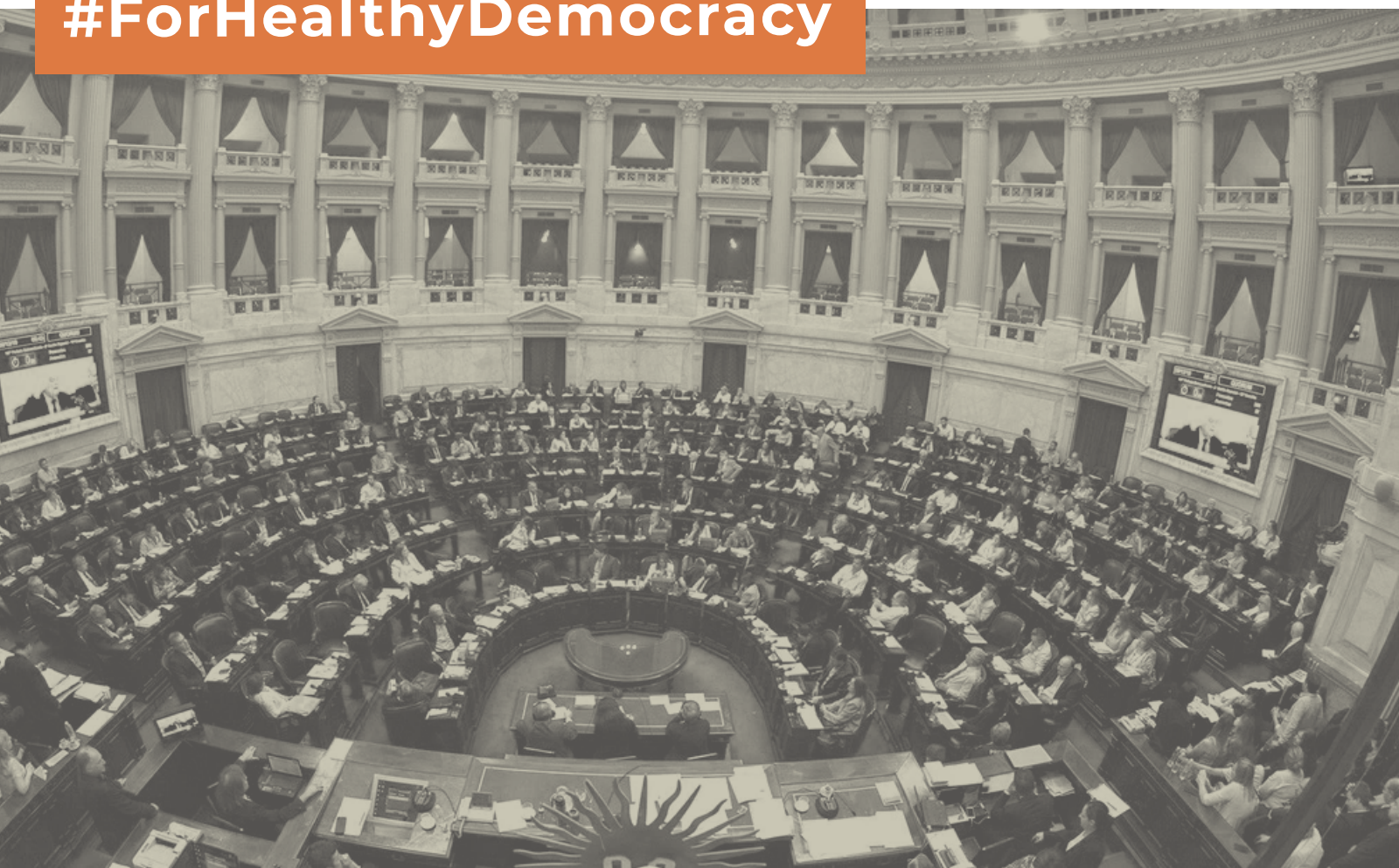


COVID-19: The challenge of adapting and strengthening the role of parliaments

An analysis from an Open Parliament perspective

April 2020

#ForHealthyDemocracy



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Executive Summary

The coronavirus pandemic (COVID-19) has created an unprecedented challenge for governments: making decisions in times of crisis in an efficient, effective, and timely manner is an important objective. The role of the executive branch is usually clearly understood by citizens, as the heads of state and health ministers of the Americas and the Caribbean communicate medical reports, situation analysis and new provisions, while new measures are published in the official gazettes every day.

In this context, **the role of parliaments must be strengthened so that they can adapt to this new reality presented by the pandemic and continue to exercise their functions of representation, legislation and oversight.** The role of parliaments in this context of a health, economic and social crisis is essential to make evidence-based public policy decisions that respond to the needs of citizens. Ensuring transparent decision-making processes is a challenge currently facing the region's parliaments.

In a short time, the parliaments of the Americas and the Caribbean have responded to face this situation and ensure the continuity of parliamentary functions. Of course, it is an uneven race. **The path is easier for parliaments that had advanced in recent years in terms of innovation, seeking to build a two-way communication channel with citizens, where they listen to the people's demands and opinions, while informing them about legislative processes.** How have the region's parliaments advanced? How are they working? Are the virtual meetings that are being held decisional, or only informative? Are they committee meetings or plenary sessions? What platforms are used? What agendas and topics do they address? Is quorum and the legitimacy of the vote guaranteed? How do they involve citizens in this emergency context? How do they guarantee transparent and open processes in decision-making? These are just some of the questions answered in this publication.

The objective of this paper developed by Directorio Legislativo and ParlAmericas is to provide a regional overview of actions to adapt parliamentary work during the pandemic, while presenting specific recommendations from an Open Parliament perspective. These recommendations may serve as a recommendation to ensure that legislative work is based on the principles of access to public information and transparency, accountability, civic participation, and ethics and probity, even during COVID-19 pandemic.

This publication therefore provides good open parliament practices and initiatives created or strengthened within the COVID-19 context in several of the region's parliaments, which can serve as guidance or inspiration for readers – parliamentarians, parliamentary staff and advisors, civil society organizations, and academics - **to discover new perspectives and initiate similar initiatives in their countries.** The timely processing and format of access to information requests, publication of parliamentary measures and budgetary modifications during the pandemic, live transmission of virtual meetings or sittings, prompt publication of agendas, votes and attendees, and citizen participation mechanisms are just some of the examples mentioned throughout.

Work experiences of the parliaments of the Americas and the Caribbean

Looking beyond the progress on strengthening transparency that has been achieved by the region's parliaments, **there were practically no experiences of implementing remote working mechanisms for legislative debate and even less for voting on bills prior to the COVID-19 pandemic.**

Since then, **at least four parliaments in the region began to meet virtually (Brazil, Chile, Ecuador and Paraguay) while another six continue working to adapt to new circumstances,** promoting changes in their Standing Orders and developing platforms for remote deliberation and voting (Argentina, Bolivia, Colombia, Honduras, Panama and Peru).

