and the voting procedures of the Assembly;
 - . appointed Ms Petra De Sutter (Belgium, SOC) rapporteur and heard from her a declaration of absence of conflict of interest;
 - . asked the rapporteur to present a draft report for discussion at its next meeting, in view of its presentation to the Parliamentary Assembly during the October 2018 part-session, subject to the adoption of a draft resolution;

- **Report of the Independent Investigation Body on the allegations of corruption within the Parliamentary Assembly (IBAC): follow-up to the conclusions relating to the behaviour of Assembly's members and former members (in camera):**
 - . continued the consideration of cases of former members of the Parliamentary Assembly mentioned in the IBAC report, in the strict framework of the Assembly's ethical rules, and, after deliberation, took a decision, in accordance with the Code of conduct for the members of the Parliamentary Assembly, with regard to Ms Hajibayli and Mr Hancock (see decisions appended);
 - . decided to proceed during the Assembly's October 2018 part-session to the hearing of a member and a former member who have not yet been heard and to finalise the follow-up to the IBAC conclusions and recommendations;

- **Modification of various provisions of the Assembly's Rules of Procedure (Rapporteur: Mr Egidijus Vareikis, Lithuania, EPP/CD):**
 - . held an exchange of views on the issues mentioned in the introductory memorandum prepared by the rapporteur;
 - . decided that the proposals made in the course of the work of the ad hoc Committee on the role and mission of the Parliamentary Assembly to amend the Assembly's Rules of Procedure or to rationalise the work of the Assembly (other than those relating to the decision-making process of the Assembly concerning credentials and voting, mentioned above) will have to be considered in this context;
 - . decided to continue the discussion of these issues at a next meeting;

- **Possible creation of a transparency register of interest representatives:** held an exchange of views and decided to continue the discussion at a next meeting, on the basis of a detailed memorandum presenting concrete proposals to be prepared by the chairperson;

- **Establishment of a European Union mechanism on democracy, the rule of law and fundamental rights (Rapporteur: Ms Petra De Sutter, Belgium, SOC):**

- . considered an introductory memorandum and decided to declassify and transmit it to the Monitoring Committee for information;
 - . decided to hold a hearing with the rapporteur of the European Parliament and the representatives of various European institutions, in March 2019 at the latest;
 - . invited its rapporteur to present a preliminary draft report at a next meeting;
- ***The need to enable the Committee of Ministers to give answers to the Assembly even in the absence of a consensus:*** appointed Ms A. Thorhildur Sunna Ævarsdóttir (Iceland, SOC) rapporteur, and heard from her a declaration of absence of conflict of interest;
- ***Next meetings:***
- . in Paris (Palais du Luxembourg), 20 September 2018 (9.15 am to 1 pm)
 - . in Strasbourg, during the Assembly's 4th part-session (8-12 October 2018).

Valérie Clamer, Kateryna Gayevska

- cc. Secretary General of the Assembly
Directors 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

At its meeting on 4 September 2018, the committee continued the consideration of cases of the former PACE members mentioned in the IBAC report, within the strict framework of the PACE ethical regulations. The former members concerned were given the opportunity to submit their comments in writing or to be heard by the committee.

– *Case of Ms Gultakin Hajibayli*

1. At its meeting on 27 June 2018, the committee had taken note of the IBAC's conclusions according to which Ms Hajibayli had declined to co-operate by not responding to the summons to the request for the submission of a written statement. The decision on the case of Ms Hajibayli was suspended, following a challenge by Ms Hajibayli, considered serious and founded. The committee therefore reconsidered her case.

2. The committee considered the comments provided by Ms Hajibayli on 2 and 9 July 2018. It found that Ms Hajibayli has not failed to comply with the ethical rules of the Parliamentary Assembly.

– *Case of Mr Michael Hancock*

3. The committee took note of the IBAC's conclusions which found that Mr Hancock had declined to co-operate by not responding to the IBAC's summon to give oral evidence before it, and of other information mentioned in the report.

4. The committee decided, in the case of Mr Hancock, that he shall be deprived of the right to access the Council of Europe and the Parliamentary Assembly premises for life.

This decision is effective from the date of approval by the committee.