DIRECTORIO LEGISLATIVO | STRENGTHENING DEMOCRACIES IN LATIN AMERICA

ParlAmericas

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COVID-19:
The Challenge of Adapting and Strengthening the Role of Parliaments

AN ANALYSIS OF THE LEGISLATIVE AGENDA AND THE CENTERING OF GENDER EQUALITY IN LEGISLATIVE RESPONSES

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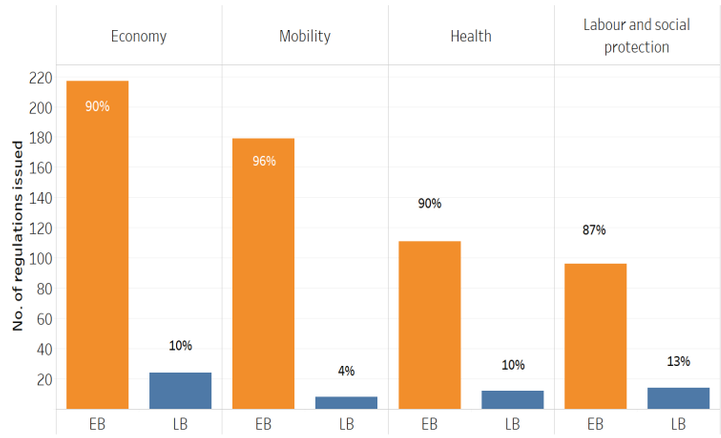
Introduction

More than 100 days have passed since the World Health Organization declared COVID-19 a pandemic. While societies remain at a standstill, due to social, preventive and compulsory isolation, governments actively formulate, implement and evaluate a wide range of public policies to deal with the health, economic and social crisis. Our continent is currently a new epicentre of the pandemic.

To date, executive branches have played a central role in setting national agendas. A survey of measures approved in the health, economy, labour and social protection, and mobility areas **between March 15 and May 15** shows that the influence of legislative branches on these discussions continues to be secondary:

- Parliaments have had the most influence in the area of **labour and social protection**, with 13% of measures approved by legislatures.
- In the **economy and health** sectors, 90% of measures were approved by the executive branch and only 10% by the legislative branch.
- The difference is even greater for measures regarding **mobility restrictions**, with legislative branches accounting for just 4% of the total.

Regulations in response to the COVID-19 pandemic in the areas of the economy, health, labour and social protection, and mobility, originating from the executive branch (EB) and the legislative branch (LB). March 15 to May 15, 2020.



Source: Directorio Legislativo, based on a survey of laws, executive orders and other executive resolutions published in official sources from March 15th to May 15th.. **Countries included:** Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, Uruguay and Venezuela.

Due to their strategic role in the development of long-term policies, legislative branches are the sphere of consensus-building par excellence for decision-making, both for decisions in response to the emergency and for those that will subsequently impact the future of the "new normal" and the recovery.

In the first joint publication of **Directorio Legislativo and ParlAmericas** addressing the role of parliaments and adaptation to the current situation, we explored how parliaments have adapted parliamentary procedures. The aim of this publication is to deepen the analysis to reflect on the content of debates, decisions and laws issued by legislatures from April 15 to May 31.

This report provides an analysis of legislative agendas throughout the region and the issues being addressed, as well as the exercise of political oversight of government responses to the pandemic. The analysis of legislative agendas was based on a review of sitting and committee meeting agendas and official parliamentary communications. It is intended to provide a general overview of the topics addressed in parliament and is not meant to be exhaustive. Lastly, we present a special section on the role of legislative branches in the gender agenda, including with regards to budgets **with a gender perspective**; measures to address violence and improve parental leave; and the establishment of gender committees and working groups.

This report is intended as a tool for dialogue within parliaments and covers only the previously mentioned time period.

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Summary of adaptation of legislative work

Prior to the thematic analysis, we present a brief summary of the adaptation of parliamentary work to restrictions on movement and gatherings imposed as part of prevention plans, including a review of the methods established for parliamentary work (remote, in-person or hybrid) and the status of committee meetings and sittings (informational or decisional).