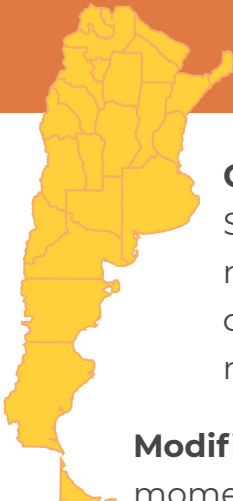
The parliaments of Brazil, Chile and Ecuador use the Zoom platform for videoconferencing and have developed their own platforms and applications for the registration of attendance, verification of quorum, and voting. Other, for the moment, have opted to use video conferencing platforms such as Zoom, Webex Meetings or Microsoft Teams, and identity verification mechanisms for quorum and vote validation within these platforms.

In at least seven countries, legislative bodies began to experiment with working virtually, applying it to non-decision-making spaces such as working groups or informative committee meetings. This is the case of Argentina, Canada, Colombia, Costa Rica, Honduras, Jamaica and Mexico.

The discussions engendered by these advances do not only refer to how to operationalize virtual work, but also to when and what. Are there constitutional limitations for the implementation of virtual debates and voting? Should remote work be a resource reserved for exceptional situations, for dealing with specific issues or those previously agreed upon by party leaders? Notwithstanding the agreements that have begun to be articulated in light of the exceptional circumstances imposed by the pandemic, all of these are still open questions.

The analysis by country presented below is updated to April 14, 2020.

ARGENTINA



Current situation: The plenary sessions of the Chamber of Deputies and the Senate are suspended. On March 17, the Senate decided that it would only meet to discuss initiatives submitted by the executive branch. Some committees have held virtual informational meetings with the participation of national government officials.

Modification in the approach to legislative discussion and voting: For the moment there have been no modifications in the regulations of the Chambers to enable the holding of virtual plenary sessions. However, both the Senate and the Chamber of Deputies have established videoconferencing for committee meetings, while advancing the possibility of holding virtual plenary sessions.

On April 14, the President of the Senate, Cristina Fernández, asked the Supreme Court of Justice to issue a report on the legal validity of sessions held through virtual or remote means, referring to the prevailing exceptional conditions and the need to legislate on tax matters for the economic consequences of this pandemic. The President of the Chamber of Deputies, Sergio Massa, announced, for his part, that the legislature is in a position to hold virtual sessions using software developed by the state-owned company ARSAT (Empresa Argentina de Soluciones Satelitales SA) that would allow for validation of legislators' identity through facial recognition for the purposes of quorum control and voting. However, its implementation will require an amendment to the regulations.

Regarding committee meetings, on March 17 the President of the Chamber of Deputies ordered through Resolution No. [611/20](#) that those meetings that eventually take place shall be held by videoconference through the Zoom or Webex Meetings platforms and the Chamber's robotics rooms. Presentations, discussions or meetings of Chamber authorities with Ministers or Secretaries of the executive will take place in a similar fashion. For its part, the Senate approved Resolution No. [RSA 0487/20](#) to ensure implementation of the necessary mechanisms so that committees currently formed or to be formed can operate through videoconference.

Regarding the introduction of bills by legislators, on March 27 the Chamber of Deputies made it possible for members to introduce bills associated with the COVID-19 pandemic and related issues by email (Resolution [No. 660/20](#)). The use of a digital signature for the introduction of bills and, eventually, the signing of opinions was also approved, although as of April 14 the resolution was not available for consultation.

Legislative agenda: The virtual informative meetings are focused on issues arising from the health emergency. In recent weeks, the Education, Health and Agriculture committees of the Chamber of Deputies, and the Senate Labour Committee, among others, have met. Currently, the Chambers are analyzing how to meet before the possible introduction of a tax reform bill.

THE BAHAMAS



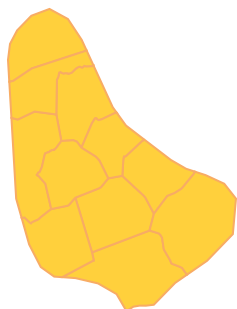
Actual situation: The House of Assembly and Senate continue to sit in-person for emergencies.

Modification to the form of discussion and voting: The House of Assembly respects social distancing by separating members across several rooms, who join the session through videoconferencing.

The Senate also respects social distancing by spacing out members in the chamber and reducing the number of senators in attendance.

Legislative agenda: The Parliament is focusing solely on matters related to the COVID-19 pandemic.

BARBADOS



Actual situation: The House of Assembly and Senate continue to sit in-person for emergencies only.

Modification to the form of discussion and voting: When sitting in-person, parliamentarians practice social distancing and holding sittings with a reduced number of parliamentarians, in accordance with quorum. The House of Assembly is currently examining the possibility of holding virtual parliamentary sittings, which would require amendments to the relevant legislation and to its Standing Orders.

Legislative agenda: The Parliament is focusing solely on matters related to the COVID-19 pandemic.

BRAZIL



Current situation: The Brazilian Congress, one of the first to advance in regulating and implementing remote work approaches, is holding virtual plenary sessions using a Remote Deliberation System (SDR). Committee meetings are currently suspended.

The use of the SDR is an exceptional measure implemented in order to carry out extraordinary sessions, which implies that the items on the agenda are previously agreed upon by the party leaders.

Modifications in the approach to legislative discussion and voting: On March 17, the Chamber of Deputies passed [Resolution 14 of 2020](#) to exceptionally authorize the holding of virtual plenary meetings through a [Remote Deliberation System](#) while the state of the health emergency is extended. That same day the Senate approved an agreement in a similar sense, the [Rule of the Steering Committee No. 7, of 2020](#).

The Remote Deliberation System is a technological solution developed by the Information Technology and Legislation areas to facilitate discussion and voting, integrating all of the information banks of Congress. The SDR allows for simultaneous access by 600 users, full recording of debates and the export of votes. It also makes it possible to carry out "mixed" plenary sessions, that is, the simultaneous participation of legislators both in person and remotely.

Participation in debates and voting can only be done through the devices registered by legislators and who have an identification generated exclusively for this purpose. Participation in videoconferences is validated through a link for each session that is sent to the legislator's institutional email. To perform any of these actions, the legislator must validate his or her identity by entering a personal security password.

Audio and video communication between session participants is done through the Zoom video conferencing platform.

In the Chamber of Deputies, the vote is carried out through Infoleg, the Chamber's application for smartphones and tablets, which shows legislators the options "yes", "no", "abstention" and "obstruction". To validate quorum at the opening of the session, the presence of the legislator is recorded in Infoleg, and is considered valid for the entire session. Legislators can deliver their speech via cell phones, computers, tablets or videoconferencing platforms, or by microphone if they are on the premises. At least three minutes before the end of the debate, the president notifies the legislators through the videoconferencing platform so that they can register their vote.

In the Senate, the SDR is used both to verify quorum and to vote. The Senate resolution stipulates that each session will have a single discussion point and will last no longer than 6 hours.

Legislative agenda: Only extraordinary sessions are to be held, which means that the points to be discussed have already been agreed upon between the party leaders.

