



UNION INTERPARLEMENTAIRE

INTER-PARLIAMENTARY UNION

# Constitutional & Parliamentary Information

*Half-yearly Review of the Association  
of Secretaries General of Parliaments*

Welcome and Presentation of the Parliamentary System in Spain  
*(Mr Carlos Gutiérrez Vicén, Spain)*

The Functioning of the parliamentary committees of the Senate of Uruguay, during the Covid-19 pandemic  
*(Mr José Pedro Montero, Uruguay)*

What do we expect from the Secretary General in the 21<sup>st</sup> century?  
*(Mr Simon Burton, United Kingdom)*

Assessing the performance of parliamentary officials: A case for the balanced scorecard  
*(Ms Penelope Nolizo Tyawa, South Africa)*

The relevance of parliamentary committees in law making  
*(General debate)*

Digital transformation  
*(Mr Rashid Mohammed Bunajma, Bahrain)*

Virtual web seminars for students  
*(Dr Georg Kleemann, Germany)*

Parliament and citizens – a new mobile phone application  
*(Mr Najib El Khadi, Morocco)*

**Review of the ASGP / 71<sup>st</sup> year / N° 219 / Madrid, 26 – 29 November 2021**

ASSOCIATION DES SECRETAIRES  
GENERAUX DES PARLEMENTS

*UNION INTERPARLEMENTAIRE*



ASSOCIATION OF SECRETARIES-  
GENERAL OF PARLIAMENTS

*INTER-PARLIAMENTARY UNION*

# **MINUTES OF THE AUTUMN SESSION**

**MADRID**

**26-29 NOVEMBER 2021**



# INTER-PARLIAMENTARY UNION

## Aims

The Inter-Parliamentary Union, whose international Statute is outlined in a Headquarters Agreement drawn up with the Swiss federal authorities, is the only world-wide organisation of Parliaments.

The aim of the Inter-Parliamentary Union is to promote personal contacts between members of all Parliaments and to unite them in common action to secure and maintain the full participation of their respective States in the firm establishment and development of representative institutions and in the advancement of the work of international peace and cooperation, particularly by supporting the objectives of the United Nations.

In pursuance of this objective, the Union makes known its views on all international problems suitable for settlement by parliamentary action and puts forward suggestions for the development of parliamentary assemblies so as to improve the working of those institutions and increase their prestige.

## Membership of the Union

Please refer to IPU site (<http://www.ipu.org>).

## Structure

The organs of the Union are:

1. The Inter-Parliamentary Conference, which meets twice a year;
2. The Inter-Parliamentary Council, composed of two members of each affiliated Group;
3. The Executive Committee, composed of twelve members elected by the Conference, as well as of the Council President acting as *ex officio* President;
4. Secretariat of the Union, which is the international secretariat of the Organisation, the headquarters being located at:

Inter-Parliamentary Union  
5, chemin du Pommier  
Case postale 330  
CH-1218 Le Grand Saconnex  
Genève (Suisse)

## Official Publication

The Union's official organ is the *Inter-Parliamentary Bulletin*, which appears quarterly in both English and French. The publication is indispensable in keeping posted on the activities of the Organisation. Subscription can be placed with the Union's secretariat in Geneva.

# ASSOCIATION OF SECRETARIES GENERAL OF PARLIAMENTS

Minutes of the Autumn Session 2021

Madrid  
26-29 November 2021

## List of attendance

### MEMBERS PRESENT

<b>NAME</b>	<b>COUNTRY</b>
Mr Pedro AGOSTINHO DE NERI	Angola
Mr Vahan NARIBEKYAN	Armenia
Mr Alexis WINTONIAK	Austria
Mr Rashid BUNAJMA	Bahrain
Mr André REZSOHAZY	Belgium
Ms Reinhilde DEBOUTTE	Belgium
Ms Gabriela KILFANOVA	Bulgaria
Ms Jeanne Chantal HARERIMANA	Burundi
Mr Renovat NIYONZIMA	Burundi
Mr OUM Sarith	Cambodia
Mr Ghislain Junior MORDJIM	Central African Republic
Mr Miguel LANDEROS PERKIC	Chile
Mr Ahmed MANNA	Egypt
Mr Bienvenido EKUA ESONO ABE	Equatorial Guinea
Mr Antero HABICHT	Estonia

Dr Georg KLEEMANN	Germany
Dr Lorenz MÜLLER	Germany
Mr Cyril NSIAH	Ghana
Mr Georgios MYLONAKIS	Greece
Mr <i>Indra</i> ISKANDAR	Indonesia
Mrs Damayanti HARRIS	Indonesia
Mr Serwan Abdullah ISMAIL	Iraq
Mr Jeremiah MR NYEGENYE	Kenya
Mr Adel AL LOUGANI	Kuwait
Mr Calvin RANDRIAMAHAFANJARY	Madagascar
Mrs Fiona KALEMBA	Malawi
Mrs Luvsandorj ULZIISAIKHAN	Mongolia
Mr Najib EL KHADI	Morocco
Mrs Lydia KANDETU	Namibia
Dr Bharat Raj GAUTAM	Nepal
Mr Khalid AL SAADI	Oman
Mr Ahmed MohaMsd AL NADABI	Oman
Mr Tahir HUSSAIN	Pakistan
Mr Mark Llandro MENDOZA	Philippines
Mr Adam NIEMCZEWSKI	Poland
Ms Agnieszka KACZMARSKA	Poland
Dr Ahmad Nasser AL FADALA	Qatar
Mr Samora da Costa César FERREIRA	Sao Tomé and Príncipe

Mr Mohamed ALMUTAIRI	Saudi Arabia
Mr Paran Umar TARAWALLY	Sierra Leone
Mr Daniel GUSPAN	Slovakia
Ms Penelope Nolizo TYAWA	South Africa
Mr Makuc Makuc NGONG	South Sudan
Mr Manuel CAVERO	Spain
Mr Carlos GUTIÉRREZ VICÉN	Spain
Ms Ruth Lucia DE WINDT	Suriname
Mr Philippe SCHWAB	Switzerland
Mr Mehmet Ali KUMBUZOĞLU	Turkey
Mr Paul GAMUSI WABWIRE	Uganda
Mr Viacheslav STUCHNYI	Ukraine
Mr Simon BURTON	United Kingdom
Dr José Pedro MONTERO	Uruguay
Mr Gustavo Sánchez PIÑEIRO	Uruguay
Mr Fernando Ripoll FALCONE	Uruguay
Mr Mabkhout BIN-MADI	Yemen
Mrs Cecelia MBEWE	Zambia

#### **ASSOCIATE MEMBERS**

Mr Jasem ALNUSIF	Arab ASGP
Ms Mireille EZA	Parliamentary Assembly of francophone countries
Ms Boemo SEKGOMA	SADC Parliamentary Forum

## **SUBSTITUTES**

(for Mr/s)	
Mr Roberto BUSTOS LATORRE (for Mr Raul Guzman URIBE)	Chile
Mr Stjepan VUKAS (for Mr Ivan BUKARICA)	Croatia
Mr Gilbert KABAMBI KASONGO (for Mr Gilbert KIKUDI KONGOLO NDJIBU)	Democratic Republic of Congo
Mr Mahesh TIWARI (for Mr Pramod Chandra MODY)	India
Ms Lidija GRDINIĆ (for Mr Aleksandar KLARIĆ)	Montenegro
Mr José Manuel ARAÚJO (for Mr Albino de Azevedo SOARES)	Portugal
Mr Liam LAURENCE SMYTH (for Dr John BENDER)	United Kingdom
Mrs CHINH Pham Thuy (for Mr CUONG Bui Van)	Vietnam

## **ALSO PRESENT**

Mr Seyed Mostafa SHARIFI	Iran
Mr Ahmed Othman MOHAMSD	Iraq
Ms Lillian OSUNDWA	Kenya
Mrs Agata KARWOSKA-SOKOLOWSKA	Poland
Mr José Manuel ARAÚJO	Portugal
Mr Emmanuel TURIKUMANA	Rwanda
Mr Hamad AL HANADI	Qatar
Ms Nnelwa Joyce MWIHAMBI	Tanzania
Ms Afra ALBASTI	United Arab Emirates



Mr Barnabas BWALYA	Zambia
Mr Marimo NDAMUKA	Zimbabwe
Mr Asha JENJE	Zimbabwe
Mr Fayez AL SHAWABKAH	Arab IPU
Mr Tom Davies	Commonwealth Parliamentary Association (CPA)
Mrs Samueline KANRU	SADC Parliamentary Forum

### APOLOGIES

Ms Claressa SURTEES	Australia
Mrs Barbara DITHAPO	Botswana
Mr Charles ROBERT	Canada
Mr Álvaro Ricardo SALAZAR PAREDES	Ecuador
Mr Michel MOREAU	France
Mr Bruno VIEILLEFOSSE	France
Mr György SUCH	Hungary
Mr Peter FINNEGAN	Ireland
Mr Fumitake KOBAYASHI	Japan
Mr Takashi OKAMURA	Japan
Mr Aleksandar KLARIĆ	Montenegro
Dr Remco NEHMELMAN	Netherlands
Mr Albino de Azevedo SOARES	Portugal
Mr George DUMITRICĂ	Romania

Mr Gennadiy GOLOV	Russian Federation
Mrs Pornpith PHETCHAREON	Thailand
Ms Napaporn JAISUJJA	Thailand
Dr John BENDER	United Kingdom
Ms Sarah DAVIES	United Kingdom
Mr CUONG Bui Van	Vietnam
Mr Said MOKADEM	Maghreb Consultative Council

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# FIRST SITTING

**Saturday 27 November 2021 (morning)**

Mr Philippe SCHWAB, President, was in the Chair

*The sitting was opened at 11.03 am*

## **1. Opening of the session**

**Mr Philippe SCHWAB, President**, opened the session and welcomed members of the Association, especially new members.

He thanked the Spanish hosts for their warm welcome and for the excursion which had been arranged the previous day and for organizing the upcoming visit to the Spanish Senate on Monday 29 November.

He reminded members to check their personal details in the membership list and to alert the secretariat to any errors or omissions.

He welcomed the interpreters and Elektra Garvie-Adams, the new co-secretary of the Association.

He regretfully informed Members of the death of the Secretary General of the Senate of Haiti, Mr Rony Gilot, an active member of the Association over the last 7 years. He requested that members stand in tribute and take a moment of silence.

## **2. Members**

**Mr Philippe SCHWAB, President**, said that the secretariat had received requests for membership which had been put before the Executive Committee and agreed to, as follows:

*For membership:*

<b>Mr Vahan NARIBEKYAN</b>	Secretary General of the National Assembly, Armenia
<b>Mr K. M. Abdus SALAM</b>	Secretary General of the Parliament, Bangladesh
<b>Mr André REZSOHAZY</b>	Director General of the Senate, Belgium
<b>Mrs Gabriela KILFANOVA</b>	Secretary General of the National Assembly, Bulgaria
<b>Mr Gaston KOMBA</b>	Secretary General of the National Assembly, Cameroon

<b>Dr Malo Adrien BEYOM</b>	Secretary General of the Transitional National Council, Chad
<b>Mr Gérald LAFRENIÈRE</b>	Secretary General of the Senate, Canada
<b>Mr Alvaro Ricardo SALAZAR PAREDES</b>	Secretary General of the National Assembly, Ecuador
<b>Mr Antero HABICHT</b>	Deputy Secretary General of the Riigikogu, Estonia
<b>Mr Pramod Chandra MODY</b>	Secretary General of the Rajya Sabha, India
<b>Mr Ali Mohammad GHOLIHA</b>	Secretary General of the Islamic Parliament, Iran
<b>Dr Bharat Raj GAUTAM</b>	Secretary General of the Federal Parliament, Nepal
<b>Mr Francis Chinedu AKUBUEZE</b>	Clerk of the House of Representatives, Nigeria
<b>Mr Dauda Ibrahim EL LADAN</b>	Clerk of the Senate, Nigeria
<b>Mr Arc. Amos Olatunde OJO</b>	Clerk of the National Assembly, Nigeria
<b>Mr Felix ORUMWENSE</b>	Permanent Secretary of the National Assembly, Nigeria
<b>Mr Mohammad Qasim SAMAD KHAN</b>	Secretary General of the Senate, Pakistan
<b>Mr Hugo Fernando ROVIRA ZAGAL</b>	Secretary General of the Congress of the Republic, Peru
<b>Mr Veljko ODALOVIC</b>	Secretary General of the National Assembly, Serbia
<b>Ms Napaporn JAISUJJA</b>	Secretary General of the Senate, Thailand
<b>Ms Steejit TAIPIBOONSUK</b>	Deputy Secretary General of the House of Representatives, Thailand
<b>Mr Adolf MWESIGE KASAIJA</b>	Clerk of the Parliament, Uganda
<b>Mr Viacheslav STUCHNYI</b>	Secretary General of the Parliament, Ukraine
<b>Mr Mabkhout Mubarak BIN-MADI</b>	Acting Secretary General of the House of Representatives, Yemen

*For associate membership:*

<b>Mr Jasem ALNUSIF</b>	Secretary General of the Arab ASGP
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**Mr Philippe SCHWAB, President** proposed that former members Mr José Manuel Araujo, present in the room, be accepted as Honorary Member of the Association.

### **3. Orders of the day**

**Mr Philippe SCHWAB, President**, read the proposed orders of the day as follows:

#### ***Saturday 27 November (morning)***

**9.30 am**

- *Meeting of the Executive Committee*

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**11.00 am**

- *Opening of the session*
  - *Orders of the day of the Conference*
    - *New members*
  - *Announcement regarding elections*
  - *Announcement regarding changes to the ASGP rules*
- \*\*\*
- *Welcome and brief presentation on the parliamentary system in Spain from Carlos Gutiérrez Vicén, Secretary General of the Spanish Congress of Deputies*

#### ***Theme: In the news***

- *Communication by José Pedro Montero, Secretary General of the Senate of Uruguay, on 'The Functioning of the parliamentary committees of the Senate of Uruguay, during the pandemic Covid-19'*

#### ***Saturday 27 November (afternoon)***

**2.30 pm**

#### ***Discussion on the proposed changes to the ASGP rules***

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#### ***Theme: Parliamentary personnel***

- *Communication by Mr Simon Burton, Clerk of the Parliaments, House of Lords, United Kingdom, on "What do we expect of the Secretary-General in the 21st century?"*
- *Communication by Ms Pn Tyawa, Acting Secretary to the Parliament of South Africa on "Assessing the performance of Parliamentary officials: A case for the balanced scorecard"*
  - *Presentation on recent development from the IPU*

#### ***Sunday 28 November (morning)***

**9.30am**

- *Meeting of the Executive Committee*

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**10.30 am**

**General debate: The relevance of Parliamentary Committees to law making**

*This debate will provide an opportunity for members to compare the functions, and ways of working, of parliamentary committees. In particular, to measure the impact of the work of committees on the legislative process (Do committees form part of the formal or obligatory process for passing legislation? Do committees have the right to make amendments? Do committees provide a simplified scrutiny process?), their role in monitoring and holding Government to account (Do they have the power to call Ministers or other individuals to give evidence? Do they have the power to investigate?) and whether they evaluate public policy (Do they evaluate the proposed policy ex ante or provide follow-up scrutiny on the implementation of laws?).*

- Moderator: José Pedro Montero, Second Secretary General of the Senate of Uruguay
  - Presentation by Mr Ahmed Ezzat Manna, Secretary General of the House of Representatives of Egypt, on ‘The relevance of Parliamentary Committees to law making in Egypt.’
- Presentation by Abdullah Almasry, Secretary General of the House of Representatives of Libya, on ‘The importance of parliamentary commissions to enacting laws.’

**Sunday 28 November (afternoon)**

**2.30 pm**

- Presentation on recent developments from the Centre for Innovation in Parliaments

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**Theme: Digital Parliament**

- Communication by Mr Rashid Mohammed Bunajma, Secretary General of the Council of Representatives, Bahrain, ‘Digital transformation’
- Communication by Dr Georg Kleemann, Deputy Secretary General of the Bundesrat, on ‘Virtual Web-Seminars for Students’
  - Communication by Mr Najib El Khadi, Secretary General of the Chamber of Representatives, Morocco, on ‘Parliament and citizens; a new mobile phone application’.
  - Communication by Mr Ali Mohammad Gholiha, Secretary General of the Islamic Parliament of Iran, on the “Development of Information and Communication Technology (ICT) in Parliaments”.

