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Pedro Agramunt
President of the Parliamentary Assembly

Liliane Maury Pasquier
Chairperson of the Committee on Rules of Procedure, Immunities
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Parliamentary Assembly

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Secretary General of the Parliamentary Assembly

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Copy to:

- Secretary General of the Council of Europe
- Commissioner for Human Rights
- Leaders of the Political Groups of the Parliamentary Assembly of the Council of Europe,

20 January 2017

Dear President,

Dear Chair of the Committee on Rules of Procedure, Immunities and Institutional Affairs,

Dear Secretary General of the Parliamentary Assembly,

ALLEGATIONS OF SUSPICIOUS MONEY TRANSFERS AND OTHER VIOLATIONS OF THE PARLIAMENTARY ASSEMBLY'S CODE OF CONDUCT IN CONNECTION WITH ITS WORK ON AZERBAIJAN

You will, of course be aware that numerous allegations have been made in recent years regarding improper conduct by members of the Parliamentary Assembly of the Council of Europe – including suspicious money transfers involving certain members – in connection with the Assembly's work on Azerbaijan.

On 17 December 2016, a Europe-based think tank – the European Stability Initiative (ESI), published a second report, “the European Swamp: Prosecutions, corruption and the Council of Europe”¹ building on previous findings published in 2012² and presenting further allegations of the improper influencing of Assembly members by the Azerbaijani government, with a view to shielding the country's human rights record from proper scrutiny. In particular, the report includes credible allegations that payments and other gifts were made to Assembly members by individuals linked to the Azerbaijani authorities with a view to influencing the outcome of the voting on a critical Assembly resolution³ on Azerbaijan's deteriorated human rights record, in 2013. It will not have escaped

¹ The European Stability Initiative (ESI), “The European Swamp: Prosecutions, corruption and the Council of Europe”, 2016, available at <http://www.esiweb.org/pdf/ESI%20-%20The%20Swamp%20-%20Caviar%20Diplomacy%20Part%20two%20-%202017%20December%202016.pdf>

² The European Stability Initiative (ESI), “Caviar Diplomacy: How Azerbaijan silenced the Council of Europe”, 2012, available at http://www.esiweb.org/pdf/esi_document_id_131.pdf

³ PACE rapporteur Christoph Strasser's (Germany) resolution on political prisoners in Azerbaijan, 2013.

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your attention that the Prosecutor's Office in Milan, Italy, launched a criminal investigation in 2014 into charges of bribery and money laundering involving former and current Assembly members, and that the influential former Assembly member at the heart of the investigation admitted to the receipt of a large sum of money from Azerbaijani sources late last year.

In 2012, the Assembly noted in Resolution 1903 (2012) that it wished to "introduce greater transparency in its activities and decision-making process" and expressed concern at the "pressure that some interest representatives, acting on behalf of private entities or States, have exercised on members, even within the Palais de l'Europe". This Resolution adopted a Code of Conduct for members of the Parliamentary Assembly of the Council of Europe introducing, inter alia, the following requirements:

- "Members shall avoid conflicts between any actual or potential economic, commercial, financial or other interests on a professional, personal or family level on the one hand, and the public interest in the work of the Assembly on the other, by resolving any conflict in favour of public interest; if the member is unable to avoid such a conflict of interests, it shall be disclosed."
- "No member shall act as a paid advocate in any work of the Assembly."
- "Members shall not request or accept any fee, compensation or reward intended to affect their conduct as members, particularly in their decision to support or oppose any motion, report, amendment, written declaration, recommendation, resolution or opinion. Members shall avoid any situation that could appear to be a conflict of interests or accept an inappropriate payment or gift."

The allegations regarding improper conduct of members of the Parliamentary Assembly of the Council of Europe with a view to influencing the content of and voting on the Assembly's resolutions are serious, credible and risk gravely undermining the integrity and credibility of the Assembly as an institution tasked with upholding and promoting human rights. It is essential that these allegations be investigated thoroughly and impartially.

To this end, Amnesty International recommends that the Parliamentary Assembly establishes a fully independent and broadly mandated inquiry to:

- Investigate all allegations of improper conduct, undeclared interests and corruption that have or may have sought to influence the Assembly's reports and resolutions on Azerbaijan and,
- Review, in the light of its findings, the adequacy of the Assembly's Code of Conduct and the mechanisms in place for its enforcement and make recommendations for their improvement.

Complacency in the face of such serious allegations risks irreversibly damaging public confidence in the integrity of the Parliamentary Assembly, and severely undermining its standing as a pre-eminent institution for the promotion of human rights, democracy and the rule of law across Europe.

Confident of your own utmost attention to these concerns, I remain.

Yours sincerely,



John Dalhuisen
Director
Europe and Central Asia Regional Office