In the Senate there has been some discussion about the possibility of making constitutional amendments in remote sessions, due to the plenary's handling of a bill on expenditures to combat the pandemic, better known as PEC "Orçamento de Guerra". Discussions have also been taking place in the Chamber of Deputies on how to guarantee the continuity of essential services, among other issues.



Current situation: The Bolivian Congress has not been in session since mid-March, although activities are not formally suspended. Between March 20 and 27, the Chambers approved two resolutions - not yet published - to exceptionally enable non-face-to-face meetings for the duration of the declaration of health emergency.

The president of the Chamber of Deputies, Sergio Choque, has reported that they are making technical and computer adjustments to carry out the virtual sessions. However, implementation deadlines have not been confirmed and the next sessions called will be held in person.

Modification in the approach to legislative discussion and voting: On March 20, the plenary session of the Chamber of Deputies approved Chamber Resolution 168/2019-2020 to carry out plenary and committee sessions in a "virtual" manner as a preventive measure in the framework of actions to fight the COVID-19 pandemic. However, the new approach is not expected to be implemented immediately.

The Senate did the same on March 27, with the decision being exceptional in nature. The president of the Senate, Eva Copa, declared that the digital application developed for this purpose will be used "if an emergency arises later, so that we can meet through this channel and be able to pass necessary laws for the benefit of the Bolivian people."

The system for validating quorum and voting is not yet defined. Calls to meeting and agendas will be notified by email or other similar digital means.

Legislative agenda: For the moment legislative activity is focused on issues related to attending to the health and economic emergency.



Actual situation: On March 13, 2020 the House of Commons has suspended sessions until April 20 and the Senate until April 21. However, Parliament has been called back for emergency sittings on March 24 and April 11 to vote on legislation related to the COVID-19 crisis.


Modification to the form of discussion and voting: In-person emergency sessions have been taking place with a reduced number of parliamentarians proportional to party representation, with parliamentarians who did not require to travel to be present in Parliament. This practice was established through an agreement with all parties in both Houses.

On March 24, the House of Commons adopted a motion to allow the Standing Committees on Finance and Health to meet virtually for the sole purpose of overseeing the government's response to the COVID-19 pandemic. These meetings initially took place via audio teleconference, and currently take place via videoconference using the Zoom platform. A voting function is not utilised.

On April 11, the House of Commons mandated the Standing Committee on Procedure and House Affairs to study the convening of meetings via videoconferencing or teleconferencing.

Legislative agenda: The Parliament's agenda has been focused on matters related to the COVID-19 pandemic and mechanisms for the Parliament to continue its functions during the crisis. Parliament adopted legislation to provide an emergency economic relief package for individuals and businesses, and most recently to create a wage subsidy program for employers.

CHILE



Current situation: The Congress of Chile has approved electronic remote voting systems, which will be implemented in a mixed manner. Legislators who are able to attend the Congress will meet in person, while those who cannot will participate through virtual mechanisms.

Modification in the approach to legislative discussion and voting: On March 25, Law [21,219](#) was enacted, which authorizes Congress to work by electronic means for a term of one year whenever a state of emergency is declared that prevents legislators from meeting, in whole or in part.

To implement the virtual debate and voting mechanisms, agreement is required from Committees that represent two thirds of the members of the respective Chamber. On March 30, the Chamber of Deputies conducted the first remote voting test with a mixed system: some deputies voted from the premises and others by electronic means. The system will start operating in the second week of April.

The Senate approved a draft agreement to make the electronic voting system viable. The vote is a recorded vote and calls to meeting are sent digitally. On April 9, it also implemented a [protocol](#) to carry out telematic sessions. The protocol establishes, among other points, that remote sessions will be held once a week. Legislators who plan to participate remotely in Chamber sessions must previously notify the Chamber secretariat or the respective committee. They will have 5 minutes for speeches and 5 for the justification of the vote. In addition, committees are authorized to meet in parallel in order to review bills related to or arising from the health emergency.

In the Chamber of Deputies, the platform used is the Zoom application, which was compatible and works in parallel with the mobile application that allows for remote and in-person voting, and is integrated into the central system, developed by the IT Department. Work is also being done on the preparation of an instruction manual for legislators. The remote voting system was designed for those who cannot travel to the premises, so the voting system will be mixed. Sessions are streamed through the Chamber's platforms.

Legislative agenda: The legislative agenda is focused on issues related to the health emergency, with some exceptions, such as the bill to reduce the remuneration of high-level authorities or the re-election limit for authorities.

COLOMBIA



Current situation: All deliberative sessions of Congress, both plenary and committee, were suspended until April 10. Sessions resumed on April 13 in the Senate and on April 14 in the Chamber of Representatives.

However, informative committee meetings have been held through videoconferencing platforms such as Zoom.

In some cases, these meetings have been streamed through YouTube, while in others they were recorded and published later. As they are informal meetings without a decision-making component, they do not require quorum or voting control.

The possibility of virtual legislative sittings is limited by the fact that the Regulation of Congress is an organic law. Despite this, first the Executive Power and then the authorities of the Chambers advanced in decisions aimed at implementing an approach to virtual legislative work. The budding legal conflict must ultimately be settled by the Constitutional Court.

Modification in the approach to legislative discussion and voting: On March 28, President Iván Duque issued [Decree 491](#) which enables collegiate bodies of all branches of public power to hold non-face-to-face meetings when "its members through any means can deliberate and decide using simultaneous or successive communication." This measure will remain in force as long as the declaration of the health emergency is in force. The decree also stipulates that "calls to meeting and decision-making must be carried out in accordance with the respective regulations and guarantee access to information." Non-face-to-face sessions must be public. Although in theory this decree also reaches the legislative power, the [Regulation of the Congress](#) is an organic law, and as such cannot be modified by a decree. This legal conflict must be settled by the Constitutional Court.

The above notwithstanding, on April 6 the Chamber of Representatives issued [Resolution 0777](#) endorsing virtual sessions in accordance with [Law 5 of 1992](#), which governs the actions of the Congress of the Republic. The body will meet on April 14 through the G-Suite platform.

With the extension of the quarantine, the Senate decided to call a plenary session for April 13. It did so through a [statement](#) and without there being an amendment to the Regulations. Senate President Lidio García declared that "the magistrates of the Constitutional Court (have) the last word."

The Zoom videoconferencing platform will be used to carry out the session. So far, no details have been provided on quorum or voting control mechanisms, or compliance with security protocols. According to the boards of both chambers, to access the platforms of the virtual session, "an invitation will be sent to the institutional mail of each congressman or congresswoman." At the time of the vote, the Secretary of the Senate will communicate individually with each legislator to register their vote.

Legislative agenda: The informal meetings held so far have addressed a variety of topics, not limited to the health emergency. For example, participants have analyzed the problem of the murder of social leaders and the cease-fire.

COSTA RICA



Current situation: Congress continues to hold plenary sessions in person. The legislative committees were called off, with the exception of the Drafting Committee that reviews the bills before their final vote. Instead, working groups have been set up to study the bills, meeting virtually.