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- Administrative questions
  - Budget
- Draft agenda for the next meeting in Nusa Dua (Indonesia), March 2022

The agenda for the Session was agreed to.



**Mr Philippe SCHWAB, President**, reminded members that the usual time limits would apply: 10 minutes for a moderator introducing a general debate, plus a further 10 minutes at the end of the general debate; 10 minutes for the introduction of a communication and five minutes for all other interventions.

Morning sessions finish at 12.30pm. Afternoon sessions will begin at 2.30pm and finish at 5.30pm. A joint conference with the IPU would take place on Monday 29 November between 3pm and 5pm. He asked speakers to respect these time limits.

He invited members to consider subjects for debate in the course of the next session, which would be held in Bali in March 2022.

#### **4. Reforms to the Associations Rules**

**Mr Philippe SCHWAB, President**, summarized the proposed reforms to the ASGP rules which had been circulated in advance to members and put on the ASGP website.

He said the first aim is to clarify certain formulations. The second aim, is to enable hybrid meetings and exclusively virtual meetings because presently formal sessions can only take place face-to-face. The third aim, is to formally enshrine that the Executive Committee include an equal number of men and women and takes into account the official languages of the association and geographical representation of its members. The fourth aim is to change the length of the mandate of Executive Committee members to six consecutive sessions, rather than three years, in order to take into account periods when the ASGP cannot meet face-to-face.

He informed members that immediate application of the reforms proposed would mean that 3 members of the Executive Committee would see their mandates immediately extended: Charles Robert of Canada, Jose Pedro Montero of Uruguay and Lydia Kandetu of Namibia.

He informed members of that members of the Executive Committee would also be able to make decisions when meeting via electronic means.

#### **5. Executive Committee elections**

**Mr Philippe SCHWAB, President**, reminded members that there are a number of vacant posts and that elections would be held during the Madrid session. The posts of President of the Association, 1 post of Vice-President of the Association and 3 posts of ordinary members of the Associations were open to applicants.

He then announced the deadlines for submitting candidacy for these elections and described the relevant forms that candidates would require for the elections.

- Deadline 12.30 today, Saturday 27 November, for the post of President of the Association

- Deadline of 5pm today, Saturday 27 November, for the post of Vice-President of the Association
- Deadline of 12 noon, Sunday 28 November, for the three vacant posts as ordinary members of the Executive Committee

He emphasized that only members who have fully paid their subscription fees may vote or stand as candidates for election. Those Members with more than 2 years delayed payments can have their right to vote suspended by the Executive Committee. He said the decision to suspend these Members had been taken the Executive Committee this morning. He advised that those in Madrid with two years arrears, wishing to vote, will not be on the list unless they pay their arrears and should contact the secretariat. He reminded members that only those present in Madrid could vote in any elections taking place.

He reminded members of the need to have balanced gender, language and geographical representation on the Executive Committee.

He reminded members that members in three or more years of arrears of payment would have their membership suspended. He invited any member who are unsure whether their subscription payments were up-to-date to speak to the ASGP Secretariat.

## **6. Collaboration with the IPU**

**Mr Philippe SCHWAB, President**, noted that the ASGP would work together with the IPU during the Madrid session. He announced that Kareen Jabre would address the ASGP on the recent IPU programme, Andy Richardson would speak about the Centre for Innovation in Parliament and finally the joint ASGP-IPU conference would take place on Monday afternoon on the topic of 'Public engagement in the work of parliaments: challenges, opportunities and good practices'. He encouraged Members to take part in this event.

## **7. Official languages**

**Mr Philippe SCHWAB, President**, announced that at this session interpretation would be provided in English, French and Arabic. Interpretation in Arabic is provided courtesy of the Association of Secretaries General of Arab Parliaments. Interpretation into Spanish is provided by the host Parliament.

## **8. Welcome from Carlos Gutiérrez Vicén, Secretary General of the Spanish Congress of Deputies**

**Mr Philippe Schwab, President**, welcomed Mr Carlos Gutiérrez Vicén, Secretary-General of the Spanish Congress of Deputies.

**Mr Carlos Gutiérrez Vicén, Secretary General of the Spanish Congress of Deputies**, spoke as follows:

The use of the term “Cortes”, which is used to name our parliamentary institution and is usually found striking outside Spain, dates back historically to the Middle Ages and stems from the place where the political feudal assemblies met, which under the presidency of the King represent the origin of Parliament. This term shall be maintained in our country (whilst in France and in the United Kingdom it shall be used solely for the courts, as a reference to the jurisdictional functions which these assemblies also enjoyed) and it shall be recovered in the Cadiz Constitution of 1812, which includes the term “*Cortes Generales y Extraordinarias*” and maintained in all subsequent constitutional texts as Cortes Generales or merely Cortes until the 1978 Constitution in force.

This text entails a clear rupture with liberal constitutions as regards the characterization of parliament, since it fully introduces the democratic principle, given the influence of political parties in its actual functioning and clearly inspired by the approaches stemming from European constitutionalism after the Second World War, the so-called “rationalized parliamentarism”.

The Spanish Constitution of 1978, following the classical scheme, has a dogmatic part, enshrining the catalogue of fundamental rights and public freedoms as well as their guarantees, and including, apart from the more classical ones such as ideological and religious freedom, freedom of expression, assembly and demonstration, etc.; other with a more advanced content, social rights under the heading of steering principles of the social and economic policy, which include for example the right to the protection of health, access to culture or the protection of the environment, all this in line with the principle laid down in article 1.1: *Spain is hereby established as a social and democratic State, subject to the rule of law, which advocates as the highest values of its legal order, Liberty, justice, equality and political pluralism.*

This dogmatic part is followed by an structured one, laying down the principle of separation of powers, based on the assertion that national sovereignty is vested in the Spanish people, from whom emanate the Powers of the State and establishing in article 1.3 that: “*The political form of the Spanish State is that of a parliamentary monarchy.*”

Thus, and compared to presidential government systems, Spain assumes a parliamentary government system according to which the model 2 of Head of the State (defined in Title II of the Crown, articles 56 to 65) is similar to that of the United Kingdom, Belgium, the Netherlands or Denmark, as an arbitration and moderator power but with mainly representative functions, without actual competences as regards the executive power.

Article 66 (1) of the SC lays down that: “*The Cortes Generales represent the Spanish people and shall consist of the Congress and the Senate*”. Therefore, the Cortes are the main representative body, with a bicameral structure. The Cortes Generales are a complex constitutional body since each of the Chambers that make it up (Congress of

Deputies and Senate) are likewise constitutional bodies. And they share this feature with the Government, the General Council of the Judiciary and the Constitutional Court, since just like them and as regards the so-called constitutionally relevant bodies (i.e. the Ombudsperson or the Court of Auditors) their origin and development is directly enshrined in the Constitution.

Thus, right after the Crown the Constitution devotes Title III (arts. 66 to 96) to the Cortes Generales, divided into three chapters: first (arts. 66 to 80) deal with the composition, organization and functioning of the Chambers; the second (arts. 81 to 92) to the drafting of the laws, distinguishing in this sense the different types of legislative provisions and their relevant procedures and the third (arts. 93 to 96) to the regulation of international treaties.

The Cortes Generales are involved in the political direction of the State since they exercise its legislative power, adopt the Budget, control the action of the Government and are moreover entrusted with the other competences assigned by the Constitution (art. 66 (2)). Among them, there is the representative function of the Spanish people, which is the sole holder of national sovereignty from whom all powers of the State emanate as we said before, and hence they are essential to understand the democratic component which, together with the social one, define Spain's model of State. This nature belongs to the option for representative democracy which, in a non-discriminatory but exclusive manner (since there is always the option of the coexistence with some direct democracy instruments as, in our case, the referendum or the Open Council system in minor local entities) has been the one chosen by current democracies.

Thus, the Cortes Generales are elected to represent the Spanish people as a whole in the Congress (art. 68) and in its territorial diversity in the Senate (art. 69). In the first case, by means of the 350 MPs elected by universal, free, equal, direct and secret suffrage, pursuant to the terms laid down by 3 Organic Act 5/1985, of June 19, on the General Electoral Regime. Namely, in accordance with a proportional system which distributes seats among provinces depending on their population and based on the D'Hondt method.

As regards the Senate, four senators are elected in each province, with some variations in the island provinces and in Ceuta and Melilla. Moreover, Autonomous Regions appoint one Senator and one more as per each million inhabitants in their territory. Despite this last correcting element, the establishment of the provincial constituency, instead of that of the Autonomous Regions, has triggered criticism to the Senate's nature as actual territorial representation Chamber and this feature has been at the core of the proposals for the reform of the Upper Chamber.

Moreover, the Cortes are a deliberation body, an essential feature for any parliamentary institution. Articles 74 and following of the Constitution regulate joint sittings, the functioning in Plenary and in Committees, the public nature of plenary sittings, etc. Other defining features to be noted are:

- Inviolability of the seat (art. 66.3) and of parliamentarians (art. 71)
- Continuity in time guaranteed by the relevant Permanent Deputations.

- Regulatory independence, in financial, administrative and organization terms (art. 72) which safeguard the independence of the Chambers with respect to each other and, above all, with respect to the Executive.

This definition is to be completed with another essential detail, such as the imperfect and unbalanced nature of bicameralism which favours the Congress of Deputies with respect to the Senate. This is clearly shown by the legislative procedure which, with some exceptions, is always initiated in the Congress, having this Chamber the final say since it can reject amendments or lift vetoes from the Senate; Decree-laws (rules ranking as laws adopted by the Government in case of extraordinary and urgent need) are subject to validation or repeal solely by the Congress of Deputies (art. 86.2) and when it comes to parliamentary involvement in the declaration of the states of alarm (which has only occurred twice, with a different scope, in 2020 on occasion of the health crisis caused by the COVID 19) emergency and siege, and the in the charge of treason or any offence against the security of the State of the President and other members of the Government, this is also limited to the Congress (arts. 116 and 102 SC respectively).

Moreover, only this Chamber is involved in the investiture of the President of the Government (art. 99) with whom it has a relation of confidence expressed by the possibility to adopt or reject a vote of confidence on his/her program or on a general policy statement (art. 112) and may make him/her resign holding him/her politically accountable by means of the adoption by absolute majority of MPs of a motion of censure. (art. 113).

This highlights another of the typical features of the parliamentary government system: it is only after the Parliament that the Spanish Constitution deals with the Government in its Title IV On the Government and the Administration (arts. 97 to 107) and devotes Title V to relations between the Government and the Cortes Generales (arts. 108 to 116).

Pursuant to the latter, the Government is jointly accountable to the Congress of Deputies for its political management (art. 108) which entails the obligation to provide the Chambers with whatever information and help they may need (art. 109), the possibility for the Chambers and their Committees to summon the members of the Government and for them to attend their meetings and be heard in them (art. 110); the obligation of the Government to reply to questions and interpellations (art. 111) and, above all, as we mentioned before, the possibility for the President of the Government to ask the Congress for a vote of confidence in favour of his/her program or of a general policy statement, which may be adopted by simple majority of the Congress (art. 112) and the fact that this Chamber may hold the Government politically accountable by means of a motion of censure, which is established as a constructive motion of censure demanding in arts. 113 and 114 that the said motion be submitted by a tenth of the MPs (35) with an alternative candidate to President of the Government, making it possible to submit alternative motions in the five following days and only one as per each period of sittings.

This is balanced with the power to dissolve the Chambers enjoyed by the President of the Government, prior deliberation of the Council of Ministers, but under his/her

sole responsibility. It cannot be submitted if a motion of censure is going on nor before a year has passed after last dissolution.

This scheme of relations is to be understood bearing in mind that the President of the Government is elected by the Congress of Deputies by means of the “Investiture” mechanism, envisaged in art. 99 and according to which this confidence must be vested by the absolute majority of MPs 5 (176) to the candidate proposed by the King, prior consultation with the representatives appointed by political groups with parliamentary representation and through the Speaker of the Congress (who endorses the said proposal). Should this majority not be obtained, the same proposal shall be subject to vote 48 hours later, and the confidence shall be considered as vested with simple majority. If such confidence were not obtained, successive proposals shall be voted upon and if in two months’ time no candidate were invested, the Chambers would be automatically dissolved, and new elections called (art. 99.5).

All this is to be understood bearing in mind that in the Constitution the Government is established according to the chancellor principle (art. 100) so that the President is a “primus inter pares” with regards to the rest of the members of the Government, and thus both the Vice presidents and the Ministers are appointed and dismissed by the King at the proposal of the President.

The division of the three classical powers is reflected in the regulation of the Judicial Power in Title VI (arts. 117 to 127) as an independent power whose solemn proclamation is to be found in art. 117.1 pursuant to which: “1. Justice emanates from the people and is administered on behalf of the King by Judges and Magistrates of the Judiciary who shall be independent, irremovable, and liable and subject only to the rule of law”. Their independence is guaranteed by the establishment of a self-governing body named General Council of the Judiciary, which, inspired on the Italian Higher Council of the Magistracy is enshrined in art. 122 which refers to an Organic Act to regulate its status and system of incompatibilities of its members and their functions; more specifically, as regards appointments, promotions, inspections and disciplinary system. This article is currently developed by Organic Act 6/1985, of July 1, on the Judiciary, whose more controversial aspect is that of the appointment of its members, as shown by the fact that its renewal is currently at a standstill in the absence of a political agreement endorsed by the majority of the 3/5 of the Chambers (210 MPs in the case of the Congress) with respect to all proposed candidates, resulting in the fact that the current members of the Council are acting members and their mandate has been extended for more than two years.

Finally, the Constitutional Court is dealt with in Title IX (arts. 159 to 165) inspired in the Kelsen’s system of concentrated jurisdiction, with the nuance of the inclusion of the so-called exception of unconstitutionality that may be raised before the Constitutional Court by ordinary courts.

In any case, we would like to stress that it is established as a counterweight to the Parliament as supreme interpreter of the Constitution, and from this perspective the problem is, as it is the case in other concentrated constitutional jurisdictional systems, the need to avoid the Constitutional Court acting as a “negative legislator” which might invade competences of the Chambers, something it might do even

unknowingly when issuing the so-called interpretative or “manipulative” decisions, as Zagrebelsky called them. For example, when it implements the principle of “principle of interpretation according to the Constitution”. A principle which, by the way, it has not applied recently in three decisions of the Constitutional Court settling the action of unconstitutionality brought against the declaration of the state of alarm by the health crisis caused by COVID 19 and against the suspension of the parliamentary deadlines agreed in this same framework of exceptionality.

Finally, now that we are about to celebrate the XLIII Anniversary of the 1978 Constitution, the assessment on the functioning of the aforementioned constitutional design cannot be but positive. The general evaluation, regardless of some bizarre positions and without detriment to the fact that there is a need for reform in some aspects, also recognizes the leading role of the Cortes in the restoration of democracy in Spain and in the establishment of a political regime equivalent to that of all States in our legal political environment, which has also made it possible to enjoy a period of an unprecedented economic and social development.

However, half through the XIV Legislative term, we must recall that for some time now we have been witnessing experiences which some years ago would have seemed like a hypothesis, pertaining more to political fiction than to our likely or daily reality. For example, the failed legislative terms (XI and XIII) when elections had to be repeated; the holding of up to three sessions of investiture in the same year of 2016, or the approval of a motion of censure for the first time in our constitutional history on June 1, 2018. The Institution seems to have successfully overcome these and other trials, actual “stress tests” and expressions of the replacement of the bipartisan system of rotation in the Government by a fragmentation of the parliament typical of the current situation prevailing in the whole of Europe.

In this sense, the current Spanish parliament is undergoing a situation which although might not be defined as atomization, it could certainly be described as of “severe fragmentation” with 24 different political groups having obtained representation in the Congress of Deputies and an unprecedented number of 10 different parliamentary groups and, although to a lesser extent, in the Senate there is also this very diversified representation.

And also for the very first time in our history a coalition government has been set up between two left-wing parties: the Partido Socialista Obrero Español and Unidas Podemos which, as it might be expected, lacks the cohesion and stability of prior single-party governments.

