

Ms Liliane Maury-Pasquier
President of the Parliamentary Assembly
Council of Europe
Avenue de l'Europe
F-67075 Strasbourg Cedex

Berlin, 28 June 2018

Continuation of the work Independent Investigation Body on the allegations of corruption within the Parliamentary Assembly

Dear Ms Liliane Maury-Pasquier,

On behalf of Transparency International, I would like to extend sincere congratulations on the occasion of your election as president of the Parliamentary Assembly. We welcome that in your inaugural speech you emphasised that PACE should adopt a genuine strategy to fight the cancer of corruption and that under your presidency it will continue to reconquer its honor and move towards full transparency.

In 2017 Transparency International was among the first organisations that called for an independent investigation into the circumstances surrounding the PACE vote on political prisoners in January 2013, and into the behaviour of members of the Azerbaijani delegation. We were very pleased to see that the PACE set up a very competent and independent investigation body and provided them all the available and necessary means to conduct their investigation effectively.

We very much welcome the report of the Independent Investigation Body. The efforts of the PACE turned the tide and resulted in significant steps in rooting out corruption from its own ranks. As the Resolution 2216 (2018) points out the PACE still has many tasks to follow up properly on the findings and recommendations of the Investigation Body. With our present letter we would like request two steps from the Assembly that are not included in the recommendations of Investigation Body.

- a) The Investigation Body reported that in the course of their work further facts and allegations of suspicious practices and activities within the PACE concerning different countries have been brought to its attention, but due to organisational, temporal and operational limitations of their mandate, it could not conduct a thorough investigation into these allegations, which concern eight further countries, besides Azerbaijan. As the PACE and its members will continue to be important targets of lobbying and attempts of illicit influence with the aim of laundering the reputation of various countries it is crucial to get a full picture of all previous wrongdoings. Therefore, **TI requests the PACE to extend further the mandate of the Investigation Body to continue their inquiry into the allegations into which it could not conduct a thorough investigation. These countries include Armenia, Kazakhstan, Macedonia, Monaco, Montenegro, Russian Federation, Turkey and Ukraine.**

- b) The Investigation Body did not have the investigative powers exercised by certain other investigative authorities, such as on-the-spot checks, searches of premises, or digital forensic operations, neither did it have means to enforce the summons of witnesses. There is no reason to assume that the PACE or other CoE bodies will be less exposed to attempts of corruptive activities in the future. Improvement of the PACE's and CoE's integrity system may help to prevent corruption to some extent, but without effective enforcement in concrete cases, the organisation will remain in significant danger and will risk further comparable scandals, as there is nothing to deter wrongdoers. **TI requests the Assembly to recommend to the Committee of Ministers to establish a permanent independent investigation body within the framework of the Council of Europe that can look into allegations of corruption in the future.** TI appreciates the challenges posed by the complexity of such endeavour, which would among others further burden the budget of CoE in a time of already existing financial difficulties and may also require a new protocol to the Statute of the Council of Europe and of the General Agreement on Privileges and Immunities of the Council of Europe. An alternative to a new entity could be some form of cooperation with an already existing independent investigation body, such as the OLAF of the European Union, which may be a slightly easier way to achieve the goal of complementing the CoE's integrity system with a permanent independent investigation body.

The PACE and the Council of Europe cannot afford once again to bear such harm that it suffered through the wrongdoings that are detailed in the Investigation Body's report. As the anti-corruption treaties of the Council of Europe show, prevention, detection, investigation and prosecution are each essential elements of any effective anti-corruption regime. However, the investigation element and an effective system of prosecutions following up the investigations are completely missing from the CoE's own integrity framework at the moment.

With our present letter, we would also like to remind you that it was a year ago that GRECO published its Assessment of the Code of Conduct for Members of the Parliamentary Assembly of the Council of Europe and PACE has yet to fully implement GRECO's recommendations. We encourage the PACE to do so without further delay.

We thank you for your consideration and look forward to supporting all efforts to restore the prestige and power of the Council of Europe.

Yours sincerely,


Patricia Moreira
Managing Director