These virtual working groups do not constitute formal sessions of any committee, although the work they do there translates into specific actions that are heard and approved by the Legislative Plenary. The formation of these groups is supported by the provisional modification of article 206 of the Regulations of the Legislative Assembly, approved on April 3 of this year. Each group determines which platform will be used to carry out the meetings.

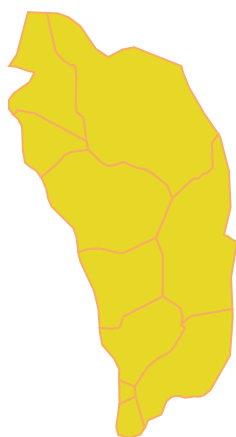
Between April 13 and 14, the Standing Committee on Financial Affairs met virtually to discuss a modification of the extraordinary budget related to COVID-19. Although the work of this committee is different from that of the working groups, on this occasion it functioned as an informal discussion space where quorum was not verified and voting did not occur.

Plenary sessions are taking place outside the Legislative Assembly building. The agendas, minutes, motions and bills under discussion are published on the Legislative Assembly website, while plenary sessions are broadcast on cable television and social networks.

Modification in the approach to legislative discussion and voting: Although the format for legislative discussion and voting has not been modified, on March 16 the Assembly approved a [reform](#) to the Assembly Regulations to allow plenary sessions to take place outside the Legislative Building, with the intention of making it possible to maintain distance between legislators.

The operation of the Legislative Assembly is established in the Political Constitution of the Republic, which stipulates that sessions cannot be held without the attendance of two thirds of the total of its members and that resolutions require an absolute majority of the votes present.

Legislative agenda: The bills under discussion are related to dealing with the health crisis and attending to its social and economic effects. On April 13, the Assembly passed a bill that allows virtual plenary sessions to be held in Municipal Councils.



DOMINICA

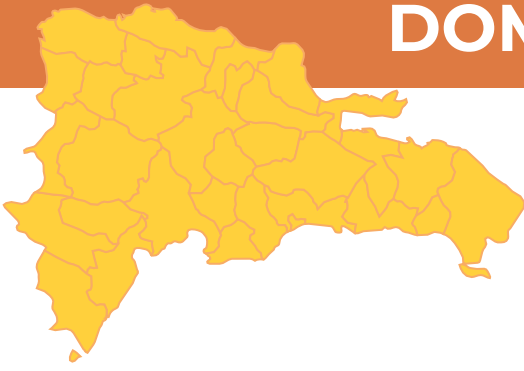
Actual situation: The House of Assembly was adjourned sine die and was most recently called back for an in-person sitting on April 6, 2020 to address matters relating to the COVID-19 pandemic.

Modification to the form of discussion and voting: During parliamentary sittings, parliamentarians respect social distancing through amended seating arrangements. A reduced number of desks with microphones are assigned to government and opposition members respectively. Members sitting in the desks with microphones may vacate their seats to allow another member on their side to speak.

During the last sitting, a motion was passed to look into the possibility of having virtual parliamentary sessions.

Legislative agenda: The House of Assembly is focusing solely on matters related to the COVID-19 pandemic.

DOMINICAN REPUBLIC

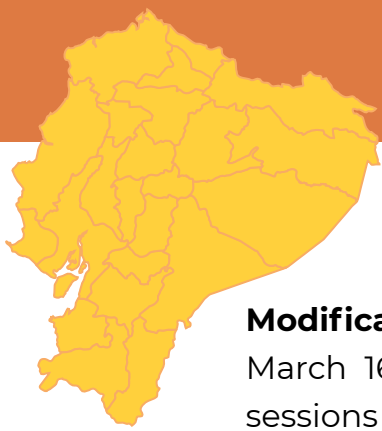


Current situation: Congress continues to hold face-to-face plenary sessions, although the meetings held since March 18 have focused on authorizing the Executive Branch to declare and extend the national state of emergency. Committee activity is suspended.

Furthermore, the workday has been restricted to 8 am to 1 pm and staff on duty has been reduced to 50% as a preventive measure.

Modification in the approach to legislative discussion and voting: For the moment, no modifications have been made in the approach to parliamentary debate or voting to enable non-face-to-face activities.

Legislative agenda: Since March 18, the main item on the legislative agenda has been to authorize President Danilo Medina to declare a state of emergency throughout the country and subsequently to extend it.



Current situation: The Ecuadorian National Assembly has been working virtually since March 17.

Modification in the approach to legislative discussion and voting: On March 16, the National Assembly regulated the implementation of virtual sessions of the Plenary, the Legislative Board of Directors and the Specialized Standing and Occasional Committees; as well as the application of telework in the different areas of legislative and administrative management, through Memorandum N° [AN-SG-2020-0110-M](#).

The regulation stipulates that calls, quorum and voting methods will be similar to those established by the Organic Law of the parliament. The Coordinating Office for Information and Communication Technologies and other civil servants associated with the provision of technological and logistical support will be responsible for the operational aspects of the virtual sessions.

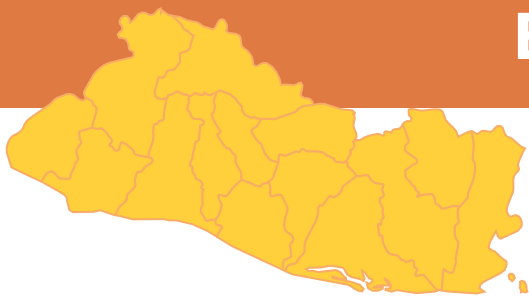
Each member of the National Assembly has access to a remote connection to his or her electronic seat, through which quorum and votes are verified in plenary, committee and Legislative Board of Directors sessions.

The platform allows for immediate access to voting records, but not to the attendance record in which quorum is verified. The votes and attendance at each plenary session can be reviewed on the [website](#). The President of the Assembly has not rejected the possibility of having each vote validated through the use of an electronic signature, as a way to guarantee the transparency of the process.

For committee and plenary meetings, legislators are using the Zoom platform. The meetings are broadcast live on Legislative TV and the official accounts of the National Assembly on Facebook and YouTube.

Legislative agenda: The legislative agenda focuses on the health emergency. However, there are plans to advance in handling the reform of the Health Code and dealing with laws vetoed by the Executive Branch, which legally must take place within a period of 30 days. In terms of oversight, it is expected that legislators will meet with different national government officials.

EL SALVADOR

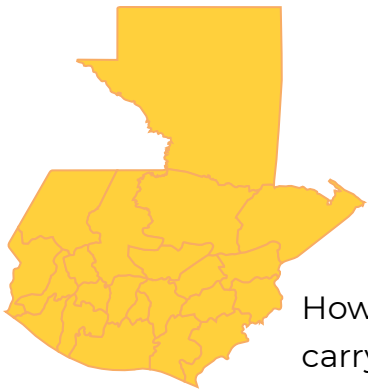


Current situation: The Legislative Assembly of El Salvador continues to hold plenary and committee meetings in person.