All in all, the main political tensions stem mostly from the polarization in the two blocks that gather the different fragmented forces, causing multiple confrontations and which stem from a well-known phenomenon, clearly diagnosed and prevailing in many neighbouring countries: the rise of populist and nationalist movements which, as if we were witnessing a cyclical repetition of history, replicate worldwide political circumstances pertaining to the third decade of the 20th century in the 20's of the 21st century.

We cannot deal with this matter as extensively as we would wish. But, looking to the future and exercising some self-criticism, we must admit that one of the reasons of the aforementioned situation is the growing distance between the Parliament and Society; the distance between representatives and the demands of their represented or, at least, the perception that the latter have in this sense. Any change or reform that no doubt is to be posed, must bear this into account. This is not an easy challenge, but in this case the lessons that History has taught us are of particular relevance to guide us in the path to be followed.

Thank you very much for your attention and I remain at your disposal for any remarks or doubts you may have.

**Mr Philippe Schwab, President**, thanked Mr Carlos Gutiérrez Vicén for his remarks and invited questions from the floor.

**Mr Simon Burton, House of Lords, UK** said that the UK, in recent years, had been through the Brexit process and as a result its parliamentary system was very active. He commented that it was interesting that the Spanish Parliament was also very active during the same period. He asked to hear a little more about the forces of nationalism and populism behind this trend in the Spanish Parliament.

**José Pedro Montero, Uruguay**, asked about the parliamentary agenda for the Congress of Deputies and whether this is established by the Speakers Table or comes from the Government? Who is responsible for bringing the agenda to the Plenary?

**Mr Carlos Gutiérrez Vicén**, responded that regarding populism, it is clear that the phenomenon is the origin of the division between the two main parties, which were rotating in power, the socialist party which had the majority and the popular centrist right party. Competitor parties arrived to the left and to the right and so reduced the possibility to obtain an absolute majority in the election. There were internal conflicts in these parties and a weakening of the previously dominant parties. Currently, we have this scenario, there are four parties, two big parties on the right and left combined with smaller parties, both nationalist and regional, which are more orientated to the left, except the Union of Navarra people which tend to the right. The situation is the lack of clarity in the political scenario, it does not allow us to see the solution, dissolution of the Chamber would only result in the same outcome. We are stuck with a lack of stability, and difficulties to take through a legislative programme, that is the general analysis of the situation. On populism, he said that the more extreme it is, it creates a reaction on the opposite side. This results in the radicalization of stances and release of more extreme forces which have certain popular support.

In response to the question from Uruguay, he said that in the Congress of Deputies the Order of the Day is approved by the presidency, the speakers table. Only the presidency offers a draft to the speakers table, this is always approved by majority, they need unanimity, so it is not possible to surprise by introducing items at the last minute. The Government can only ask for one matter to be included in the agenda.



**Mr M. Pramod Chandra Mody, India** asked when the legislation was referred in the committee, what was the procedure to examine the legislation and were the reports of committees often accepted in their entirety?

**Mr Carlos Gutiérrez Vicén**, replied that the legal process in Spain starts in the Congress of Deputies and then goes to the Senate. In both cases Spain uses a procedure of three readings. The first reading is by a body appointed by committee, a collegiate body, the report of this first reading then goes to the committee, which usually approves the report, and then normally it has to be then taken to plenary. Third reading is done then it is sent to the senate, where the three reading phases are repeated. He said if there are veto, this will then go back and forth to the Congress who can accept amendments, or the veto can be lifted. There is a deadline of two months for a veto to be lifted.

### **Theme: In the news**

#### **8. Communication by Mr José Pedro Montero, Secretary General of the Senate of Uruguay, on ‘The Functioning of the parliamentary committees of the Senate of Uruguay, during the pandemic Covid-19’**

**Mr Philippe SCHWAB, President**, thanked Mr Carlos Gutiérrez invited Mr José Pedro MONTERO, Secretary General of the Senate of Uruguay, to give his presentation and take the floor.

**Mr José Pedro Montero** spoke as follows:

The health emergency was declared by the national government on March 13, 2020. As of this declaration, several measures were adopted in our Parliament in order to avoid or minimize infections among personnel and legislators.

For such purpose, the presence of officials in the building was reduced to a minimum, by implementing the teleworking modality. With regard to the meetings of the Chamber of Senators, given that the body`s regulations do not enable remote voting, but only in person voting is permitted, meetings were held in the meeting-room of the Chamber of Representatives, which has 140 seats. With the number of senators being 31, it was possible to observe the necessary social distancing to ensure the greatest protection against possible infections.

When it comes to parliamentary committee activities, social distancing measures were established, both among legislators and officials, observing the suggested medical criteria in terms of communication habits. In this regard, the work of the committees has been increasing with the support of virtual tools such as the zoom platform both in their deliberative activities and to receive delegations requesting interviews.

In the case of delegations being summoned to inform of give advice on a bill being dealt with, the delegations had to attend with the minimum number of people or, otherwise, offer the possibility of attending via zoom.

This was done during the study of the Urgent Consideration Law, that was approved last year during the months of May and June. Its committee was attended by 160 delegations, most of them in person: 27 official delegations, 16 delegations from academic institutions, professors and experts, 112 delegations from civil society organizations, 4 delegations from international organizations and 1 delegation from foreign international organizations, all of these within a period of thirty days. To this end, the Senate Secretary's Office, in conjunction with the Surveillance Department of the Administrative Commission of Parliament and the Division of chamber floor and public gallery officials of the Senate, implemented entry and exit protocols to prevent the delegations that attended in person from maintaining contact with one another, as well as protocols for the location of the Press.

The same procedure was carried out during the processing of the National Budget Law, which was passed at the end of last year, and of the Audit and Evaluation Law, approved last month. I cite these three examples as the most important situations we have had so far, not only because of their political significance, but also because of the number of delegations that attended to offer their opinions.

As we have said, the delegations that were summoned to the committees could either attend in person or via zoom. Likewise, the legislators who were members of the Committees could also attend via zoom, but the Chairman of the Committee had to be present, as well as the Secretary, who would allow for entry to the virtual room with the authorization of the Chairman.

In this hybrid format, no decision can be made by voting, since, as we have already mentioned, it is not permitted by the body's regulations. All members of the committee must be present and, if a member is online, he/she will not be able to vote.

Finally, I want to emphasize that, in the Senate, both the parliamentary committees and the plenary were always active, complying with the safeguards established by the medical service of the Legislative Power with the advice of the Ministry of Public Health. This allowed to carry out the entire parliamentary agenda in accordance with the provisions of the political parties. He concluded by thanking the members and the Chair Mr President for listening.

**Mr Philippe Schwab, President**, thanked Mr José Pedro Montero for his remarks and invited questions.

**Mr Ala Sarani Umar, Sierra Leone** said he would like to preface his question with a quick example of the situation in Sierra Leone. He said the parliament of Sierra Leone is a highly legalized institution, where all actions must be backed by law. In the midst of the Covid-19 situation, he said they were carefully guided by balancing the actions taken with the laws governing parliament. He said parliament's covid workplace policy was carefully guided by the provisions of Covid-19 policy because if they took any decision not rooted in law, it could have been very difficult for parliament to implement those rules. He said the covid workplace policy which guided interactions between MPs, staff and visitors to parliament. He said my question is did you put in place any laws – such as a Covid policy – that gave

credence to the actions you took? In our situation, for first time in our history, we are able to conduct the state of the nation address virtually, it was only possible by first having a covid policy and second a Speakers' ruling. We all agreed that, due to Covid-19 policy, the Speaker could make rulings binding on everyone. With all of what you said, was it rooted in law? What policies guided your actions?

**Ms Penelope Nolizo Tyawa, South Africa**, expressed her thanks for the presentation and asked to clarify two points, you have said that officials worked away from their offices and that they rotated in their service. Were the staff rotating around the presence of MPs on the parliamentary precinct or around the need of those Members? My other point, we experienced in our parliament problems with the credibility of virtual voting. What we did in South Africa was to amend the rules and define a zoom platform, accredit MPs, then lock it and define this as a sitting of parliament. So, my question to you, is did you address these two areas in the same manner or differently in your Parliament?

**Mr. Mehmet Ali Kumbuzoğlu, Turkey** asked whether they had drafted any new rules to regulate the entry of exit of citizens to the parliament?

**Mr José Pedro Montero, Uruguay** first responded to the question from Sierra Leone, he said they didn't pass any specific laws regarding the policies on the pandemic. There were laws regarding how the Executive should react to what is happening in the population in general (workplace, confinement, tourist services) which had a huge effect across the law (closing hotels and bar). These general laws were voted on but no specific laws relating to the Parliament were voted upon. He said that Uruguay never had a lockdown. He said Uruguay always talked about responsible freedom and responsible citizenship. The Government provided tools for citizens to look after themselves. Schools and museums were closed down and people worked from home via Zoom. In the case of parliament, there was a decision for legislators to continue to work in parliament, with advice from the Ministry of Health and the medical service of the legislative assembly. He said they have 4 or 5 entry points to the parliament building at which people's temperature were taken on entry and that they reduced the number of visitors as far as possible. He said they suspended all visitors to legislative palace, but no specific law was passed.

In response to the question from South Africa, he said that tele-working was done. In the office there was a roster for those who would be working at home and those in the office. If there was a contagion, it would then only affect 1 shift and the other staff could continue with the work. In the offices in parliament, 2 staff would stay at home and 2 staff would come in. This operated on rotation.

In response to the question from Turkey, he said they restricted things a lot, and suspended visits. He said that this year they had started, bit by bit, to allow some participation but that the delegations that come to committees have had to be reduced as far as possible to ensure social distancing. He said that it would be very difficult to keep social distancing between committee typewriters, staff and the delegations. So they have had fewer people in the delegations and people participating by Zoom.

**Mr Rashid Bunjama, Bahrain,** said that in Bahrain they have created a consultative committee to examine the laws relevant to the covid crisis. Internal rules were changed to enable parliamentary staff to work from home and that they had very good results. Many questions were presented online but there was some attendance by staff at the parliament, such as the President and two Deputy Presidents of the Council and the Secretary General. The Committee also worked virtually. He said the pandemic provided an opportunity to think about a new way to envisage their ways of working. They are now 40% through a process of transformation into a new digital parliament.

**Mr Philippe Schwab, President** noted that the topic of digital transformation would be addressed the following day in the plenary meeting, members would have the opportunity to exchange their ideas shortly.

**Mr Roberto Bustos Latorre, Chile,** said that it was one thing to treat the illness of Covid-19, you can make laws and modify the constitution, but from now on, and over the next 5 years, their parliament will have to become more digitalized. He said this presents great difficulty because of the digital gap within Latin America and that parliaments with the greatest digital abilities can provide support on making working from home easier. He said that in future parliaments will work face-to-face and digitally from home. He said there is also the issue of social media, providing a set of warnings that digitalization is here. He said that parliaments need to think what kind of legislation needs to be passed and to find a way to enter the 21 Century properly, as we should in the 21st century.

**Mr Philippe SCHWAB, President** thanked members for their contributions, the last of which were not questions, and highlighted that the Centre for Innovation in Parliament was able to provide useful support on matters digital.

He then suspended the meeting for a short break until 12.30pm.

## **9. Concluding remarks**

**Mr Philippe SCHWAB, President** announced that there had been only one candidate for the post of President of the Association and consequently there would be no election.

He informed Members that the candidate would have the opportunity to present themselves at 2.30pm following the break. He closed the sitting.

*The sitting ended at 12.31 pm*

# **SECOND SITTING**

**Saturday 27 November (afternoon)**

Mr Philippe SCHWAB, President, was in the Chair

*The sitting was opened at 2.35 pm*

## **1. Introductory remarks**

**Mr Philippe SCHWAB, President**, opened the sitting and welcomed members back into the room.

He then reminded members that the deadline for submitting candidacy forms for the role of Vice-President of the Association was 5pm today. He also reminded members that the secretariat require two forms from candidates, the first must be signed by the candidate and the second form, a nomination form, must be signed by another member of the Association.

## **2. Election of the President of the Association**

**Mr Philippe SCHWAB, President** informed members that he would now break the suspense and, as the deadline for submitting candidature had passed, announce the name of the sole candidate for the post of President of the Association. Mr Najib El Khadi, Secretary General of the Chamber of Representatives of the Kingdom of Morocco and current Vice-President of the Association was elected to the role of President.

He invited Mr Najib El Khadi to come to the front to speak and to introduce himself to any members who did not know him.

**Mr Najib EL KHADI, Morocco**, thanked the President, gathered members and friends, and then asked for a few minutes to make a brief presentation. He informed members that he had started his professional life in teaching, as a teacher of philosophy for more than 10 years, then undertook a career as a sociologist and has now served for more than 27 years in the parliamentary service. He said he has had the honour to contribute to the work of the Secretary General, as one of the men and women who work in the shadows, contributing to parliamentary projects and exchange and partnership projects, both regionally and internationally. He has also been recognised for his work modernising the parliamentary system within the Kingdom of Morocco. He described his conviction regarding the importance of exchanging best practice and forming exchanges in the field of parliamentary work.

He then went on to describe the ASGP as a prestigious and special space, for exchanging best practice in the field of the organisation of parliamentary work. He concluded by saying that there are two fundamental keys for progress, which all historians, irrespective of their political background, would agree, and that the members would recognise. The first key is accumulation and the second is openness.

He said that the ASGP offers both of these keys. The possibility of accumulation, consolidation and improvement and the possibility for exchange, to open windows of ideas across all five continents. There is no need to re-invent the wheel, we do not need to invent new things if they have already been done by our colleagues in other parliaments. It has been confirmed by all historians, so I am convinced that our Association, which is more than 81 years, with the first meeting taking place in 1939, we are building on the work of our predecessors and must ensure the continuity of quality work and re-enforce the association through new membership. He said that today there are around 130 countries who are members of the Association and that his goal, with the help of colleagues, would be to have as many parliaments as possible represented in the association and the same level of representation as the IPU. He said he would make efforts to rekindle his connection with the IPU, which is also a great space for exchange and cooperation and represents for Secretary Generals a mine of useful information across our fields.

He concluded by expressing his hope that the Association's work would meet the standards and expectations of Secretaries General throughout the world. He also thanked Mr Philip Schwab for being an excellent President of the Association, elegant, professional and a model Secretary General.

**Mr Philippe SCHWAB, President** thanked Mr El Khadi for his words and invited members of the Association to confirm his election with a round of applause.

*[The members applauded.]*

Mr El Khadi was elected next President of the Association. Under the rules of the Association, his mandate would commence at the end of the present session in Madrid.

### **3. Reform to the rules of the Association**

**Mr Philippe SCHWAB, President** recalled that he had presented to the Members the proposed reforms to the rules of the Association during the morning session and also in an email, circulated to all members before the meeting.

He reminded members that it was proposed these changes would have immediate effect in order to ensure the continuity of the Executive Committee. He also thanked the Executive Committee for their work on the proposed changes. He invited members to debate or remark upon the proposals for reform.

As no members indicated that they wished to speak or ask questions, he announced that all members seemed content with the proposed reforms to the ASGP rules.

He then asked members to agree the proposed changes to the Association rules.

The changes were accordingly agreed.

## Theme: Parliamentary personnel

### **4. Communication by Mr Simon Burton, Clerk of the Parliaments, House of Lords, United Kingdom: “What do we expect of the Secretary-General in the 21st century?”**

**Mr Philippe SCHWAB, President**, invited Mr Simon Burton, Clerk of the Parliaments at the UK House of Lords, to make his communication.

**Mr Simon BURTON, UK** spoke as follows:

#### Introduction

The question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” goes to the heart of what we do, our roles and responsibilities, and, as I will explore, the many differences between them. But asking this question of ourselves allows us to identify what we have in common and what it is that provides the shared basis for our learning together as members of the ASGP. This communication explores both some of the formal expectations of a Secretary General and some of the intangible personal qualities that we perhaps share.

#### An easy answer?

An easy answer to the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” would be: “It depends”. This answer is a widely used academic tool. It is designed not to avoid a substantive answer, but to show the range of possible answers that could be explored. The approach taken in answering “It depends” is often described as “situational” - the answer to the question, in this case “what is expected of us”, depends on the context in which each Secretary General carries out their duties, roles and responsibilities. Exploring that context, and how it varies, is perhaps a good place to start.

