

AS/Pro (2018) CB 08

11 October 2018

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

### Synopsis of the meeting held in Strasbourg on 9 and 11 October 2018

The Committee on Rules of Procedure, Immunities and Institutional Affairs, meeting in Strasbourg on 9 and 11 October 2018, with first Ms Petra De Sutter (Belgium, SOC) and then Mr Serhii Kiral (Ukraine, EC), in the Chair, as regards:

- **Strengthening the decision-making process of the Parliamentary Assembly concerning credentials and voting:** took position on eight amendments to the draft resolution and two amendments to the draft recommendation;
- **Declaration of interests by members of the Parliamentary Assembly for 2018:**
  - . held an exchange of views on the assessment of the procedure of declarations of interests for 2018 and decided to continue the discussion at its next meeting;
  - . at the request of the Bureau, considered the cases of two Assembly members who submitted their declaration of interests after the deadline of 30 September 2018 and decided that the sanction provided for should exceptionally not apply in the light of the factual circumstances;
- **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 and former members (in camera):** completed the consideration of the cases of members and former members of the Parliamentary Assembly mentioned in the IBAC report, in the strict framework of the Assembly's ethical rules, heard Mr Ondřej Benešik, member of the Assembly, and Mr Robert Walter, former member, took note of their written observations and, after deliberation, took a decision in accordance with the Code of conduct for members of the Parliamentary Assembly (see decisions appended);
- **General rapporteur of the Parliamentary Assembly on the budget and intergovernmental programme:** appointed Mr van de Ven (Netherlands, ALDE), general rapporteur of the Parliamentary Assembly on the budget and intergovernmental programme, for a three-year term, and heard from him a declaration of absence of any conflict of interest;
- **Setting minimum standards for electoral systems in order to offer the basis for free and fair elections:** appointed Mr Serhii Kiral (Ukraine, EC), rapporteur for opinion, and heard from him a declaration of absence of any conflict of interest;
- **Next meeting:**
  - Paris (Office of the Council of Europe), 10 December 2018, at 9 am.

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 11 October 2018, the committee continued the consideration of the last remaining cases of Assembly members and former members mentioned in the IBAC report, in the strict framework of the Assembly's ethical rules. The persons concerned had the opportunity to be heard by the committee and to submit their comments in writing. The committee took measures in the following cases:

### *– Case of Mr Ondřej Benešik*

1. The committee took note of the IBAC's conclusions which noted that Mr Ondřej Benešik (Czech Republic, EPP/CD) has failed to comply with his duty, as PACE member, to co-operate with the Investigation Body by not responding to its request for the submission of a written statement. The committee heard Mr Benešik today and took note of the written comments he provided on 26 April 2018.

2. In accordance with paragraph 23 of the Code of Conduct for members of the Parliamentary Assembly,<sup>1</sup> the committee found that Mr Benešik has not failed to comply with the provisions of the Code of Conduct by not responding to IBAC's request for the submission of a written statement.

### *– Case of Mr Robert Walter*

3. The committee took note of the IBAC's conclusions which found that, with regard to a continuing conflict of interest with regard to Azerbaijan, Mr Walter breached paragraphs 5.1, 5.5, 5.6, 8 and 9 of the Code of Conduct for members of the Parliamentary Assembly, as well as paragraph 1.1.1 of the Code of Conduct for rapporteurs of the Parliamentary Assembly, in the context of the 2013 presidential election in Azerbaijan and the report "Escalation of violence in Nagorno-Karabakh and the other occupied territories of Azerbaijan". The committee heard Mr Walter today and took note of the documents and written comments he provided.

4. The committee found that, in the case of Mr Walter, there has been a minor breach of the ethical rules of the Parliamentary Assembly; it decided that he shall be deprived of the right to access the Council of Europe and the Parliamentary Assembly premises for life.

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

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<sup>1</sup> Paragraph 23 of the Code of conduct for members of the Parliamentary Assembly: "If the committee finds that the allegations have no basis, it will inform the complainants and the member concerned".