Modification in the approach to legislative discussion and voting: At the moment no modifications have been made to the regulations of the Chambers in order to enable remote work.

Legislative agenda: The legislative agenda has been focussed on measures related to the health emergency. These include the Law on the Restriction of Constitutional Guarantees, exemption from food taxes, medical care and distribution of medicines for unemployed people, and access to credit for micro, small and medium-sized enterprises.

GUATEMALA



Current situation: On April 7, it was reported that the Congress of the Republic would temporarily suspend the holding of plenary sessions due to the health emergency.

However, some committees and caucuses would continue to work and carry out oversight tasks related to the handling of the crisis.

The duration of the suspension has not yet been confirmed. In parallel, Congress decreed paid leave for legislative staff.

Modification in the approach to legislative discussion and voting: For the moment, no modifications have been made in the approach to parliamentary debate or voting to enable non-face-to-face activities.

Legislative agenda: Although the plenary's agenda has focused on issues related to addressing the health and economic crisis, Congress also approved Decree 16-2020, which provides financial support for the "Justice Sector Investment and Modernization Program" and advanced in its consideration of an initiative for the Road Infrastructure Development Program. Additionally, during the first week of the quarantine, Congress appointed the magistrates of the Supreme Electoral Tribunal.

GUYANA



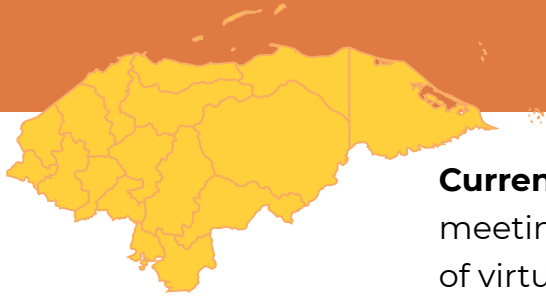
Actual situation: The National Assembly was dissolved on December 30, 2019 for upcoming elections held on March 2, 2020. On March 12, 2020 the Supreme Court ruled that a partial recount in the elections must take place, which is still underway. The National Assembly has not yet resumed.

HAITI



Actual situation: The Chamber of Deputies and Senate dissolved on January 13, 2020 as their mandate expired and legislative elections scheduled for November 2019 did not take place.

HONDURAS



Current situation: The National Congress of Honduras is currently meeting in person, although it has already authorized the holding of virtual meetings.

It also created a Special Committee to deal with issues related to the health emergency, which meets virtually, as does the Board of Directors.

Modification in the approach to legislative discussion and voting: On April 3, the National Congress approved a resolution authorizing virtual meetings of the Plenary, Board of Directors, and Legislative Committees. This method can be used when a state of emergency has been decreed, or in the event of a similar situation that makes it impossible to meet in person.

The Technology Management of the National Congress is working on implementing the virtual system to enable participation of the 128 Members of Congress who make up the Plenary, replicating the usual format for voting and discussion.

For the time being, meetings of the Special Committee to address issues related to the COVID-19 health emergency are carried out through the Zoom videoconferencing platform. Voting on this committee is by recorded vote. Bills introduced by the Members of Congress are received by Congress by email or through an instant messaging application. In virtual sessions, the presentation of motions or demonstrations is not allowed, only discussion and approval of items on the agenda. Topics of interest that may be the subject of a motion will be addressed by the Board of Directors and the caucus leaders and, once an agreement is reached, a Communiqué will be issued.

The caucus leader must be notified of the introduction of bills by the members of congress of his or her political party. Otherwise, the bills will not be considered to have been submitted. The results of committee and Board of Directors meetings are published on the [website](#) of the National Congress.

Legislative agenda: Legislative activity at the moment is focused on issues related to attending to the health and economic emergency. The issues are agreed upon by the Board of Directors and with the different party leaders, who will acknowledge and define the issues to be addressed by the special committee and in the plenary session.



Actual situation: The House of Representatives and the Senate continue to sit in-person for emergencies only.

Modification to the form of discussion and voting: When sitting in-person, parliamentarians practice social distancing.

On Thursday March 19, the House of Representatives has appointed a Special Select Committee on Public Health (COVID-19) to oversee developments related to the current COVID-19 pandemic, which holds virtual meetings through Zoom. A voting function is not utilised.

The Parliament is currently examining the possibility of virtual meetings for other committees, as well as parliamentary sittings.

Legislative agenda: The Parliament is prioritizing matters related to the COVID-19 pandemic, including those related to the state of emergency.



Current situation: The Chamber of Deputies remains closed, although it has formed working groups that meet virtually. The activities of the Senate are suspended.

Modification in the approach to legislative discussion and voting: After the Chamber of Deputies issued a [resolution](#), the General Information Technology Directorate (DGTI) formed working groups for each legislative committee that meet through the Microsoft Teams videoconferencing platform.

All committee members were registered through their institutional email. The application automatically notifies them about joining a working group, and provides the corresponding access link. It can be used with a computer or a cell phone, and has a capacity of up to 200 participants per group.

As these are working groups, there is no quorum control or voting. The resolution states that, once in-person sessions have resumed, legislators must attend a committee meeting to vote on the opinions that have been worked on virtually.

The Senate [will continue to receive bills](#), which will be referred to the corresponding committee once the plenary is again in session.

Legislative agenda: In addition to legislative coordination work on implementing measures to mitigate COVID-19, the Chamber of Deputies was working on the amendment of laws not related to the health crisis.

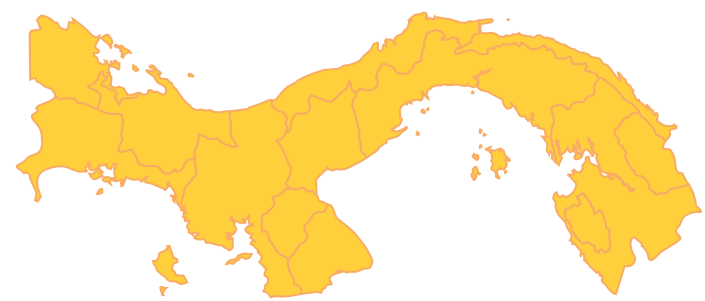
NICARAGUA



Current situation: The Nicaraguan National Assembly continues to hold plenary and committee sessions in person.

Modification in the approach to legislative discussion and voting: For the moment, no modifications have been to parliamentary debate or voting to enable non-face-to-face activities.

Legislative agenda: Beyond the information campaigns in which the Assembly participates, its activity does not seem altered by the health situation, either in terms of work methods or agenda. In recent weeks, the legislative body passed a reform to the Invention Patents, Utility Models and Industrial Designs Law and has worked on the Nicaraguan Legal Digest Law.



PANAMA

Current situation: The National Assembly of Panama continues to hold plenary sessions and committee meetings in person. However, it has already passed a regulatory reform to enable the implementation of a virtual work format.