#### A contextual approach

So what are the factors that set the context in which each of us work? On what does what is expected of us depend? There are many such factors and I do not presume to offer here a definitive or comprehensive list but I offer the following for discussion:

- The constitutional settlement (including whether written, codified, or uncodified)
- Whether the parliament is bicameral or unicameral, and, if bicameral, the form of bicameralism
- Whether there is single national parliament or a federal structure
- The role of parliament
- The size of parliament, both in terms of the number of members and of our colleagues working for the parliament
- The process of appointment of the Secretary-General, including whether there is a role for the president of parliament, the executive, or other Members
- Whether our roles focus on the procedural and legislative role of the parliament or whether other services are under our direction

- The nature and management of the funding of the parliament
- Whether there are links to the executive and if so how formal they are
- Our employment status: who employs us and to whom are we accountable?
- Whether the Secretary General is a statutory position with formal powers enshrined in law
- What qualifications (formal or informal) are required: legal, procedural, managerial etc

I would be interested in exploring in discussion whether colleagues think there are any other relevant factors but this list is a start!

So, one approach to answering the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” would be to review each of our roles against these factors. This could involve a large scale survey of all Secretaries-General, properly constructed and moderated. While that would be a very interesting exercise, it would be time-consuming, and perhaps more suitable for a high-level academic thesis than for the more informal dialogue that we undertake at ASGP. In addition, such a study, while no doubt exposing many interesting common threads, could very well conclude either that the question cannot be answered, or that it is really too hard to say anything meaningful, as the answer depends so heavily on the context. Neither outcome would, I think, be fruitful for our session.

- *We can conclude that an answer to the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” will require an understanding of the many different situations in which we all find ourselves, not least as a means of each of us respecting the different contexts in which we each work.*

#### Another approach: what do we actually talk about at ASGP?

Answering any fundamental question about the world of work can often be done through the lens of time. What do people, especially people in senior and responsible jobs, actually spend their time on? So in this case, another fruitful approach to answering the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” would come from a detailed analysis of the topics presented and discussed at ASGP sessions over, say, the last decade. The clear structure of our recent agendas, with themes for debate grouping together individual communications, provide a rich source for study. The theme “Parliamentary Personnel”, for example, provides an opportunity both for this communication and for the very interesting topic chosen by Ms Penelope Nolizo Tyawa, Acting Secretary to Parliament, South Africa: “Assessing the performance of parliamentary officials: A case for the balanced scorecard”. The two topics in my view provide two different perspectives on our work and will provide a complementary, and I hope balanced, discussion.

A thorough analysis of the topics we have spent our time on would, however, also be a serious exercise, and again very time-consuming. A rough grouping together under general headings would be relatively quick and easy, given the thoughtful gathering of topics undertaken by our President and the Executive Committee in managing our agendas. But while this approach would not do justice to the nuances and subtleties of the many issues presented in our discussions, nor capture the reflection and insight provided in our debates, I do offer here a few headlines of our work over the



last 10 years to shine at least a little light on what is expected of a Secretary General in the 21<sup>st</sup> century by illustrating what we choose to talk about and thus what interests and concerns us.

The topics presented have been very wide ranging:

- Some are situational, covering topics of interest to a colleague from a particular country and thus allowing us all to learn from how others do things
  - We have discussed constitutional issues, including Brexit and the relations between parliaments and the judicial and executive branches
  - Some are on the procedural and legislative work of parliaments, including the central topic of parliamentary privilege
  - Some focus on members
  - We also cover engagement with the public and communications
  - We have also discussed a range of important practical matters from ICT to parliamentary buildings
  - The budget of Parliaments is an important topic
  - Parliamentary personnel, including skills, experience and training, features very heavily
- *We can conclude that an answer to the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” will recognise the wide range of functions, services and advice for which we as Secretaries-General are responsible*

#### A crisis approach: the Secretary Generals’ response to the COVID pandemic

The last couple of years have seen a very strong focus on innovation and crisis management in response to the ongoing pandemic. There have been very powerful ASGP sessions for colleagues answering the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” under the most challenging of conditions and in new and unexpected ways. This has been a time of great change, and some of that change will be permanent. Qualities such as resilience, planning and the ability to innovate flexibly at pace have come to the fore for all of us and for our teams during the pandemic. The demonstration of these qualities provides some very strong pointers for what is expected of us in the years ahead.

It is interesting that in the years leading up to the COVID pandemic, ASGP held a number of discussions on crisis management and strategic planning. In the complex and multifocal environments in which we operate this now seems very prescient and stood us all in good stead when the crisis actually came to pass.

- *An answer to the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” will in part come from the lessons we have learned and the new experiences we have gained during the terrible time of the pandemic. Qualities such as innovation, experimentation, resilience and flexibility have been demonstrated and tested to their limits.*

#### A strategy-based approach

I turn now to a couple of particular perspectives on the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?”. The first is to consider strategy, a much discussed concept in the world of business and the armed forces. What does

the concept mean? Is it reasonable to assume that the Secretary General, in so far as we are the most senior official of our parliaments, is responsible for strategy in their parliament?

Strategy can be said to be the answer to the question: “where do you want to go in the long-term and how are you going to get there?”. This in turn requires definition of a desired end state (a vision) and of a means of delivery (a mission statement or plan). There is much more that could be said on this topic but I will confine myself here to the thought that effective thinking about strategy requires looking at an organisation, in this case a parliament, from a wide range of perspectives: Where are you going? Where have you come from? What’s going to come at you? What resources, skills and capabilities do you have to deliver? Why are you doing what you are doing? Tools such as the balanced scorecard provide a very valuable way of answering these questions.

There are, however, many constraints on the Secretary General’s ability to set and deliver strategy. The most significant in my view, and one that is most definitely contextual, is the nature of our relationship with the members of the parliaments we work for. How far do they get involved in such matters? How far is such involvement formal or informal? Where does the balance of power lie and how are disputes resolved? These are all live questions, at least for me in the House of Lords at present, and could form the basis of further study in the future.

- *An answer to the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” will include an element of ability to set the strategic direction for their parliament and those who work there, but this is heavily contextual and in particular constrained by the powers and responsibilities of Members. This question would repay further study.*

#### A values-based approach

My final approach in this short paper to the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” is to look through the lens of values. I believe that this is a very important perspective. Parliaments, in different ways, exist to serve the people in various modes of democratic government, and often have specific roles in scrutinising the executive and holding the executive to account. This requires parliaments, in different ways, to have the trust of the people and their confidence in performing scrutiny roles. I believe it follows that a Secretary General in the 21<sup>st</sup> century is expected to uphold values, and to live and work by and through them, otherwise trust in the parliament itself can be eroded.

But what are values in our context? Given the very different nature of our different parliaments I am going to focus here on the House of Lords. I do this as an illustration, not as a model. I hope that colleagues will provide other perspectives in the discussion.

I start with a disclaimer. The House of Lords is not elected and so the question of how the members of the House serve and are accountable to the people cannot be answered by the norms of electoral accountability. But our members are alive to the fact that they deal, in their legislative and scrutiny work, with “citizens’ issues” and so have an eye to the views of the public.

In taking their seat in Parliament, Members of the Lords formally agree allows to act on their “personal honour” and to observe the Seven Principles of Public Life, set in 1995 by the independent non-parliamentary Committee on Standards in Public Life:

- Selflessness

- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

As Secretary General of the House of Lords I too am bound to uphold these principles. I have also set four specific values for all those who work in the House of Lords:

- Respect
- Responsibility
- Professionalism
- Inclusion

Behind these values are a series of important behaviors that I and all my colleagues must demonstrate, including a zero tolerance of all forms of bullying and harassment; political impartiality; and a commitment to environmental sustainability.

Questions of values in public life are very sensitive. It would be wrong to suggest the application, in other contexts of these, or other, value sets without proper debate and discussion. But I think we will all agree that questions of conduct in public office; propriety; and indeed our responsibilities to the planet at a time of climate change are all values issues that are of increasing interest and debate in the public sphere, and thus for us.

A particular challenge raised by a values-based approach, and one worthy of further detailed study, is how a Secretary General can, or even should, seek to align the values by which they work with those of the members of their parliament. Can the core values agreed for our individual roles be upheld without crossing the bounds of political impartiality? Is it possible to respect all the views held by the very diverse members of each Secretary General's parliament?

- *I suggest that an answer to the question "What do we expect of the Secretary General in the 21<sup>st</sup> Century?" will in part be derived from the values of public office and public service appropriate to that Secretary General's Parliament. The interface of our values with those of members would repay further discussion and study.*

#### A particular value: leadership

So is there a single values-based proposition that we might all think relevant for the Secretary General in the 21<sup>st</sup> Century? Trying to identify one is a bold approach, and among colleagues I do so with great humility, but I am very willing to assert that the question of leadership is central to all we do.

There are many schools of thought about leadership, many models and many great examples of great leadership. And leadership is very much linked into context - as we have explored already with strategy and vision. I will here give a personal

perspective: in the context in which we work in the 21<sup>st</sup> century, values form a significant element of leadership.

As a leader, and as I face the daily challenges and decisions of my role as Secretary General, I am always thinking about our values; about public money; about accountability; about the wellbeing of my colleagues in parliament; about delivering great service to members; about the reputation of the House; and about being inclusive in everything I do.

- *An answer to the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?”, and one around which we can perhaps coalesce debate and discussion, is “leadership”, and the personal commitment to the values needed to lead.*

### Conclusion

We are very fortunate as Secretaries General in the 21<sup>st</sup> Century to have this continuing opportunity as ASGP to learn and grow together. We are all different, and we all do different things, but learning together and from different experiences helps us all. While the answer to the question “What do we expect of the Secretary General in the 21<sup>st</sup> Century?” really does depend on a range of factors (including the nature of our individual relationships with members) common themes of leadership, values, strategic thinking and delivery have emerged. In a time of change, and recognising that we are human with all the challenges and vulnerabilities the last two years in particular have revealed, as leaders at the most difficult of times we have each other to draw on for mutual strength and support in our unusual, and exposed, positions. We will have plenty to debate and discuss as the 21<sup>st</sup> century.

**Mr Philippe Schwab, President**, thanked Mr Simon Burton for his remarks and observed that every member present is likely to be engaged by the content of this communication, he then invited questions from the floor.

**Mr José Pedro Montero, Uruguay**, asked, in terms of finding a Secretary General of 21<sup>st</sup> Century, what policies did Mr Burton have in relation to transparency and making the Government more open?

**Mr Miguel LANDEROS PERKIC, Chile**, agreed with Simon’s points and commented wryly that he initially thought the parliamentary oath was from the 14<sup>th</sup> Century, rather than the 21<sup>st</sup> Century. He said the issue of strategy struck him most clearly. He said that in the first week of the pandemic, they went from face-to-face to online meetings overnight. He said he has been thinking about the digital gap and citizen participation. With 18 million in the population, all the different sectors must be reached digitally, across regions, or parliament will lose legitimacy. He also said that he believes that, ultimately, more direct democracy is needed in parliament.

He said that in Chile, they have 2 chambers, 1 which has the same number of men and women, the constitutional chamber. He said that political and constitutional change has come quickly in Chile and that for the parliament of the future we will require different skills. He then asked to make a brief anecdote, stating that his predecessor had been a lawyer who really understood procedures very well, whereas he was a civil engineer by background and so has had two professions. He said that his successor must have three or four professions because there are more different

aspects to the role. There is presently the legislative part and the administrative part of the role of being a Secretary General but he said that in future there will also be a digital part. He concluded by congratulating Simon an excellent speech.

**Mr El Khadi, Morocco**, congratulated Simon Burton on his passionate speech which he believed could be the subject of many thesis. He said the UK was the country which generated parliamentarianism and that over the centuries political elites across the world have seen important changes in values, bringing the huge changes of the modern world. He said that parliamentary administration is increasingly expected, and that issues of deontology and public function are becoming more and more important. He asked what approach would take into account the huge changes in politics, and political elites over the last 10 years?

**Mr Manuel Caverro, Spain**, thanked Simon for the wonderful descriptions of his conversations with Members of the House of Lords. He asked how do we choose a Secretary General in the 21 Century that can maintain the relationships they are expected to maintain? He said that it is expected that a Secretary General will be able to maintain social relations, and work with everyone in the Chamber. He then clarified his question to be how should we elect a Secretary General fit for the the 21<sup>st</sup> Century?

**Mr Mehmet Ali Kumbuzoğlu, Turkey**, said he had been Secretary General for 5 and a half years, and was Deputy Secretary General for 3 more year before that. He informed Members that previously he had been the Head of Public Staff, which meant he was in charge of 4.5 million officials, and ran services in his country but that he had never found any task as difficult as being the Secretary General of Parliament. He said a lot of patience is required, more than in any job, regardless of the conditions you have to keep smiling, keep calm, and always have to be surrounded by parliamentarians. It is a sacred profession in the eyes of god and very difficult. He then thanked Simon for a wonderful presentation, saying that it has been one of the most interesting he had heard in the last 5 years. He said a political team leads his Parliament, a President and four deputies, and there are parliamentarians with administrative functions such as a Vice-Presidents who are responsible for managing the press, security and health services. He said most parliaments have a similar structure. He asked whether Simon Burton shares responsibility with others in charge of administration?

**Simon Burton, UK** thanked the members for their questions, which he said were all extremely interesting.

With regards to the question on the accountability of the Government from Uruguay, he said that in the UK everything he does in parliament is public because of freedom of information laws but there is an exception to this rule, which he could wield and is quite important for covering advice to presidents. He said our parliament is the largest broadcaster of video in the UK, it produces millions of hours of video of parliamentary proceedings, written Hansard. He said questioning Government is at the heart of what the House of Lords does. The House of Lords does not have a good reputation in the press because its members are not elected - nobody can quite agree how it should be done differently - and that the extreme left and right are both calling

for the House of Lords to be abolished. He said the role of the House of Lords is not to get credit but to help transparency. With regards to his oath, he said its terms resonated.

On the digital gap, he said it was still very relevant and parliament is busy rebuilding its website. He said young people expect to look online and immediately find things out or for things to be done. He said it is a big problem, where citizens expect something straight away, to get an instant reply, using digital tools. He also said well the UK needs to bridge the digital gap for the 5 million elderly people in the UK who don't use the internet. He said that on his team there are a range of different people with different skills and values. He said that the House of Lords, because it is not elected, has a cautious relationship with democracy but that it can contribute to the strength of the democracy of the system as a whole.

In response to Morocco, he thanked him for his kind works and and said Mr El Khadi was absolutely right, parliamentary administration must be of high quality and probity because it is very important in society on the whole.

In response to the question from Spain, he said that it was an excellent question to ask how we should recruit a Secretary General in the 21<sup>st</sup> Century. He told members that he was the first person in his post to be recruited openly, an approach he fully supports, as competition is important. He said becoming legally accountable as a Secretary General had made him a bit tougher than he was previously and that this was a big difference with his previous role.

In response to Turkey, he agreed that being a Secretary General is challenging but said he felt this was what also makes the role interesting. He said that he shares his responsibilities and delegates many roles to his senior team. He said there is an assumption the Clerk of the Parliaments must take every decision, the reverse of subsidiarity but that he wanted other people to feel empowered to take decisions. He said in the House of Lords they have MPs who Chair but that he is legally responsible so the MPs cannot direct him to make certain decisions. His senior team and senior members regular discuss how this works in practice. He said that in Government, a Minister can always direct a senior civil servant to do something but no Lord or group of Lords, has that accountability because they are not directly elected MPs. He said this dynamic is one of his biggest challenges.

**Mr Philippe SCHWAB, President** invited members to ask further questions.

**Mr Umar Paran Tarawally, Sierre Leone**, he said he wanted to ask two questions but first wanted to provide some context from his own role. Before being appointed to the post of Secretary General, he was an MP, and had therefore seen these issues from both sides. He said the problem that he was facing is a question of trust. Having previously been an Opposition MP, both the Government and the current Opposition party have trust issues with him as Secretary General. His role requires him to act in an objective and balanced manner to both parties, according a level playing field to all members. He said that he has recommended that he be the last Secretary General who has also served as a politician. However, this advice has

not gone down well and that he is stuck between a rock and a hard place due to the lack of trust from both sides.