COUNTRY	METHOD	SITTINGS	COMMITTEE MEETINGS
ANTIGUA Y BARBUDA	Hybrid	Decisional	Decisional
ARGENTINA	Hybrid	Decisional	Decisional
BAHAMAS	In-person	Decisional	Decisional
BARBADOS	In-person	Decisional	Decisional
BELIZE	In-person	Decisional	Decisional
BOLIVIA	In-person	Decisional	Decisional
BRAZIL	Remote	Decisional	Suspended (informational ad hoc committees)
CANADA	Hybrid	Decisional	Decisional
CHILE	Hybrid	Decisional	Decisional
COLOMBIA	Hybrid	Decisional	Decisional
COSTA RICA	In-person	Decisional	Decisional
CUBA	Remote	Decisional	Decisional
DOMINICA	In-person	Decisional	Decisional
ECUADOR	In-person	Decisional	Decisional
EL SALVADOR	In-person	Decisional	Decisional
UNITED STATES	Hybrid	Decisional	Decisional
GRENADA	In-person	Decisional	Decisional

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COUNTRY	METHOD	SITTINGS	COMMITEE MEETINGS
GUATEMALA	In-person	In legislative recess	In legislative recess
GUYANA	Parliament dissolved	Parliament dissolved	Parliament dissolved
HAITI	Parliament dissolved	Parliament dissolved	Parliament dissolved
HONDURAS	Virtual	Decisional	Decisional
JAMAICA	Hybrid	Decisional	Decisional
MEXICO	In-person	In legislative recess (Virtual Permanent Commitee)	In legislative recess
NICARAGUA	In-person	Decisional	Decisional
PANAMA	In-person (virtual work was authorized)	In legislative recess	In legislative recess
PARAGUAY	Hybrid	Decisional	Decisional
PERU	Hybrid	Decisional	Decisional
DOMINICAN REPUBLIC	In-person	Decisional	Decisional
SAINT LUCIA	In-person	Decisional	Decisional
SURINAME	In-person	Decisional	Decisional
SAINT KITTS AND NEVIS	Parliament dissolved	Parliament dissolved	Parliament dissolved
TRINIDAD AND TOBAGO	Hybrid	Decisional	Decisional
URUGUAY	In-person	Decisional	Decisional
VENEZUELA	In-person	Decisional	Decisional

References

METHOD remote | hybrid | in-person | in recess| suspended | parliament dissolved

SITTINGS Informational | decisional | in recess | suspended | parliament dissolved

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Legislative agenda in the context of COVID-19

Although the region's legislative agenda remains largely focused on issues related to or resulting from the pandemic, **legislative branches have increasingly** broadened their areas of discussion and resumed debates that had been suspended due to COVID-19.

According to our analysis, from April 15 to May 31, **only 11% of the region's legislative agendas** were exclusively focused on issues related to the pandemic.

Among the most recurring matters addressed in the region's parliaments, **health and the economy** were the main topics of priority:

- **IN THE AREA OF HEALTH**, legislative branches have dealt with matters related to state of emergency declarations; virus testing protocols; protective equipment for health professionals, the distribution of masks to the population; improvements to public health infrastructure; the development of a COVID-19 vaccine; the promotion of blood donations; electronic prescriptions and medical teleconsultations; and the handling of sensitive data in epidemiological research, among other issues.
- **IN THE ECONOMIC**, sphere, parliaments have worked on matters related to activity restrictions resulting from emergency declarations; economic stimulus measures for the productive sectors most affected by the pandemic; the granting of household income subsidies; support for micro, small and medium-sized enterprises (MSMEs) and the tourism industry; debt cancellation; wage increases and exemption from income tax payments for health workers; the extension of tax payment terms; suspension of grounds for dismissal during the emergency; aid to informal workers; unemployment insurance; the suspension of toll collection; and bans against shutting off basic utilities, such as electricity, water, telephone and Internet services, among other matters.

The education agenda has also been transformed in the context of the pandemic. In this area, parliamentarians have addressed access to distance education, educational loans, financial aid to the arts and culture sector, free Internet access for students in vulnerable situations and the reduction of fees for private education.