Modification in the approach to legislative discussion and voting: On April 11, [Law 143](#) was enacted, which reforms the Regulations of the National Assembly (Law 49 of 1984). The new law allows plenary and committee sessions to be held virtually, in the event that an emergency situation is declared that makes it impossible for legislators to be present in the National Assembly. Those who are able to attend personally, may also do so.

Virtual plenary sessions may be ordinary or extraordinary and their duration will not exceed three hours. Speeches by Members of the National Assembly will be 10 minutes for each point addressed. Committee meetings may not be held at the time of the plenary session unless strictly necessary.

Voting must be done using a verifiable digital system. Otherwise, recorded voting must be used. A quorum verification mechanism has not yet been defined, although progress is expected in the coming days.

Legislative agenda: The agenda of the National Assembly is focused on issues related to the health emergency caused by the spread of COVID-19.



PARAGUAY

Current situation: The activities of Congress were suspended until April 13 due to a confirmed case of Coronavirus in the Chamber of Senators and a suspected case in the Chamber of Deputies. That day, activities resumed with a virtual plenary session of the Chamber of Senators and the formation of a Bicameral Committee to control the Health Emergency Law.

Modification in the approach to legislative discussion and voting: On March 25, the Paraguayan Chambers of Congress approved working virtually as long as the Executive's declaration of a health emergency or public calamity remains in force. The Chamber of Deputies did so through Resolution [No. 1222](#) and the Chamber of Senators through Resolution [No. 1,286](#). In the Chamber of Senators, the changes to the regulations will only be in effect for six months.

Committees in the Chamber of Senators began to hold virtual sessions using the Zoom platform, with control of quorum and recognition of legislators wishing to speak during the debate.

In the case of the plenary session in the Chamber of Senators, the virtual session mechanism is blended and the president of the Chamber administers the platform with the assistance of the secretaries, who can see on-screen which legislators are online, in order to guarantee control of quorum and voting. Fast votes will be identified with colours: green (yes), red (no), or yellow (abstention). For roll-call votes, the Secretary General will call each senator by name to verify their presence and then their vote.

In the Chamber of Deputies, the remote session mechanism is in a trial period. The Webex Meetings application is being tested, with the supervision of technicians from the Chamber and the Ministry of Information and Communication Technologies (MITIC). Use of two mechanisms is being planned: one completely virtual and the other with the option of sitting in a larger facility. In videoconference sessions, voting would be by roll-call.

Activities can be followed through the official accounts of the Congress on social networks and on YouTube. Agendas and voting results will be published on each Chamber's webpage.

Legislative agenda: According to the resolutions issued by the Chambers, the virtual session approach can only be used in cases of emergency and force majeure. However, these do not limit the issues that can be addressed so long as those circumstances remain. Along these lines, following the resumption of legislative activities, the plenary session of the Chamber of Senators as well as some committees have debated issues not related to the emergency situation, while the agenda of the Chamber of Deputies is more focused on the current health and economic situation.



PERU

Current situation: The new Congress of the Republic began its work on March 16. Since then it has held in-person but decentralized plenary sessions. Legislators - 130 in total - are distributed among nine rooms located in the Legislative Palace.

From each of these spaces, they can follow the session that is broadcast on television screens. Only the person to whom the President has given the floor enters the chamber. At the time of the vote, legislators enter one by one in alphabetical order to cast the vote from their seat.

The Board of Spokespersons is addressing the working mechanism for committees that have already been formed but have not yet begun to work. On April 14, the first virtual meeting of the Bureau of the Congress was held.

On March 26, Congress passed a law that delegates to the Executive Branch the power to legislate in matters of health, fiscal and tax policy for 45 days.

Modification in the approach to legislative discussion and voting: On March 26, Congress ordered the exceptional holding of virtual sessions of the various parliamentary bodies, as well as the remote work of Congress officials and workers, through Legislative Resolution [002-2020- 2021-CR](#) that modifies the regulation of Congress.

The reform enables budget allocation aimed at making those modifications required to implement the virtual format of the sessions, and lifts the restrictions established by the regulation with respect to the in-person attendance requirement.

In terms of implementing virtual work in committees and the plenary, the Secretariat General - the highest administrative authority in Congress - has stated that they do not yet have the technological tools for effective implementation. The Board of Spokespersons, which brings together the caucus leaders, is considering the possibility of using Zoom or Microsoft Teams as digital forums. Once the platform is defined, progress will be made in the quorum and voting control mechanism. Continued face-to-face work by committees, while respecting social distancing guidelines, has not been ruled out.

Legislative agenda: The legislative agenda is currently focused on the health crisis, although legislators have not dismissed the possibility of expanding it in the future.



SAINT LUCIA

Actual situation: The House of Assembly and Senate held its last sitting on March 24, 2020, when they approved a State of Emergency which reduces parliamentary sittings and operations to a minimum. The State of Emergency currently ends on April 26, 2020 but a resolution has been submitted to Parliament to extend this period by one month. The Parliament is expected to hold an in-person sitting to debate and vote on this resolution.

The estimates of expenditures and revenue will be tabled before the end of April and the Government then has a period of four months to present the necessary appropriation bill to Parliament.

Modification to the form of discussion and voting: During sittings, parliamentarians respect social distancing by holding sitting with a reduced number of parliamentarians in the chamber, and allowing a rotation of members between the chamber and the lounge, in accordance with quorum.

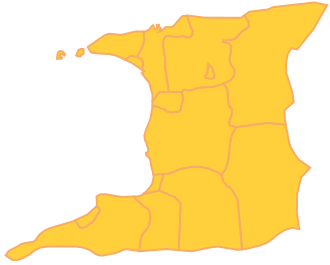
The throne speech will be delivered by the Governor General remotely.

The Parliament has discussed holding virtual sittings, however the Standing Orders do not currently cater for it.

Legislative agenda: The Parliament is prioritizing matters related to the COVID-19 pandemic and other essential matters.



TRINIDAD AND TOBAGO



Actual situation: The Parliament of Trinidad and Tobago had its last sitting in-person on March 25 to address emergency policy measures for the country in response to the threat of the COVID-19 pandemic.

Modification to the form of discussion and voting: On March 20, the House of Representatives and the Senate adjusted seating arrangements to comply with social distancing (seating members in every other desk), limited the length of speeches to 30 minutes, and suspended all committee meetings.

On March 25, both chambers set a limit on the number of persons allowed in the Chamber at any one time, maintaining quorum. Remaining members were able to view proceedings on monitors available in other areas of the Parliament or via the Parliament's internet stream, and were allowed to enter the Chamber when they were required to contribute to the debate or vote.

The Parliament has previously used Zoom to facilitate the virtual participation of external and foreign subject matter experts to join its committee meetings, and therefore has the administrative capacity to hold full virtual meetings if called upon to do so.

Legislative agenda: The Parliament is prioritizing matters related to the COVID-19 pandemic.



Current situation: The Uruguayan Congress continues to hold face-to-face plenary sessions, although virtual informational meetings have been held in the Chamber of Representatives with the participation of national government officials. On March 17, the president of the Chamber of Representatives modified the [staff attendance regime](#), which was restructured into 6-hour shifts.