He firstly asked how do we build trust with Members? Secondly, as Chief Procedural Officer, it is important to maintain the law and ensure there are clear rules about what MPs, leaders and other post holders can and cannot do. He said that in most parliaments rules and roles are not clearly defined and asked whether Simon would recommend that roles are clearly defined? He said that political leaders often want to make their own rules.

**Mr José Pedro Montero, Uruguay** wished to provide a reflection, rather than a question, on the topic. He said that he could not conceive of a Secretary General sitting on a pedestal in the 21<sup>st</sup> Century, with officials below, he agreed with Mr Burton's remarks about leadership and empowering officials to take decisions. He said that leadership is about giving clear signs to officials about what you want them to do. He said that if you have clear guidelines it empowers others to work and take decisions independently. He gave the example of the meeting of the Speaker's Council, following the declaration of an emergency on 13 March due to the pandemic, at which decisions were made regarding the measures to be taken and guidelines put in place. He further said that alongside the changes in technology which have come with the 21<sup>st</sup> century, there is also a culture change in which we confer or empower our officials to make change happen.

**Mr Jose Pedro Manuel Araujo, Portugal**, said it was an excellent discussion which touched everyone in this room. He said that on reading Mr Burton's slides setting out the values, he would like to add another. Friendship. He said that for each Secretary General, in their relationships with MPs and the team it is very important to have the capacity to socialize, listen and understand what everyone wants. He also raised the issue of impartiality because Secretary General have different mandates. In some places 3, 4 or 5 years, some have the period of legislature and others are indefinite till retirement. He asked what influence does the length of the mandate have on impartiality?

**Ms Penelope Nolizo Tyawa, South Africa** asked how he would respond to an issue of leadership where delegation is perceived as a weakness, especially from a gender perspective?

**Simon Burton, UK** thanked the members for their questions. In response to Sierra Leone, he said it was helpful to hear he was not the only person being criticized from all sides. He said the way to tackle it – such as the point raised about friendship – was to talk to each person individually to show them that you see where they are coming from. He said it was important to be open, consistent and nice to people. Although, he remarked that if you are too nice people, they might wrongly think you agree with their position. He said that sometimes he receives requests for different advice.

He said that usually people have informal conversations with him while he walks in the corridors, which was very important. During the pandemic, he had to call everyone up, instead of walking around the building, to speak to them. He said

friendly relations, without being weak or soft, are very important and you have to be friendly to everyone, not just certain people or groups.

On the issue of impartiality and mandates, he said that his mandate was is theoretically 5 years. However, the Queen added the word renewable, so he may be able to carry-on. He said he thought 5 years was a good amount of time. He said that he is called Clerk of the Parliaments not because he is clerk of both, but because his leadership would continue after a General Election. The Clerks post is not removeable with a General Election, it crosses multiple parliaments which demonstrates the impartiality of the post. He gave the example that in 1997, when there was an important change of Government from Conservative to Labour, the Clerk of the Parliaments went to the new Government and asked whether they wanted a different clerk. The Government said no - because they knew the role of clerk is impartial and neutral. He also said that if a Government asked him to do something that he felt was morally wrong he would resign. It is a high bar because all Governments do things that annoy Secretary General but ultimately, they must be impartial, moral human beings.

In response to the question on gender from South Africa, he said that even as a white man with huge privilege he was constantly challenged as a leader. He said that he tries to listen to a range of perspectives before making decisions and that, particularly in male dominated societies, we have to respect that women don't get the opportunity to be heard. He said the House of Lords membership is male-dominated and that men must recognise other peoples' perspectives and lived experience. He concluded by citing the good work of the IPU on gender and parliaments.

**Mr Philippe SCHWAB, President**, thanked Mr Burton for his communication and proposed a short break until 16.05, followed by the presentation from Ms Kareen Jabre, which reflected a change to the expected order of proceedings.

## **5. Presentation on recent developments in the IPU**

**Mr Philippe SCHWAB (President)** welcomed Ms Kareen Jabre and invited her to update members on recent developments in the IPU.

**Ms Kareen Jabre** said it had been a real pleasure to work with the ASGP, and President Philippe Schwab in the past few years, she thanked him for his leadership and the work he had put into the collaboration with the IPU. She also took this opportunity to congratulate Mr El Khadi on his election as the next President of the Association and said that she was looking forward to working with him.

She announced the completion of the a 'Preliminary Draft of Indicators for democratic parliaments, based on Sustainable Development Goal targets 16.6 and 16.7" which have been piloted at 20 parliaments, she announced that future milestones in the project would be the Global Launch in Spring 2022 and further finetuning with the aim of creating a final version by the end of 2022.



She then informed members about new IPU tools such as the “guidelines for parliamentarians on budgeting for the SDGs” and guidance on “Gender-responsive law making.” Next, she set out the broad lines of the IPU strategy for 2022-2026 and highlighted the following changes from the 2017-2021 strategy:

1. Establishment of 4 policy priorities
  - Climate change
  - Democracy, Human Rights, and Gender Equality
  - Peace and Security
  - Sustainable Development for All
2. New focus on marginalized groups, resilience, and strengthened accountability
3. More integration + parliamentary ecosystem approach
4. Youth as cross-cutting driver of change
5. Increased role of Communications

She concluded by inviting members to ask any questions they may have about the work of the IPU and future strategy.

**Mr Philippe SCHWAB, President**, thanked Ms Jabre for her presentation and opened the discussion to the floor.

He said that as nobody had risen to speak, this was a compliment to Ms Jabre’s excellently thorough presentation.

**6. Communication by Ms Penelope Nolizo TYAWA, Acting Secretary to Parliament, South Africa: “Assessing the performance of Parliamentary officials: A case for the balanced scorecard”**

**Mr Philippe SCHWAB, President**, invited Ms Penelope Nolizo Tyawa to give her presentation.

**Ms Penelope Nolizo Tyawa** spoke as follows:

The purpose of this paper is to present the experiences of the South African Parliament in as far as the practice of performance management in general, and the balance scorecard in particular is concerned. The paper argues that the balance scorecard system remains, without a doubt, one of the performance management tools that can facilitate change and improve organisational performance in the parliamentary environment. The paper draws learnings from various sources of theory on the evolution of performance assessments in the public sector, with perspectives on how best to measure performance.

As early as the 1980s, the Weberian notion of bureaucracy was slowly losing its heuristic value and was quickly reaching its end in time. Many western countries started to look for alternatives. Cameron (2009:5) states that, “in the 1980s the

traditional bureaucratic public administration model of Max Weber and Woodrow Wilson was challenged in Anglophone countries such as England, Australia and New Zealand”. That was not always the case, as before and after the second world war period, traditional public administration and simple notions of bureaucracy enjoyed currency and were prevalent. According to Gumede and Dipholo (2014: 43), they were seen as the most rational avenue for managing the affairs of the public.

But as the world changed politically over continental Europe and in the broader Western world from the early 70s onwards, the working logics of the traditional public administration and/or bureaucracy were deemed to be naïve and not in sync with the realities of imminent changes. Western governments during this time, particularly those in the OECD world, in the United Kingdom started to look critically at public administration. As Dorey (2015) points out - revealed by reform of Britain’s public services since the 1980s, particularly in education and health (the National Health Service – NHS) - criticism was on the public sector for failing to provide its clients and users with a more courteous, efficient and higher quality of service.

It is against this backdrop, by force of argument and array of facts, that there was a paradigm shift from public administration to public management. The New Public Management (NPM) emerged as a new form of thought that came to shape and inform both the theory and praxis of public service. According to Gumede and Dipholo (2014:43), “globally NPM emerged in the 1980s as benevolent critic to the traditional public administration given the need to reinvent government and harness the entrepreneurial spirit to transform the public sector. More so, NPM’s emergence was associated with the need to restructure government bureaucracy to promote productivity, competitiveness, and efficiency and effectiveness. (Gumede and Dipholo, 2014: 43) Inspired by the values and concepts of the private sector, this was seen as a way of cutting through the red tape and rigidity associated with old-style public administration with the view to improving efficiency and service delivery (Cameron, 2009:5).

What is important to note in this regard is that, closely linked to NPM oriented public sector reforms over the years, has been a surge of new managerial practices of performance measurement, management and reporting. Johnson and Talbot (2007:114) points out that “many governments across OECD countries started to focus and produce performance information of various types published by the executive branch on its activities and those of the wider public services”. The defining feature of this growing phenomenon was output- or outcome-based budgeting or governance.

Cameron (2009:2) asks a critical question: To what extent has the South African public service been influenced by New Public Management (NPM) reforms?

In response to the posited question one may mention that, a lot has been written about the paradigm shift from public administration to public management in the South African public services. Some South African Scholars and policy analysts have even gone to the extent of arguing that, South Africa's Public Finance Management Act of 1999, the Preferential Procurement Policy Framework Act of 2000, the Preferential Procurement Regulations of 2001 and the Municipal Finance Management Act of 2003 are all pieces of legislation which embrace the principles of the NPM trajectory (Gumede and Dipholo, 2014: 47). These researchers further argue that "the shift from Reconstruction and Development Program (RDP) to GEAR (Growth Employment and Redistribution) and New Growth Path is a clear sign of the victory of NPM principles in the new democratic South Africa".

Nonetheless, while a lot has been written about the move from public administration to public management and the institutionalisation of performance measurement, management and reporting practices in the South African public sector, scholars and analysts have been offering an inconsistent and patchy account of those changes in our parliament. As such, this paper concerns itself with providing a critical account of the changes heralded by that paradigm shift (move from public administration to public management) in the South African Parliament, with a particular focus on the implementation of performance management using the Balance Score Card practices.

### **1. South Africa's public sector transition from Public Administration to Public Management:**

In South Africa, the change from public administration to public management and the evolution of performance assessment in the public sector did not happen in a vacuum. It was embedded in the country's transition from Apartheid to a new democratic dispensation, where there was a need for accountability by ensuring the tangible results to improve the lives of the majority are reported and are visible.

Even before the transition to democracy, there was an increasing realisation in South Africa, that bureaucratic red tape was affecting most government departments. Thus it came as no surprise that improved efficiency, greater competitiveness and accountability linked to New Public Management were the overriding aim of public sector reforms in South Africa since 1994.

### **2. Performance Management in a Parliamentary Environment**

Closely linked to the New Public Management oriented performance evaluation, management and reporting in the public sector was the issue of the balance scorecard. According to Dziak (2015), "a balanced scorecard (BSC) is a method of analysing organizations and creating strategies to meet organizational goals". Balance scorecards align an organisation's goals and strategies with many performance measures and other factors such as customer satisfaction, financial performance,

internal efficiency, and innovations (Dziak:2015). First popularised in the early 1990s by Drs. Robert Kaplan and David Norton, balanced scorecards underwent a long process of refinement in the next few years. In the early 1990s, Robert Kaplan and David Norton began studying and writing about various methods of measuring performance in businesses and other organisations. The researchers noted that many traditional methods were critically flawed and ineffective and that some approaches were too vague or subjective. Others focused only on the financial bottom line and left out all the other details of business. (Dziak:2015)

By the twenty-first century, the third major version of the balance scorecard system became a major management tool in organisations around the world. Many kinds of organisations, including businesses and industries, government offices, and non-profit groups, employ balance scorecard methods. (Dziak:2015). By setting targets and analysing performance in these categories, organisation leaders can assess whether the group is meeting its goals and make informed decisions about how to correct any problems within the organisation (Dziak:2015)

Kaplan and Norton began searching for more effective alternatives. They developed a new method of performance measurement referred to as a balance scorecard. The balance in the term refers to carefully weighed interactions between financial factors (traditionally favoured in performance measurements) and non-financial factors (previously overlooked elements such as goals and strategies). The researchers claimed that balancing these elements would give leaders comprehensive insights into the successes and failures of their organisations. (Dziak:2015)

A balance scorecard is based on an assortment of interrelated organisational elements. Scorecard users analyse these elements and set targets for how an organisation will address each element to meet its overall goals. In time, performance reports can be matched against the targets to help analyse how well or poorly the organisation is proceeding toward its goals.

Among the most important factors on a balance scorecard, are the vision and strategy of the organisation's leaders. The vision and strategy must take into account many other factors, including the knowledge of leaders and workers; the innovations used in training, research, and planning; the efficiency demonstrated in the internal workings of the group; the satisfaction of customers and other stakeholders; and the financial performance of the group. All of these factors are interconnected and must be addressed properly to ensure the overall success of the organisation. (Dziak:2015)

The balance scorecard also acknowledges a number of perspectives through which various data and measurements must be assessed. These perspectives help to ensure that the parts of an organisation all work together to benefit people inside and outside the organisation. Some important perspectives relate to the ongoing learning and

training of the organisation's members; how effectively an organisation operates on a daily basis; whether the organisation is financially feasible; and how customers and stakeholders perceive the organisation and its work. (Dziak:2015)

According to Cristea, 2019: 154 and Vitale et al, 1994, "The implementation of the method involves completion of the following six stages:

- Step 1 – Specifying objectives – What do we want to achieve?
- Step 2 – Balancing measures with strategy – what is the most important?
- Step 3 – Identifying measures – what should we measure?
- Step 4 – Forecasting Results – What do we want to achieve?
- Step 5 – Specifying the objectives – what will change?
- Step 6 – Planning future actions – where are we headed from here?

In the South African Parliament, the balance scorecard has been adopted as one of the management systems designed to improve organisational performance. It's a framework used to identify the organisation's key value drivers and integrate their contribution for driving organisational performance. The scorecard is used, among other things, to align business activities to the vision and strategy of an organisation, monitor performance against objectives and improve communication of the strategy. It's a framework for translating an organisation's vision into a set of objectives and performance indicators distributed among four perspectives: Financial, Customer, Internal Business Processes and Learning and Growth.

The South African Parliament has modified the balance scorecard to ensure focus on the elements that are critical to its success. Some of the perspectives were renamed to align with the strategic themes in those perspectives. The following are the four perspectives in the Parliamentary Balance Scorecard:

- Financial Accountability Perspective
- Institutional Process Perspective
- Stakeholder Expectations Perspective
- Learning & Growth Perspective

In our context, the Financial Accountability Perspective in the original balance scorecard covers the financial objectives of an organisation and allows managers to track financial success and shareholder value. In our context the focus in the "Financial" perspective differs from that of the private sector. Private sector financial objectives are generally linked to profit and maximising shareholder value. In the public sector, on the other hand, finance is a resource that enables or constrains implementation of the strategy and is hardly the primary reason for the existence of the public sector organisation. Success for public sector organisations is measured by how effectively and efficiently these organisations meet the needs of their constituencies and/or stakeholders. The Financial Accountability perspective is

critical in ensuring that public funds are spent in line with what they are appropriated for.

In the Parliamentary Services Balance Scorecard, this perspective measures the alignment of the budget to the strategy, cost efficiency, delivering maximum value to the stakeholders for money spent, compliance to applicable laws and policies and risk management.

On the other hand, the Institutional Process Perspective focuses on the objectives related to the successful implementation of the strategy. This includes management of processes to improve cross-functional coordination, innovation, operational excellence, meeting customer and stakeholder needs. This perspective includes the Customer Relationship Management that argues for refined internal business processes as per the Kaplan and Norton Balanced Scorecard and amplifies these by incorporating the execution rate of strategy.

The Institutional Process Perspective provides data regarding the action stage of the strategic management process. It enables alignment of organisational structures, processes and systems for cohesive execution.

In addition to that, the Stakeholder Expectations Perspective covers the objectives such as customer and stakeholder satisfaction, development and implementation of strategies, plans and programmes to serve customers and maintain constructive and sustainable relations with stakeholders. This perspective focuses on the perception and experiences of product and service attributes by stakeholders.

Stakeholder Management focuses on the ability of the organisation to provide quality goods and services to various stakeholder groups. The customer and stakeholder perspective takes pre-eminence and is concerned with overall satisfaction of customers and stakeholders.

Stakeholder management is a strategic imperative that informs both the strategy and operations of an organisation. Parliament, like many other successful organisations, has realised that managing its stakeholders effectively is key to its performance and this process entails establishing, monitoring and maintaining constructive relationships with stakeholders in order to increase their support and minimise any possible negative impact. To this end, the need to measure and monitor the levels and direction of client satisfaction has to be evidence based – hence the continuous client satisfaction surveys.

The South African Parliament acknowledges that relationships with stakeholders must be mutually beneficial, constructive and sustainable, hence the need to focus on the quality of these relationships given their impact on its performance.