The legislative agenda is also beginning to show signs that other debates, which are not directly related to the pandemic, are being resumed. For example:

- IN THE **ENVIRONMENTAL** AREA, parliamentarians addressed integrated waste management (Costa Rica, the Dominican Republic, and Guatemala), the reduction of single-use plastics (Barbados), food waste (Brazil), the prohibition of mining activity (Costa Rica), energy reforms (Bahamas and Ecuador) and the creation of a green tax (Paraguay).

- IN THE **TECHNOLOGICAL** AREA, debates were held on the use of blockchain technology (Antigua and Barbuda), cybersecurity (Peru), protection of personal data (Chile, Jamaica and Paraguay) and the use of technologies in the electoral process (Barbados).

- IN THE AREA OF **ETHICS**, issues related to corruption (Barbados, Ecuador and Suriname), terrorism and money laundering (Antigua and Barbuda), and the sworn statements of public officials (Paraguay) were discussed.

- In addition, tax, electoral, criminal and even constitutional **REFORMS** have been carried out (the latter in Chile and Ecuador). Free trade agreements were also reached in Uruguay, Chile and Panama.

Work has been done to address violence, taking into consideration that the context of confinement due to the emergency can lead to an increase in cases of gender-based violence and a reduction in the resources available to women and vulnerable groups in these situations. As a result, there has been discussion on bills on domestic violence during the pandemic (Brazil and Chile), electronic monitoring of victims of violence (Chile), the creation of a registry of sex offenders (Paraguay), and preventing violence against women in politics (Peru).

In order to work towards **gender equality**, temporary special measures and measures to strengthen the principle of a life free from violence in spheres where women conduct their interpersonal relationships have also been considered. These include use of the zipper system and parity in lists of candidates for elected public office (Peru) and the promotion of gender equality in work environments (Colombia).

- In **terms of oversight of the response by the executive branch,** temporary investigative or special committees have been established or existing oversight committees have been reactivated in 13 countries (Argentina, Bahamas, Brazil, Bolivia, Canada, Chile, Colombia, Jamaica, Paraguay, Peru, Suriname, Trinidad and Tobago, and the United States) to monitor the fiscal, budgetary and financial implications of measures related to the

- Furthermore, 8 parliaments have prioritized issues within the **GENDER** agenda (Brazil, Chile, Colombia, Mexico, Panama, Paraguay, Peru and Uruguay)

public health emergency.

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Legislative agenda by topic

APRIL 15 TO MAY 31 2020

COUNTRY	ECONOMY	EDUCATION AND CULTURA	GENDER	HEALTH	SOCIAL WORK AND INCOME	NON COVID-19 AGENDA
ANTIGUA Y BARBUDA	●			●		●
ARGENTINA		●		●	●	●
BAHAMAS	●			●	●	●
BARBADOS				●	●	●
BELIZE				●		
BOLIVIA	●			●	●	●
BRAZIL	●	●	●	●	●	●
CANADA	●	●		●	●	●
CHILE	●	●	●	●	●	●
COLOMBIA			●	●		●
COSTA RICA	●				●	●
CUBA	●			●	●	
ECUADOR	●	●		●	●	●
EL SALVADOR	●	●		●	●	●
UNITED STATES	●	●		●	●	●
GRENADA	●					
GUATEMALA	●	●			●	●
HONDURAS	●	●		●	●	●
JAMAICA	●					●
MEXICO	●	●				●
NICARAGUA						●
PANAMA	●	●			●	●
PARAGUAY	●	●	●	●	●	●
PERU	●	●	●	●	●	●
DOMINICAN REPUBLIC	●			●		●
SAINT LUCIA				●		●
SURINAME						●
TRINIDAD AND TOBAGO		●				●
URUGUAY	●		●	●	●	●

Source: Based on a survey of legislative agendas carried out by the Directorio Legislativo and ParlAmericas between April 15 and May 31. It is possible that some parliamentary agendas have not been captured in this table. *The chart does not include Guyana, Haiti and St. Kitts and Nevis, since the Legislative Branch has been dissolved for elections. It also does not include Dominica, which has not been in session during the analysis period.