Modification in the approach to legislative discussion and voting: For the moment, no modifications have been made in the approach to parliamentary debate or voting to enable non-face-to-face activities. However, this possibility was raised by the President of the Chamber of Senators, Beatriz Argimón and the President of the Chamber of Representatives, Martín Lema, to the party leaders on March 20.

On April 13 the authorities of the Chambers gave a press conference in which they referred to the challenges of adapting parliamentary work under special conditions, remote work by committees and the plenary, and modification of the Regulations to enable virtual sessions, as the Regulations do not take this approach into account. To this end, they will form a work team in charge of studying the necessary changes in the regulations to account for “exceptional situations” as well as the technological development required to carry out virtual sessions.

Legislative agenda: Congress’s agenda is focused on issues related to the health emergency caused by the spread of COVID-19. These include creation of the COVID-19 Solidarity Fund aimed at protecting the population from the health emergency, approval of norms and general guidelines for the implementation of telemedicine, or extension of the date for holding departmental and municipal elections. In addition, virtual informational meetings have been held with the participation of the Minister and the Undersecretary of Health of the Nation, Ministry of Labour authorities, Ministry of Social Development authorities, and others.

With respect to the Urgent Consideration Law (LUC), which the Executive Power is promoting as the central point of the legislative agenda, the presidencies of the Chambers have stated that once admitted, it will be dealt with, although neither the date nor the means of deliberation have been confirmed as of yet.



VENEZUELA

Current situation: The National Assembly meets in person, although it enabled a remote work option in late 2019.

Modification in the approach to legislative discussion and voting: The National Assembly was a pioneer in terms of enabling virtual sessions in the legislative field, with a [reform](#) approved on December 17, 2019.

This reform was not motivated by the context of the spread of the COVID-19 pandemic, but by the search for alternatives so that assembly members who could not be physically present in the chamber, would be able to attend sessions virtually.

Legislators can participate and deliberate in plenary and committee sessions through the 'Connected Assembly' application, developed in conjunction with the Organization of American States. For verification of quorum and voting, the VIDA application is used, which contains an individual digital ID anchored to the blockchain, making it non-duplicatable and non-transferable.

Legislators must register their presence at the beginning of the session and, after casting their vote, take a photo with their cell phone. The system will verify that the photo taken has not been tampered with before registering the legislator's decision. Sessions can be broadcast on VPltv.

Legislative agenda: The Assembly's agenda includes the initiative to form a national emergency government and establish policies to combat the spread of COVID-19 in the country. Along these lines is the recent approval of the Emergency Plan for programs in the areas of health, social support, energy, economy and justice.

Continuing legislative openness during the pandemic

As parliaments adapt their functions to respect physical distancing guidelines and advice from international and national officials and experts to mitigate the spread of COVID-19, is it important for parliamentary openness to remain top of mind. While some parliamentary functions or services may need to be diminished due to the mitigation measures adopted by the parliament to avoid spreading the virus, and the parliament's agenda may change to primarily focus on the crisis at hand, it is critical for minimum standards of openness to be maintained. Continuing to respect transparency and access to information, accountability, public participation and ethics and probity principles as parliaments transition to new temporary virtual practices, is crucial to maintaining strong democratic processes and can contribute to building trust in the public response to the crisis.

The following section provides key considerations for maintaining an open parliament, organized by pillar, as legislatures adapt their way of working. For more comprehensive open parliament guidance, please consult [ParlAmericas' Road Map Towards Legislative Openness](#).

Transparency and Access to Information

Parliaments can ensure the following practices are established or remain in place:

- Publication of any changes to the parliament's way of working on its website and other official communication channels (TV, radio, Facebook, Twitter, Youtube, etc.), including any changes to the work of offices responsible for providing services to the public, and dissemination of this information through the media and social network (i.e. [Chamber of Deputies of Mexico](#)).
- Publication of agenda, attendance, votes, bills and other documents discussed in plenary and committee sessions on the parliament's website, where possible in an open format (i.e. [National Assembly of Ecuador](#)).
- Live streaming and publication of recordings of plenary and committee sessions, whether taking place in person or online, through the parliament's various channels such as television, radio, social networks, etc (i.e. [Chamber of Deputies of Brazil](#)).

- Communication of news and updates regarding parliamentary work and sessions through social networks (i.e. [Chamber of Deputies of Argentina](#)).
- Receipt and answer of access to information requests processed online (i.e. [Chamber of Representatives of Colombia](#)).

Accountability

Parliaments can ensure the following practices are established or remain in place:

- Publication of parliamentary expenses and any new regulations in place regarding procurement process, particularly new expenses resulting from the crisis that were not provided for in the parliament's budget and any budgetary re-allocations that took place as a result of the crisis (i.e. [Chamber of Representatives of Colombia](#)).
- Publication of the guidelines issued to parliamentary staff regarding their work situation (i.e. [Chamber of Deputies of Chile](#)).
- Communication by parliamentarians to constituents on their work in parliament (if sessions still occur) and the work they are doing in their respective circumscription.

Public Participation

Parliaments can ensure the following practices are established or remain in place:

- Availability of services offered by citizen participation offices by phone, What's App, social media, online forms or email ([Chamber of Deputies of Mexico](#)).
- Secure mechanisms for citizens to report wrongdoing.
- Mechanisms allowing citizens to virtually comment or provide votes of opinion on matters debated in parliament, where time permits (i.e. [Federal Senate of Brazil](#)).

Ethics and Probity

Parliaments can ensure the following practices are established or remain in place:

- Registration of interaction between groups of interests and parliamentarians, whether in person or virtually, in a lobbying registry.
- Application of rules and practices to prevent and bring attention to conflicts of interests.
- Work of the parliamentary committee or independant office on ethics to enforce the parliamentary code of conduct.
- Verification of information shared by parliamentarians and public officials in relation to the crisis and dissemination of public sources of accurate information to counter disinformation on social networks (i.e.[Chamber of Deputies of Brazil](#)).

Action Plans in the midst of COVID-19

This crisis has caused the suspension of many parliamentary initiatives, including reforms to improve parliamentary openness, to focus on the crisis at hand. However, as parliaments adapt to virtual working methods and modify standing orders or administrative procedures to allow for this change, they have an opportunity to integrate new openness measures or at minimum ensure that existing measures continue to be applied.

Parliaments that have submitted Open Parliament Action Plans as chapters of their country's National Open Government Plan within the framework of the Open Government Partnership (OGP) can refer to the [Resolution of the OGP Criteria and Standard Committee on Guidelines to Address the COVID-19 Pandemic](#) which provide flexibility and allows for delays in the development of new plans, completion of existing commitments and reporting requirements.

National Congress of Paraguay: [2018-2020 Open Parliament Action Plan](#)

The National Congress of Paraguay is continuing to work on implementing the commitments established in its Open Parliament Action Plan. For example, the Senate is hosting a [webinar with civil society organizations](#) to develop a dictionary of terms that will be included in an online platform to monitor legislative progress towards the Sustainable Development Goals, one of the commitments adopted in their plan.