Lastly, the Learning and Growth Perspective in the South African Parliament context covers the intangible drivers of future success, such as development of talent, organisational capital and information capital, including skills, training, organisational culture and leadership and is similar to the Learning and Growth perspective in the Balance Scorecard. However, the key difference is the focus on managing talent and building required organisational capabilities.

This perspective focuses on the development of the talent required to implement the strategic plan of Parliament. The focus is to create communities of competence in the organisation to ensure that the organisation has all the competencies it requires to implement its strategy. The development of future capabilities is also a significant theme in this perspective. Other themes that should inform the work managers perform, are the need for strategies to retain talent and creating a conducive environment for talent to perform.

A significant part of organisational capability is the talent from extended communities. This includes former employees and talent from various knowledge communities, such as tertiary institutions whose capabilities can complete existing organisational capabilities. In this way, the talent from extended communities can serve as an important resource that enhances organisational performance. Organisational success depends, inter alia, on whether these capabilities are created.

For the BSC to be implemented effectively and embraced by all officials of parliament, a massive education drive took place which resulted in a slow but positive uptake.

Similarly the BSC aligned to the institutional strategy had to be cascaded throughout the organisation so that it coheres with the tactical and operational plans, where elements of the strategy must be translated to various functional areas and ultimately, to employees' day-to-day jobs.

But based on the above, the critical question that might arise is whether the balance scorecard is a correct indicator on parliament performance and the performance of parliamentary officials. Further to this, whether parliament's administration has appreciated the introduction of the BSC, is the tool of measuring its suitability in an institution where there might not be tangible delivery of services, such as the building of schools and houses. The change management and the internalisation of measuring performance has gone a long way, notwithstanding push backs that arise from time to time.

The fundamental challenge remains that of aligning and identifying performance at the lowest level with the various perspectives and measuring this correctly to incentivise correctly. This implies the maturity of goal setting, measuring and focusing on the outcomes and outputs rather than activities.

The South African Parliament has developed a performance management policy that ensures the integration of organisation and individual performance. What this means in practice is that, individual employee performance speaks to organisational performance to give effect to the organisation's strategy, goals, objectives and values. Correspondingly, the employees' roles and job responsibilities should be aligned to the performance goals of their teams and organisation. Closely linked to that has been the practice of performance monitoring, review and/or assessment. From these periodic assessments, it is easier to discern whether the balance scorecard is a correct indicator on parliament's performance and the performance of parliamentary officials.

As it has been argued in this paper, it is without doubt that the Balance Score Card system remains one of the performance management tools that can facilitate change and improve organisational performance in the parliamentary environment.

Our experience is that the four critical elements of the Balance Score Card, namely; financial accountability perspective, institutional process perspective stakeholder expectations perspective, learning and growth perspective can have an added value in harnessing organisational performance and helping to realise institutional strategic goals and outcomes.

The balance scorecard is indeed the correct indicator of the institution's performance and that of its employees. It has become a tight and refined measure of performance outcomes of officials - a critical aspect to ensure the effectiveness of Members of Parliament in carrying out their constitutional mandate.

The obvious question not addressed in this paper is whether such measurement is suited for Members of Parliament; in this regard with reference to Parliament. While the measurement of the performance of of Members of Parliament may not be subjected to tools such as the Balance Score Card, surveys have been conducted to assess the extent to which Parliaments have effective and impact driven targets that are set and met - these are mostly the effectiveness of oversight and holding the executive accountable. (The IPU and the Afro-Barometer have reports that assess the impact of oversight and accountability as well as public participation on the majority of its member parliaments.)



Ideally parliaments have to develop performance indicators against which they measure their performance, set targets informed by the indicators that speak to the key impact outcomes – such as elimination of poverty, reduction of inequality, job creation and skills development for economic growth; these indicators are indeed universal and have base indicators as expressed in the SDG and AU Agenda 2063. This was not the focus of the paper, notwithstanding, this is maybe an area of focus in the near future, mostly because the outputs of the officials of parliament is the input into the work of members. It can be argued that parliamentary officials who operate with no outcomes measured (BSC) will not be able to assess the quality and usefulness of their support to those they serve. Indeed, the adoption of BSC is set to mature further in the parliamentary practices and organisational performance.

**Mr Philippe Schwab, President** thanked Ms Tyawa for her presentation, then before opening the floor for debate, he asked who were the clients and how she measured their satisfaction?

**Mr Alexis Wintoniak, Austria** said that measuring performance within parliament is complicated but that he agreed the balanced scorecard could achieve it. He said they had introduced a similar performance management system in Austria and asked, when it comes to the consequences, achievement or non-performance, how many of Ms Tyawa's staff had received a positive award? What percentage had neutral performance, how many did not perform at all and what did she do with them?

**Mr Mahesh Tiwari, India**, asked when the measures were adopted and how did performance improve? He also asked who are the customers? He also asked how do you judge the aspirations of MPs with regards to their staff's parliamentary duties (committee work, writing reports) ?

**Mr Raul Guzman Uribe, Chile** said this is something we should all be doing now. In particular, with regards to customer satisfaction and customer loyalty. This applies both to internal members and the external citizenship. In both cases having satisfied customers is very important. He said parliaments need a business management tool and that the gap between parliaments and the private sector is growing in this regard. He said parliaments need to improve its processes otherwise its institutions will become obsolete. He also said it is a good idea to define things clearly, to write things down, especially with regards to technology, there needed to be guidance manuals because it's important for our organisations.

**Jose Pedro, Uruguay** thanked his colleagues for their clear and interesting statements. He asked, in relation to what colleagues from Chile and Austria had said, about creating management manuals. He said that the senate has been working for many years on manuals in the administrative and legislative areas and amongst officials they have management goals and indicators. He asked how do you assess performance and what consequences does this have? In the senate, he said that performance is related to officials pay. There is salary as standard and then bonus

payments for complying with the standards. Unless staff comply with performance indicators, they can lose a percentage of their salary. He asked whether they have considered this approach in South Africa?

**Mme Samueline KANRU** thanked Ms Tyawa for the presentation and said it reminds us that we have to remain competitive as parliaments within a global village. She said parliaments must learn about covid, crypto-currencies and many other new issues that impact on the effectiveness of parliaments to carry out their functions. She asked about the impact of the balanced scorecard on risk management?

**Mr Philippe Schwab, President**, thanked members for their enthusiastic questioning and invited Ms Tyawa to respond to the first batch of questions.

**Ms Penelope Nolizo Tyawa, South Africa**, said in response to Austria that when she started in parliament there was an indicator of overall institutional performance at 42%, but it was quite rudimentary. They then decided to put together a service charter which outlined turnaround times for legal advice (7 days), if longer was needed then staff must present a complication document. She said they gave indicators against each service provided to MPs then computed them. She said that as a result performance did improve. She said we are now calling it 'Member satisfaction' because Members are not customers, they are the employers.

With regards to the issue of mediocrity, it is possible to argue about what represents quality. She said remediation was possible if you give training to poor managers, but that consequence management remains a problem. It is a problem because 85% of staff members are full time and you cannot walk into a room and say you will be dismissed. Instead, they look at a person's skills and capabilities to see if they can find a better fit. She said they are promoting and offering voluntary retirement in some cases because for some people, it doesn't matter what they do, they will never get up to speed. She said it is a challenge.

In response to India she said, they started at 43% and now sitting at 65%-70%. She said there is still work to do with junior managers. She then spoke about the customer satisfaction surveys which are filled in by MPs which ask them if the work produced is good. She said this is a private sector methodology and the responses are quite fascinating, they found that people will tell you if they are unhappy about the service.

In response to Chile, she said she would be very interested to see how their work progresses on the creation of manuals and she agrees very much with that approach.

In response to Uruguay, she said that people who don't perform do not lose money in South Africa but people who perform well can get bonuses. She said this year had been particularly difficult, with people working away from offices, which is not part of the performance contracts. It is hard to determine whether employees are working effectively in this context. In some cases, she said she had called employees and they were not working but in the shopping mall. She said that in 2013, 11 million bonuses were signed but they currently do not pay that because people are not performing.

She said to get a bonus you have to show you are producing well over time. If you get a level 3 on the index then no extra, if you get 4 level consistently then you will get payment.

**Mr Philippe Schwab, President,** opened the floor for a second round of questions to Ms Tyawa.

**Mr Liam Laurence Smyth, UK,** said Ms Tyawa's presentation had given him an enormously strong flashback to 2007, when he had been the author of the Tebbit report which was about management of services in the House of Commons. Tebbit proposed a balance score card, to which there was a scepticism, but this approach has informed how we approached management today. He said that when Mr Tebbit, who had held many senior roles across Government, was assigned to reform House of Commons structure he had explained to him why Parliament was unique. He said Mr Tebbit responded to him that he had worked in diplomacy, intelligence, defence, and said "Liam I know parliament is unique but it is not the only organisation that is unique".

**Mr Mehmet Ali Kumbuzoğlu, Turkey** reiterated that he had previously been the Head of all state officials and said that it is difficult to measure performance in public service. In some public sectors, where there is profit, it is easier but in other sectors it is more complicated. He said that perhaps in parliaments measuring performance is the most difficult. He said a Secretary General has to be effective and impartial but their customers, or employers, are parliamentarians, and he questioned whether they could be impartial towards civil servants? He said that some civil servants work more effectively than parliamentarians, who are weak in the view of other parliamentarians too, and sometimes a good official will be marked down by an MP for this reason. He asked whether anyone had faced problems like this?

**Fernando Ripoll Falcone, Uruguay,** said that in Uruguay Secretary Generals are from the Government, when the Government changes, the Secretary General changes. He said they are politically elected by two thirds of each chamber which means they have unanimous support of the parliamentarians. He said they have to be fair and attend to the 99 clients of the Chamber.

He congratulated Mr Burton and Ms Tyawa for their presentations. He said that all their countries are different, with different political make-up but that they always share points in common. Consequently, the topic of both of these communications presents a challenge for everyone. He described how in Uruguay they have almost entirely succeeded in removing paper from Parliament, they are now 80% digital and created the Centre of legislative Studies to train their staff. Previously, staff were political appointments but now there is a recruitment process which is a great improvement and there is huge competition for few places. He said Uruguay is now working on ambitious project to have a parliamentary channel to broadcast proceedings. He said that digital and broadcast skills are more important than ever before. He challenged members to consider how far parliaments can and will go in developing remote work for parliamentary activity?

**Mme Jeanne Chantal Harerimana, Burundi**, congratulated the speakers and expressed how impressed she was by their assessments of parliamentary staff. She wished to address a sensitive question. She said that MPs have right to asses staff and members of the Government but that she was not aware of countries where it is common for MPs to be assessed on their performance. She said if we want to strengthen the work of parliament, we need a tool to assess the performance of MPs. She raised concern about how this would be perceived by MPs but concluded by saying that it would be for the good of parliaments.

**Ms Penelope Nolizo Tyawa, South Africa**, thanked colleagues for their questions. She agreed that there is a phrase that ‘parliaments are unique’ and this was part of ‘pushback’ to the introduction of her scorecard approach. She said that as officials derived their salaries from taxpayers, and do not generate profit, they must measure their competence – officials are accountable to taxpayers on the basis of their salaries. She said in South Africa they have come along way to accepting this.

In terms of Turkey, she said he is right, and the only difference is that our officials have relationships with MPs. As Secretary General, she runs the institution in terms of budget, strategy and employment. She said staff do not get directly assessed by MPs but they do try to include feedback from committee chairs. A 360-degree assessment process is the aim. As part of this she would approach an MP and ask if they have input on the personnel that work for them and could give any feedback on how a staff member can improve.

In response to Burundi, she said the challenge is you cannot measure the constitution. However, you can measure the fairness of elections or whether a bill was cross-party, but these things can’t be measured by the Secretary General. This must be done by external bodies. She said that to assess MPs, to see if they deliver against the constitution, you would need an independent body. Otherwise, it would be a short route to unemployment. She expressed her support for the markers presented by the IPU which can be used as benchmarks in this respect.

She agreed with the member from Uruguay, that parliaments need different skills now and that digital technicians are more important than ever before. The world has changed. She said we for data to be collected in the right place and that remote and hybrid working is critical for the future. She said they are looking at a digital skills competence and officials, as well as MPs, need more sophisticated skills in this respect.

**Mr Philippe Schwab, President**, thanked Ms Tyawa for the presentation and all the colleagues who participated.

## **7. Announcement regarding the election for the post of Vice-President**

**Mr Philippe SCHWAB (President)** informed members that there was only one candidate for the post of Vice-President of the Association which means there would be no election tomorrow. He decided to leave members in suspense over the name of this candidate.

He informed members that the candidate would have the opportunity to speak to the Association about his candidacy tomorrow morning.

## **8. Concluding remarks**

**Mr Philippe SCHWAB, President**, thanked members for participating in a full and interesting debate.

He reminded members that the deadline of 12 noon for submitting candidacy for the three vacant posts of ordinary member of the Executive Committee.

He wishes members a lovely evening and invited them to come back for the next day's session from 10.30am. He also announced that a group photo would be taken tomorrow.

He closed the sitting.

*The sitting ended at 5.18pm.*

# THIRD SITTING

**Sunday 28 November 2021 (morning)**

Mr Philippe SCHWAB, President, was in the Chair

*The sitting was opened at 10.36 am*

## **1. Introductory remarks**

**Mr Philippe SCHWAB, President**, invited members to take their seats. He asked members to fill in the registration form for the visit to the Spanish Senate which would take place tomorrow morning. He informed members that lunch would be provided after the visit and emphasised the importance of members attending.

He invited all members to take part in a group photo which would take place in the main hall of the Conference Centre, directly after the morning session.

He reminded members that the deadline of 12 noon for submitting candidacy for the three vacant posts of ordinary member of the Executive Committee.

He concluded by inviting members to think about possible subjects for communications or general debates for the next meeting which is expected to take place in Nusa Dua, Indonesia in March 2022.

## **2. Members**

**Mr Philippe SCHWAB, President**, asked members to welcome the following new Members of the Association, who had been put before the Executive Committee and agreed to, the names were as follows:

*For membership:*

**Mr Ghislain Junior MORDJIM**

Secretary General of the National Assembly,  
Central African Republic

**Dr Ahmed Nasser AL FADALA**

Secretary General of the Shura Council, Qatar

*For associate membership:*

**Mrs Boemo SEKGAWA**

Secretary General of the Parliamentary Forum,  
Southern African Development Community (SADC)

### **3. Election to the post of Vice-President of the Association**

**Mr Philippe SCHWAB, President** announced that Mr José Pedro Montero, Secretary General of the Senate in Uruguay, was the sole candidate for the position of Vice-President of the Association.

He then invited José Pedro Montero to speak to the Association regarding his candidacy.

**José Pedro Montero, Uruguay**, spoke as follows

I started a Secretary General of Chamber of Representatives in 2000, for 15 years I served, I then moved to be Secretary General of the of the Senate. I have participated, since 2005, in the meetings of the ASGP and, since then, I have never missed a meeting. I have been an ordinary member of the Executive Committee and Vice President 2008-2011. Together with our future President, we will try and give continuity to the path marked by Philippe to modernise the ASGP. I agree with our future President that it is important for all five continents to participate in the Association and, as a representative from America, he will try and ensure greater participation from this region. In Latin America, we are more 'Presidentialist' and it will be good to compare our systems with those of others present here. I thank you all very much for your support.

**Mr Philippe SCHWAB, President** remarked that Mr Montero was a very experienced candidate and asked members to confirm the appointment of Mr José Pedro Montero as Vice-President of the Association with applause.

José Pedro Montero was appointed Vice-President of the Association.

### **4. Orders of the Day**

**Mr Philippe SCHWAB, President** informed the members that there were no modifications to the Orders of the Day since yesterday. He enquired whether members had any comments?

The Orders of the Day were agreed.

### **5. General debate: The relevance of Parliamentary Committees to law making**

**Mr Philippe SCHWAB, President**, invited José Pedro Montero to introduce the General Debate.

**José Pedro Montero, Uruguay** said that it was an honour to chair this debate, on a subject close to his heart, he said parliamentary committees are the factories which help produce the laws which parliaments approve. He said he wanted to hear the experiences of members; how their committees work and what they do. He asked

whether bills have to be approved by committees in other systems, whether committees have the power to call Ministers or ask questions, whether they can reach conclusions on the Executive's power.