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Click on any country for each country's legislative agenda during the pandemic.

ANTIGUA Y BARBUDA | ARGENTINA | BAHAMAS | CUBA

BARBADOS | BELIZE | BOLIVIA

BRAZIL | CANADA | CHILE

COLOMBIA | COSTA RICA | ECUADOR

EL SALVADOR | UNITED STATES | GRENADA

GUATEMALA | HONDURAS | JAMAICA

MEXICO | NICARAGUA | PANAMA

PARAGUAY | PERU | DOMINICAN REPUBLIC

SAINT LUCIA | SURINAME | TRINIDAD AND TOBAGO

SAINT KITTS AND NEVIS | URUGUAY | VENENZUELA

DOMINICA | GUYANA | HAITI

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Centering gender equality in legislative responses to the pandemic

The pandemic and associated emergency context have generated specific impacts on women and men that, to a great extent, deepen existing gender inequalities in the various spheres of society. **It is crucial to recognize the differential effects of the pandemic** and respond accordingly; for example, women living in poverty are among the demographic groups most at risk of becoming infected with COVID-19, losing income and economic empowerment, and bearing disproportionate burdens of unpaid domestic work.

This scenario requires not only equal participation in decision-making, but also the mainstreaming of a gender perspective in the design, implementation and monitoring of all measures taken in the event of an emergency.

In response to this challenge, legislatures have the opportunity to ensure a **focus on gender** both through **parliamentary and administrative procedures**, and through **regulations** that are drafted and passed to respond to the emergency.

To do so, it is essential that parliaments establish the following as priorities:

- Respecting equitable **political representation**, for example, through the membership of the committees created to develop policies related to the emergency, and by facilitating the inclusion of diverse perspectives in the development of new initiatives;
- Drafting and passing **legislation that applies gender and diversity perspectives**, which considers the ways in which gender impacts access to opportunities, roles and social interactions between people;
- Debating and approving **gender-responsive budgets**, through the allocation of resources in a manner that meet the needs and interests of individuals from different sectors of the population.

The congresses of our region have an important role to play in not only mitigating the devastating consequences of the pandemic, but also eradicating pre-existing inequalities that have been exacerbated by the emergency. The current reality urges legislatures to mainstream a gender and diversity perspective in parliamentary actions and operations, and to establish this approach as a long-term policy within the institution.

- Working towards institutional strengthening and taking steps to guarantee the full **political participation** of women, and allowing for a balance between personal and professional lives during the pandemic;

This report presents **recommendations and good practices** to centre gender equality within legislative responses to the pandemic.

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Conclusions

The COVID-19 pandemic has not only threatened health systems and economies but has also exacerbated pre-existing inequalities in the Americas and the Caribbean: from unequal access to utility services, such as water, which are essential for the protection of health, to gender-based discrimination, which puts the promotion and protection of human rights at risk.

The declaration of a state of health and economic emergency—which in some countries is coupled with a state of exception suspending constitutional guarantees—has led to a significant concentration of decision-making in executive branches.

However, as this situation creates the need to establish new rules governing social, economic and political life, it becomes increasingly necessary not only to recover the strategic role of the legislative branches but also to guarantee the fulfillment of their legislative, oversight and representation duties. Legislative branches are the sphere of consensus-building par excellence, both in contexts of dramatic change and in the configuration of new realities, questioning existing regimes of exclusion, identifying inequalities and working to eradicate them. It is only through the perspective of human rights in decision-making as a strategy for dealing with the crisis that we will be able to build more egalitarian and, thus, stronger democracies.

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More by Directorio Legislativo and ParlAmericas

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

AN ANALYSIS FROM AN OPEN PARLIAMENT PERSPECTIVE. **APRIL 2020**.

SEE THE REPORT

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ParlAmericas is the institution that promotes parliamentary diplomacy in the inter-American system. Composed of the 35 national legislatures in North, Central and South America, and the Caribbean, ParlAmericas promotes cooperative political dialogue, facilitates the exchange of good legislative practices, and produces tailored resources to support parliamentarians in their work.

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