National Congress of Chile: [2019-2020 Open Parliament Action Plan](#)

The National Congress of Chile is continuing to work on implementing the commitments established in its Open Parliament Action Plans. For example, it is developing a draft regulation for the annual accountability reports of both Chambers and a template for parliamentarians, and anticipating to launch "Congreso Virtual", an online participation tool in the coming months, which are commitments adopted in the current and previous plan respectively.

Political control during the pandemic

The COVID-19 pandemic has put significant pressure on governments around the world to respond to a rapidly evolving situation with many unknown variables that is exacerbating social and economic inequalities. While there is a need for quick responses to address the crisis and its impacts, it is important for this to be balanced with the need to maintain strong democratic processes that guarantee transparency, accountability and integrity. Parliaments have an important role in ensuring that emergency measures do not limit civil liberties or access to information, and enable parliament and the public to continue to exercise proper scrutiny and oversight of government actions. The [ParlAmericas Publication on COVID-19 and Parliament's Role during a Pandemic](#) can be consulted for guidance questions for the oversight of the government's health, emergency relief, communication and anti-corruption responses, including protections against domestic violence during quarantine.

As some countries adopt state of emergency measures, parliaments have a critical role to ensure that any measures adopted within this context remain consistent with the objective of addressing the COVID-19 pandemic and its impact. Parliamentarians are responsible to ensure that this crisis is not taken as an opportunity to pass unrelated legislation without a proper debate and scrutiny. This role is vital to guarantee effective checks and balances in our democratic systems and to promote public integrity.

RESOURCES

This [Tool produced by the Inter-American Development Bank](#) allows for the visualization of perceptions and preoccupations shared by Latin American and Caribbean citizens on the internet regarding COVID-19.

This [Tool produced by the Open Government Partnership \(OGP\)](#) shows examples of open government approaches to the COVID-19 pandemic.

This [Practical Guide on Inclusive and Rights Based Responses to COVID-19 by the Organization of American States \(OAS\)](#) (in Spanish) provides guidance for governments' response to the crisis.

This [Special Report on Latin America and the Caribbean and the COVID-19 Pandemic by the UN Economic Commission for Latin America and the Caribbean \(ECLAC\)](#) describes the social and economic impacts of the crisis.

This [Guidance Note for Parliamentarians on Gender and COVID-19 by the Inter-Parliamentary Union](#) provides advice to ensure a gender-sensitive response to the crisis.

Depending on how parliaments have adapted their way of working, various options can be considered to continue fulfilling its oversight function both on government spending and the overall policy response to the crisis. Some parliaments have created new special committees to oversee the crisis while others have assigned the responsibility to existing committees and/or fulfill this role through plenary sessions. These sessions may happen virtually and may focus solely on deliberations and listening to testimony from ministers and government officials, or they can adopt decisions through a formal vote for example in the case of appropriations bills. The following are a sample of such practices:

Chamber of Deputies of Argentina: [Video conference with ministers of Education and Health](#)

The Committees of the Chamber of Deputies are holding virtual information sessions where ministers are invited to present their plans to address the COVID-19 pandemic and its impacts, and answer questions raised by Members. This is a [video](#) of an information session held by the Committee on Social Action and Public Health with the participation of the Education Minister.

Chamber of Deputies of Brazil: [Approval of extraordinary measures to separate COVID-19 expenses from the national budget through a virtual plenary session](#)

The Chamber of Deputies approved a measure that allows the separation of the national budget and the expenses incurred to fight the COVID-19 pandemic. This legislation also includes a clause indicating that the National Congress could suspend any spending if irregularities are uncovered. This is a [video](#) summarizing the main clauses of this legislation, which was the first approved using the Remote Deliberation System.

House of Commons of Canada: [Virtual meetings of the Standing Committees on Finance and Health](#)

The House passed a motion permitting the Committees on Health and Finance to hold virtual meetings to oversee government spending and overall response to the crisis with the participation of witnesses. The Committee on Finance is also empowered to ask the Speaker to recall Parliament if its members were unsatisfied with the reports received from the Finance Minister.

Senate of Colombia: [Informal virtual meetings with public officials](#)

The Senate of Colombia is holding informal virtual meetings with ministers, including the Ministers of Justice and Agriculture, mayors and other public servants, allowing senators to oversee current plans and propose new measures to address the COVID-19 pandemic.

National Congress of Colombia: [Bicameral Committee on Women demands more support for cases of violence against women](#)

The Bicameral Committee on Women called attention to domestic violence cases during quarantine and demanded further government support. This committee has also been supporting an [online campaign](#) to raise awareness on this issue.

National Assembly of Ecuador: [Public authority testifies before a virtual plenary session](#)

During a virtual plenary session, parliamentarians received a report and requested further information regarding the procurement of medical supplies by the National Authority on Social Security, following concerns about irregularities in this procurement process.

House of Representatives of Jamaica: [Virtual meetings of Special Select Committee on Public Health \(COVID-19\)](#)

The Special Select Committee on Public Health was established to oversee the developments of the COVID-19 pandemic. It meets regularly by videoconference to hear from Ministers and Public Officials to monitor the government's response to the crisis.

Senate of Mexico: [Video Conference with the Head of the Mexican National Bank](#)

A virtual meeting was held with the Head of the Mexican National Bank, the President of the Senate and political party leaders to discuss the economic situation, to inform senators as they oversee the government's responses to the economic impacts of the crisis.

National Congress of Paraguay: [Creation of an oversight committee as part of the Law on State of Emergency](#)

Paraguay's Law No. 6524 which declares a national state of emergency also calls for the creation of a Bicameral Committee of the Congress responsible for continuous oversight to ensure transparency in the administration of resources during this period.

Final considerations

The emergence and unusual expansion of COVID-19 has forced most of the world's countries to face enormous challenges whose impacts are still difficult to foresee. At this juncture, the region's governments have reordered their priorities, making hundreds of decisions on a daily basis, often outside the known and established decision-making process.

It is essential to reinforce the role of the parliaments: in contexts of crisis, collegial and deliberative bodies show, once again, their political relevance. Parliamentarians fulfill the important function of representation, legislation and oversight. The legislative branch is the natural space for debate to occur. It is the legislators who discuss and approve, ask and oversee, reach consensus, contribute so that public policy decisions are plural, and give those decisions legitimacy.

In this context, **the principles of Open Parliament can be avenues in which to rethink the role of the parliaments in current times, with a look toward the future to channel demands from citizens and work to resolve their needs in a seemingly uncertain context** and with a crisis that is anticipated to be long-lasting. The response to the health, economic and social crisis, and recovery from it, must take place in an open and transparent manner, and the parliaments must work in this vein to regain the people's trust in public institutions and rebuild ties of collaboration and openness.

Directorio Legislativo and the International Secretariat of ParlAmericas are grateful to receive any comments and information on the adaptation measures being taken by the parliaments of the Americas and the Caribbean through comunicacion@directoriolegislativo.org and parlamericasopn@parlamericas.org