He said that several members of the Association had provided written contributions in response to the title of the General Debate, which are published on the ASGP website. He then proceeded to invite some of these individuals, who had expressed a desire to speak in the debate, to present their thoughts for 5 minutes.

He invited Mr Georgios Mylonakis, Secretary General of the Hellenic Parliament of Greece, to speak. He was not present in the room. So, he invited Mr Mark Llandro L. Mendoza, Secretary General of the House of Representatives of the Philippines, to speak.

**Mr Mark Llandro L. MENDOZA** spoke as follows;

Honorable Philippe M. Schwab, President of ASGP, Members of the Executive Committee, Fellow Secretaries General and Distinguished Ladies and Gentlemen. In the Congress of the Republic of the Philippines, the parliamentary or congressional committees are at the center of the law-making process. Congressional committees are not only essential but also indispensable to law-making. Congressional committees play an integral role from the initial policy formulation, up to monitoring of policy implementation.

As the problems of legislation became more complex, varied, technical and manifold to respond to the facts of growth of man and civilization, it was logical to divide the work into distinct categories among legislators.

The extent of power and influence of congressional committees in the overall policy process is anchored on (a) the rules and procedures adopted by Congress; (b) the committees' inherent gatekeeping powers; (c) the power of the conference committees; (d) a number of powers vested in it as a means of check and balance on the powers of the executive and judiciary; and (e) the unwritten rules, customs and traditions of the institution.

In the House of Representatives of the Congress of the Philippines, there are currently 63 standing committees and 16 special committees. The duties and functions of the congressional committees are to deliberate on bills, resolutions and petitions referred to them and recommend, for approval or adoption measures that, in their judgment, advance the interests and promote public welfare.

Throughout the deliberation process, issues of national importance often gain publicity, which trigger public discourse. At this point, advocacy groups and personalities also gain enough traction for political lobbying that may heavily influence the outcome of a proposed measure.

Committees also ensure that all affected stakeholders are given sufficient opportunities to be heard through dialogues, consultations and engagement of subject matter experts and professionals from the public and private sectors.



Likewise, congressional committees provide an avenue to thresh out issues and forge a compromise between differing political, social, and economic interests. The threshing out of issues and forging a compromise are also true during bicameral conference committee meetings.

One of the powers of congressional committees is the gatekeeping power that dictates the fate of a proposed measure. The proposed measures referred to the committees may either be nurtured into maturity and reported to the plenary, or be buried and not acted upon.

The inherent powers of congressional committees as means of checks and balances with regard to co-equal branches of government are to scrutinize on any matter during budget hearings and to conduct an inquiry in aid of legislation.

Thus, the congressional committees are themselves guardians of the general public interest, for it is their general function to determine what is in the general interest for purposes of having written it into law.

Clearly, committees are at the heart of the entire legislative policy process. Thank you.

**José Pedro Montero** thanked Mr Mendoza for his words. He then gave the floor to Mr Georgios Mylonakis, who had just arrived, and reminded Members that each have 5 minutes for their interventions from the floor.

**Mr Georgios MYLONAKIS, Greece** spoke as follows

The legislative function according to article 26 of the Constitution of Greece, is exercised by the Parliament and the President of the Republic. In this context, the primary concern of the Parliament's administration is the rationalization of the legislative function and the promotion of good law-making as a precondition for the fair and efficient functioning of the State, but also the strengthening of the citizens' trust in parliamentarianism.

As far as good law-making is concerned, the Rules of Procedure of the Parliament and the Constitution itself, contain a series of regulations, with the elaboration of the bills by the competent parliamentary committees of the Parliament being the basic (six standing committees, with responsibilities per Ministries, or other special committees - ad hoc -, set up as appropriate, for the elaboration and examination of specific bills or proposals of laws).

Standing committees are set up according to the distribution of Parliamentary Groups and independents, without the absolute majority of the Parliamentary Group that has the absolute majority in Parliament being challenged, in accordance with the enshrined principle of proportional equality. Their operating framework is governed by a series of safeguards, which delimit the legislative process, so that it is not careless, hasty or superficial.

The President of the Parliament also holds the right to convene joint meetings of two or more Committees, when deemed that there is co-competence or for the better elaboration of bills. Following the approval of the President, it is also possible to hold four or even five meetings, if justified by the particular scope and importance of the bill in question.

According to the Rules of Procedure of the Parliament, bills are obligatorily being examined by the standing parliamentary committees in two stages. The first stage, in which the debate in principle, the occasional hearing of extra-parliamentary persons, the vote in principle and the debate on the articles take place, and then the second stage, where the second reading, debate and vote on each article take place. Thus, in a normal procedure of a total of four sittings and with the institution of the two stages of elaboration, there is a sufficient period of time, during which the MPs have the opportunity to submit improvement proposals, which are forwarded directly to the competent Ministers, who take a position on them at the second reading, even by making amendments to the bills.

The importance of the second reading is also made evident by the fact that even in the case of drafting of urgent bills, if it is deemed that a second stage is required, the bills are processed in four instead of three sessions, but in a total period of two days. Central issues that reinforce the importance of the committees are (a) the presence of the competent Ministers during the discussion and elaboration of the bills and (b) the hearing of extra-parliamentary persons (public officials, officials, representatives of local government bodies, trade unions or other social bodies, as well as experts) on bills.

In fact, the Rules of Procedure provide that 1/3 of the extra-parliamentary bodies must obligatorily come from the minority of the committee. It is, in essence, an extension of the minority's ability to invite extra-parliamentary bodies, contributing to the whole process and to the political control of the relationship between legislative means and ends.

The role of the standing committees is also demonstrated by their importance in the submission, discussion and examination of the State Budget. In particular, the draft is submitted to the Standing Committee on Economic Affairs, which examines it in three meetings. The minutes are then forwarded to the Minister of Finance, who takes into account the committee's comments and resubmits the Budget for consideration to the committee and then for a vote by the Plenary Session of the Parliament.

All of the above demonstrate the role of the standing committees as the pre-eminent field for the preparation and actual consultation of bills, before they reach the Plenary Session. A process that is substantial and not just formalistic or formal. Finally, I would like to note that despite the increased workload and difficulties encountered in dealing with the pandemic, the functioning of the committees has remained virtually unhindered by the institution of remote participation and hearing for their members or extra-parliamentary persons. In fact in the last 2 years, from July 17, 2019 to October 1, 2021, the Greek Parliament passed a total of 219 laws for

the substantive elaboration of which the members of the Standing Committees met 701 times. Thank you.

**José Pedro Montero** thanked Mr Georgios Mylonakis for his words and invited Mr Ahmed Ezzat Manna to speak.

**Mr Ahmed Ezzat Manna, Egypt**, spoke as follows:

President of the Association of Secretaries General of Parliaments, Honorable Colleagues, in the beginning, I would like to express my great happiness to be with you in our prestigious forum, and I would like to extend my sincere thanks and appreciation to our friends in the Spanish Parliament for their generous hosting of this meeting, within the framework of the 143rd Assembly of the Inter-Parliamentary Union, the first in-person Assembly since the onslaught of Corona pandemic, in a bid to share visions and experience on the best ways to enhance the significant role of our national parliaments.

Dear colleagues, today, in our meeting, we are going to discuss an important and vital mechanism in the work of our national parliaments, namely, the parliamentary committees and their role in the legislative process. Their significant role has always helped the legislative bodies in different political systems shoulder their various responsibilities. This is attributed to the fact that they have the capability to address many legislative matters in a highly efficient and effective manner. Most parliamentary systems agree to grant a specific role to the parliamentary committees in the legislative process stages. Despite the fact that the role of parliamentary committees varies, in its nature and limits, according to the rules governing the committees and their types, it cuts across the legislative function components in general.

Dear colleagues, specific committees in the Egyptian House of Representatives exercise wide-ranging activities in general, and legislative activities in particular, as they assist the House in exercising its legislative and oversight powers. Specific committees are primarily concerned with examining and studying various parliamentary works, allowing the parliament to decide on such matters. On the legislative level, the specific committees carry out their legislative tasks, commissioned by the House as the House, according to the Egyptian Constitution, is committed to referring every bill submitted by the government or by one-tenth of the members of the House to one of the specialized specific committees to study and submit a report about it to the House. Some specific committees, in some cases, also have special responsibilities, based on the nature of these committees' role within the specific committees' system, such as the Constitutional and Legislative Affairs Committee, which plays a vital role in considering proposals to amend the Constitution, as well as, drafting and harmonizing legislations. The Plan and Budget Committee also has special responsibilities regarding financial legislation and the Proposals and Complaints Committee plays an essential role in bills proposals.

Ladies and Gentlemen, at the end of my brief review of the role of parliamentary committees in the legislative process, I look forward to sharing visions and experience on this important issue, so that all of us can promote the performance of

our parliaments in their important legislative and oversight role. In addition, parliaments remain to be the true expression of the hopes and aspirations of our peoples to lead a dignified life they are worthy of.

In conclusion, I would like to thank you for your kind attention, and I wish you and your peoples good health and wellness, and your countries further progress and prosperity.

**Mr Adam NIEMCZEWSKI, Poland**, contributed the following:

Senate committees have a fundamental role in shaping the position of the Polish Senate in the legislative process. In general, they are tasked with examining the bills submitted by the Sejm (lower house) and with producing relevant draft resolutions of the Senate (upper house). The committee report is presented by the senator-rapporteur at the plenary session and includes either the proposal to adopt the bill without amendments, or to reject the bill or to introduce amendments thereto, including those approved by the committee majority as well as minority motions. Committee decisions in this respect are taken by a majority of votes, in the presence of at least 1/3 of its members.

The committee is usually composed of some to a dozen of senators. Its work is organized and its activities are managed by its chair, elected and recalled by the Senate. Deputy chairs are elected by committee members. In order to reflect the balance of political power in the parliament, at the beginning of a new term, by way of informal arrangements, representatives of parliamentary groups agree on the division of committee chair positions between political parties and on other details regarding committee composition.

Senators should declare their wish to join the committee of their choice. In practice, committees are joined by individuals with professional knowledge of the issue of their relevant scope. If successfully reelected to the Senate, number of senators will remain members of the same committee as in their previous term, which fosters specialization. Committees may deliberate jointly if the legal act under discussion requires a cross-cutting approach – then, the chair of one of them will preside over the meeting.

In the course of their work on bills committees may request the opinions from the Legislative Office of the Senate Chancellery and from experts, groups and organizations concerned with the topic at hand, and, if the bill in question is particularly complex, they may rely on opinions from external experts ordered by the Analyses, Documentation and Correspondence Office of the Senate Chancellery. The approach helps to go beyond government sources of information and to consider different points of view. The commission debate is governed by the principles of open presentation of positions, substantive argumentation and cooperation in the development of best solutions, which in practice refers to the assumptions of deliberative democracy.

Committee meetings are open to public. However, at the request of the Senate Marshal, the chair of the committee or at least 3 of its members, the committee may decide to keep the meeting secret or to hold a closed session.

Pursuant to the Senate Internal Regulations, at the request of a committee or its chair, in any matters which fall within its remit, representatives of the Council of Ministers are required to cooperate (present information, clarifications, opinions and materials, and actively participate in committee meetings). However, it should be noted that unlike Sejm, the Senate does not exercise control over the government. In matters of importance, committee take positions which are next addressed to competent State bodies or institutions. If senators believe that new lines of actions are needed, they will come forward with new legislative proposals. Senate committees may produce their own bills (the right of legislative initiative is also granted to a group of 10 senators). Next, works on the legislation is initiated in the competent committee together with the Legislative Affairs Committee, and the final decision on the submission of the bill to the Sejm is taken by the whole Senate. It should be stressed that the Legislative Affairs Committee is one of the busiest Senate committees. Apart from the initiatives of Senate bills and resolutions, the Committee also triggers measures to enforce the judgments of the Constitutional Tribunal, examines legislative and legal consistency matters, considers constitutional amendments and provisions of specific Codes.

The Budget and Public Finance Committee plays a key role in works on the Budget Act, which is passed under the special procedure. Specific parts of this legislation are examined by committees competent in relevant areas, their opinions are submitted the Budget Committee which relies on them to produce the Senate draft resolution on the budget bill. The committee may propose to adopt the bill without amendments or to introduce amendments.

The works of the Human Rights, Rule of Law and Petitions Committee cover a very wide range of topics. Among others, the Committee deals with civil rights and freedoms, the functioning of the judiciary and public security, civil society institutions and non-governmental organizations. The Commission hears information from representatives of several state bodies and institutions, and also takes note of government reports on the implementation of judgments of the European Court of Human Rights. In particular, the Committee examines citizens' petitions submitted to the Senate and its bodies. This year, its legislative initiatives launched based on proposals arising out of these petitions, have included the bill to govern the modalities of communication between an individual who has been provisionally detained and their defense lawyer by means of a phone, as well as the bill on the introduction of an absolute prohibition to examine the party's legal representative as a witness in civil proceedings.

In 2004, after Poland's accession to the European Union, the Senate appointed the European Union Affairs Committee as a body competent in matters related to Poland's membership in the EU. At present, one of the main tasks of the Foreign Affairs and the European Union Committee is to issue opinions on documents dealing with matters related to Poland's membership in the EU and to cooperate with other specialized committees in this respect. Moreover, the Committee deals with the state's foreign policy, interparliamentary contacts and international economic

relations. More recently, the topics on its agenda have included the withdrawal of the United States from Afghanistan and its consequences for our country, the issue of the suspended European Commission's approval of the Polish National Recovery Plan and the on-going situation on the Polish-Belarusian border.

The activity of the Health Committee, responsible for matters of health promotion, prevention, organization of the healthcare system, health security and cooperation with foreign partners, has gained a significant importance in the context of the health crisis caused by COVID-19. According to the documentation of the meetings which have taken place in recent months, the Committee has discussed epidemic management measures, e.g. the methods of SARS-CoV-2 virus mutation identification and research, COVID-19 epidemic follow up and medical management and medical supervision over the safety and quality of vaccination.

There are 16 standing committees in the Senate of the 10th term, each of them specialized in specific areas. Moreover, in July 2020, the Senate of the 10th term appointed the Extraordinary Climate Affairs Committee which considers such issues as climate neutrality, biodiversity, circular economy, industrial strategy for the climate, smart and sustainable transport or adaptation to climate change. Some of the above examples show that committees are no longer focused solely on legislative works. A number of seminars, conferences and other meetings are organized, often with the participation of foreign guests. As a "chamber of reflection", the Senate does not avoid discussions on tough, topical and controversial issues; it will initiate debates and will strive to look for answers to vital social challenges.

**Mrs Agnieszka KACZMARSKA, Poland**, contributed the following:

In Poland, parliamentary committees are a traditional and mandatory element of the internal organization of parliamentary chambers. Their significance is showcased by the fact that, under the provisions of the internal regulations, they are explicitly named as bodies of the Sejm and included in the constitutional provisions; in other words, they are Sejm bodies of constitutional rank.

There are 29 standing committees in the Sejm of the Republic of Poland. Moreover, pursuant to its Standing Orders, the Sejm may establish and dissolve extraordinary and investigative committees, while specifying their purpose, principles, and modalities of operation. The committee composition should be proportional to the composition of the chamber in order for its outcomes to be suitable for the whole house. Since the Sejm, as the political representation of the people, is to proportionally reflect the views existing among voters (this is also required under the constitutional principle of proportionality of parliamentary elections), the committee, as a body of key relevance for the work of the Sejm, should be established following the proportionality rules in order for its composition to reflect a wide range of political views and moods within the society.

In essence, the works of parliamentary committees are oriented towards the performance of specific parliamentary functions, and the legislative function is the case in point. The logic behind the legislative process suggests that committee plenary sessions focus on debating the assumptions to the relevant bills, the key

aspects of the legislation at hand and finally on the vote to adopt (refer the bill to the committee) or reject the bill. Detailed, substantive work, including the discussion of alternative solutions and examination of expert opinions would take place in those committees which clearly focus on the bill rather than on discussions nurtured principally to highlight the discrepancy of views between the government majority and the opposition. In the course of committee works, amendments to the bill are proposed and next examined by the committees. Moreover, committees will also produce the report on the bill with the request to either: 1) approve the bill without amendments; 2) approve the bill with specific amendments in the form of a consolidated text; or 3) reject the bill.

Indeed, committees of the Sejm of the Republic of Poland play an invaluable role in the performance of its legislative function. Committees may be involved in the legislative process to various degrees, at its different stages, and their impact on the bill under discussion may vary as well. However, they are always instrumental for the adoption of the bill and for shaping its final content and wording. The importance of commissions as stakeholders of the legislative process is clearly visible already at the stage of bill initiation. Under the binding provisions of the Constitution of the Republic of Poland, the right of legislative initiative is granted to members of parliament; this has been further detailed in the Internal Regulations, e.g. Sejm committees have the right to initiate the legislative process and can do so by submitting a bill to the Sejm. It should be noted that this solution is already well established in Poland and has never been challenged.

Bills submitted by committees are an important source of professionally crafted, well thought-out, and carefully examined pieces of legislation. For this reason, they would be usually get a multi-partisan support. What's more, for any bills of their submissions, committees would usually stay within their area of activity, which means that their members would have professional knowledge on the topic of interest and that the bill would be usually put forward to respond to specific needs or to fill in the gaps identified in current legislation. As a result, projects submitted by committees, would as a rule, raise no objections. Finally, committees may rely on the professional support of committee experts or request the assistance of specialized organization units of the Sejm Chancellery, in particular the Sejm Bureau of Research (BAS).

It should stressed that the role of parliamentary committees is not only limited to the submission of their own bills; indeed, they are active in the works of substance on any bills, whatever their originator. Sejm committees are the participants to the legislative proceedings in the Sejm, which means that they examine each bill brought to their attention and processed in the Chamber, depending on their scope of specialty (remit). Commissions would participate in legislative works according to the constitutionally determined cycle of three readings. As a matter of fact, the reading procedure follows the universal pattern which can be succinctly described as "from the general to the specific". As a result, Sejm committees are the key bodies of the Sejm involved in the performance of its legislative function.

For several years already, the Sejm has been more and more often using the Regulatory Impact Assessment (RIA) as a means to organize the law-making process

with a view of making it reasonable and streamlined. The Regulatory Impact Assessment also highlights that the legislator has to take into account various consequences of the implemented legislation. The Regulatory Impact Assessment, understood as a complex, analytical process devised to precisely identify the deliverables of the planned law-making activities, has been, for many years, an important element of the regulatory policy in developed countries, as well as in the European Union in its function as a legislator. The current form of the RIA extends considerably the time spent on the evaluation of the legislation. Hence, apart from the key ex ante RIA (assessment prior to enactment), carried out at the stage of bill preparation and adoption, an ex post RIA (assessment after enactment) is used where necessary.

Public consultations, held at the bill drafting stage and public hearings held at the initiative of committees, are some other components to the legislative function. Under the latter measure representatives of organizations of various social and professional groups concerned with the substance of the bill examined by the committee may present their position or submit their proposals to be included in the contents of the bill. Public consultations and public hearings contribute to a larger public involvement in the law-making process.

Committees are also internal, auxiliary bodies of the Sejm, appointed to perform the scrutiny function. As part of their scrutiny role, parliamentary committees have the right to request information which in their belief is necessary for their independent assessment of the actual state of affairs. Therefore, committees may request members of the government as well as officials of other state bodies and institutions to make reports on their activities, to provide information, and to participate in a committee meeting. Moreover, committees have the right to request a hearing to be held. The committee may file its desideratum, i.e. its resolution with the the proposal on the matter at hand, for the attention of the Council of Ministers, the Prime Minister and individual ministers, as well as the President of the Supreme Audit Office, the Public Prosecutor General and the Chief Labor Inspector. Request recipients are required to respond in writing to the substance of such request. Moreover, the committee may come up with an opinion, in the form of a resolution, detailing its position on a relevant matter.

Pursuant to the Constitution, an investigative commission may be established as a means of inquire into a specific case. The Sejm investigative committee may deal with any important matter of relevance for the public opinion. In its proceedings, the investigative committee would rely on the provisions of the Code of Criminal Procedure; this applies for instance to its right to call witnesses who are then required to testify, or the right to appoint experts. Moreover, the investigative committee has the right to request written explanations, documents or files of a case processed by public authorities. At the end of its work, the committee submits a report which may include findings and conclusions, including the preliminary motion for legal accountability of specific persons.

**Mr Rénovat NIYONZIMA, Burundi**, made the following contribution:



The Article 163 of the Constitution of the Republic of Burundi specifies matters that are the domain of the law, which permits to avoid possible overlaps by virtue of the principle of the separation of powers as advocated by Montesquieu, and this is one of the fundamental characteristics of a modern State.

Then the following matters are the domain of law:

1. The fundamental guarantees and obligations of the citizen;
2. The status of persons and goods;
3. The political, administrative and diplomatic organization;
4. The protection of the environment and the conservation of natural resources;
5. Financial and patrimonial issues;
6. The nationalizations and denationalizations of companies and the transfers of property; from public sector companies to the private sector;
7. The system of teaching and scientific research;
8. The sustainable development regime;
9. Labour legislation, social security, trade union rights, including the conditions for exercising the right to strike.

The other matters are in the regulatory domain.

#### I. STANDING COMMITTEES, PRELUDE AND IN THE EXERCISE OF LEGISLATIVE FUNCTION BY THE SENATE

The article 24 of the Senate Rules of procedure states that at the beginning of a legislature and at the beginning of the first ordinary session every year, the Senate sets up six standing committees and appoints their members. However, for any matters that is considered to be relevant, especially work efficiency, the Senate may at any time transfer one or more senators from one standing committee to another. Therefore, according to the areas of expertise, the Senate has the following Standing Committees:

- a. Standing Committee on Political, Diplomatic, Defense and Security Affairs. It is called upon to examine, among other things, political and diplomatic questions, the rules of organization of defense and security;
- b. Standing Committee responsible for Institutional, Legal and Fundamental rights and freedoms issues. It is called upon to examine, among other things, issuers of institutions, the status of judicial personnel, the area auxiliary to justice, the fundamental guarantees and obligations of citizens, the promotion of human rights, the status of persons and of goods;
- c. Standing committee in charge of Economic, Environment, Finance and Budget issues. It is responsible in particular for the analysis of rules relating to the economic field, economic reforms and privatization issues, financial, fiscal, budgetary and monetary issues, good governance and sound management of the State, agro-pastoral and environmental issues, questions of town planning, energy and housing as well as those relating to land-use planning;
- d. Standing committee in charge of Social, Youth and Cultural issues. It is responsible in particular for questions relating to work and social security, public

health, national solidarity, repatriation, reintegration, housing, population, education and scientific research, youth, culture, sport, fight against AIDS, malaria, tuberculosis, fight against poverty, etc.

e. Standing committee in charge of Administrative, Decentralization and Control of Representativeness within institutions issues. It is responsible in particular for issues relating to the organization of public administration, the organization of territorial and local entities, the monitoring of compliance with the various balances in institutions, transport, decentralization, the status of civilian personnel, etc.

f. Standing Committee in charge of Gender and Relations with the Legislative Assembly of the East African Community issues. It is responsible in particular for issues relating to gender, gender-based violence, equal opportunities for men and women, women's leadership, women's socio-economic situation, relations with the Legislative Assembly of the East African Community, etc.

## I.1.STANDING COMMITTEES: GATEWAY IN THE BILL ANALYSIS PROCESS

### I.1.1. Tabling and referral

Article 193 of the Constitution of the Republic of Burundi provides that bills are tabled simultaneously to the Bureaus of the National Assembly and the Senate. The Senate Speaker announces in plenary session the tabling of bills presented by the government or submitted by the Speaker of the National Assembly after their adoption by the latter. This announcement in plenary session goes with the specification of the standing committee notified for the subject matter. For more efficiency, referral to (a) standing committee (s) is decided at the level of the enlarged Bureau. Referral is a decisive and unavoidable step in the analysis process of any bill.

### 1.1.2. Work in committees

Sessions of work in committees consist of an in-depth analysis of the bill first in its government version, then in its version adopted by the National Assembly. Those meetings constitute for senators an opportunity to formulate comprehension questions to ask the government representative, but also proposals of amendments to the text under analysis. Those amendments have to be discussed with the minister author of the bill.

The article 41 of the Rules of Procedure of the Senate stipulates that members of the government may attend the work in committees. They are heard whenever they request it, but they do not do not take part in the votes. In principle, the meeting with the minister is a decisive step because it is the one which gives rise to the report on the analysis of the bill by the committee responsible. It is this report which will be presented in plenary session with a view to the adoption of the bill by the plenary assembly. Each standing committee is responsible for its work. (Article 36 of the Rules of Procedure of the Senate).

### 1.1.3. Tabling of amendments to the committee referred to

From the announcement of the referral to a standing committee, senators (who are members and non-members) of the committee referred to, are given the opportunity

to formulate proposals for amendments to the bill and to submit them to the committee referred to.

In fact, no amendments are made except those formulated in writing, signed by at least one of the authors and submitted to the Bureau of the Senate or presented in committees (article 103 of the Rules of procedure).

Article 105 of the same Rules of procedure, for its part, stipulates that “on the same subject matter of the bill or law proposition under analysis, the amendments presented by the government or by the committee referred to have priority for discussion over those of the senators”. That sufficiently demonstrates the weight or, better still, the preponderant place of the standing committee referred to for amendments.

#### 1. 1.1.4. Rejection of a bill

Article 100 of the Rules of procedure in its first indentation states that when a standing committee referred to concludes with the rejection of a bill or draft law or when it does not present a conclusion, the Speaker of the Senate, immediately after the closure of the general discussion, calls on the plenary to make a decision.

## II. THE ROLE OF STANDING COMMITTEES IN THE MISSION OF CONTROL OF THE GOVERNMENT ACTION

The Rules procedure of the Senate in its article 133 provide that without prejudice to the provisions concerning them in Title II, the standing committees assure the information of the Senate to enable it to exercise control over government action. To this end, they may entrust one or more of their members with a temporary information mission relating in particular to the conditions for the application of legislation. Information missions may be common to several committees. A committee can also wish to hear a representative of a National Council provided for by the Constitution on the texts which that committee has to examine. It can also organize hearing sessions with natural or legal persons who do not belong to the Senate and obtain documentary information from them or request their collaboration. Such an intervention has an advisory character.

### II.1. Oral questions with debate

Article 124 of the Senate Rules of procedure provides that oral questions are put by a Senator to a Minister, and those relating to the general policy of the government are put to the Prime Minister. Any Senator who wishes to ask an oral question submits the text to the Senate Speaker who notifies the government.

### II.2. Commissions of Inquiry

Article 127 of the Senate Rules of procedure provides that the creation of a committee of inquiry by the Senate results from the vote on a motion for a resolution submitted to the Bureau of the Senate. There have been very few of them in the past, those on respect for ethnic balances within the defence and security forces and in the public administration.

### II.3. From the evaluation of public policies

Today, one would dare say that Burundian parliament, still less the Senate, does not have human and financial means to assess public policies. It has neither men and women technically trained, nor financial means to do it.

## CONCLUSION

Parliamentary commissions are certainly the keystone of the exercise of legislative function by the Senate. However, there is a certain number of challenges which must be taken up so that those commissions could properly play their role as defined in the Constitution and in the Rules of procedure of the Senate. Financial and resource person remain the most important of those challenges.

**José Pedro Montero** thanked members for these written contributions and invited anyone else in the room to address the topic of the general debate or respond to the presentations from colleagues.

He said that in Uruguay, they could create an inspection committee to look into the Executive under the constitution. He asked if any other members had a similar power? He then opened the debate to the floor.

**Dr Bharat Raj Gautam, Nepal**, spoke as follows:

The Chair of the ASGP, the Chair of the General Debate Program, Moderator Jose Pedro Montero, fellow Secretaries General of Parliament and media Persons. Ladies and Gentlemen,

First of all, I thank you very much for providing me an opportunity to share my thoughts on the theme of the General Debate.

We may have similar views that the "Parliamentary Committees are considered as the Mini Parliament". This statement is relevant to law making and oversight functions. Focusing on Law Making, Bill tables in the Plenary, but the clause by cause discussion that generally takes place in the Committee\'. The Plenary of the Parliament has large number of Members of Parliament where all aspects of Bill may not be possible to discuss in details. The Plenary is very formal and formalities of law making can be held there.

The Second Reading of a Bill that demands thorough discussion is only possible in the Committees. The Committees of the Parliament can take due time to consult public, stake holders, government authorities for the discussions on the provisions and various aspects of the laws being made.

Amendments on the Bill that are proposed by the Members of Parliament can be discussed and debated in details in the Committees. Let me Share the Nepalese Experience.

1.The Federal Parliament of Nepal is Bicameral- The House of Representatives, is the Lower House and the National Assembly is the Upper House.

2. Both Houses have their own Committees for the purpose of law making and oversight functions. Therefore, Parliamentary Committees are considered very important part of the law making process in Nepal.
3. The Bill first introduce in the Plenary of any Houses except Money Bill. The Money Bill first introduces in the Lower House. Other Bills can be tabled in either Houses that we can say the First Reading of the Bill which is more formal legislative process. The Theoretical debate of a Bill is also held in the Plenary. After theoretical debate, Members of the Parliament can register their Amendments.
4. The Proposed Bill and the Amendment Proposals are referred to the relevant Subject Committees for the Clause by Clause discussions which is the important Stage of the 2nd Reading of a Bill.
5. The Parliamentary Committees have the right to make necessary Amendments on the Bill either introduced by the Minister/Government or by the Private Members.
6. Parliamentary Committees can call and consult Stake Holders, Experts and Technical Persons to submit evidence, remarks and comments on the Proposed Law in the Committee stage. The meetings of the Committees are more open to media and citizens while debating draft laws.
7. The Committees can call the Ministers and Government Officials time and again to defend and clarify the provisions of the Bills.
8. The Committees have right to hold public consultations and hearing on the Bill to collect stake holder's or citizens opinion based on the Issues. They have right to field visit if requires for the public consultation.
9. The Committees submit their Amendments Report on the Bill in the Plenary and Amendments made by the Committees are generally accepted and passed by the Plenary of the Both Houses.
10. The Parliamentary Committees in our Parliament yet to have impact in implementing laws. The responsibility of implementing laws is passed by the Parliament is classically considered the task of the Government and its Agencies.

The concept of Post-Legislative Scrutiny have just been introduced in the Parliament of Nepal. The Legislation Management Committee of the Upper House have incorporated this concept in its Rules. However, the functions of Post Legislative Scrutiny yet to be done widely.

Based on an observation, the Parliament should make a mandatory provision that all Bills tabled in the Parliament need to be debated in the Committees. It is also require to enable the Parliamentary Committees to review any kind of Bills and make the necessary amendments through providing technical expertise from the Secretariat.

In addition, the Parliamentary Committees have to have mandate to make the Post Legislative Scrutiny that may be an effective tool in implementing laws passed by the Parliament itself in its letter and spirit.

Finally, I am confident that this articulative General Debate on the theme would be succeeded in taking pragmatic resolutions for highlighting the relevance of the Parliamentary Committees in both the Making and Implementing Laws made by the Parliament more effectively in the days to come. Thank You very much for your attention.

**Mr Bienvenido EKUA ESONO ABE, Equatorial Guinea**, said he would like to share an experience from his committee work. He said bills are sent to the Chambers by the Executive, they are properly registered and then shown to the different committees after which they are analysed. Depending on the nature of the matters in the bill, they have around 16 committees, 14 of which are permanent, 4 which are non-legislative. Different technicians and specialists in the committee debate and examine the proposed bill, once the study has been carried out, it is adopted by the Committee and voted. The non-legislative committees are on research, investigation, anti-corruption and a committee on complaints from citizens which defends citizens when other avenues of appeal have expired.

**Mr Mehmet Ali Kumbuzoğlu, Turkey**, said they had an election in 2016, and Turkey is governed by a presidential system of government. In a parliamentary system, bills are sent to parliament by the first Minister. He said Turkey has 17 committees in parliament, parties are represented in an equitable way, bills are debated in committees before being sent to the plenary. Committees are also open to citizens, the media and external associations. He said one of the main characteristics of the presidential system is that every MP has power in the committee, in the past it was only the President who could make changes, now every parliamentarian has the right to play this role in committees. He said they have established a specialist unit in the parliament, before defending a bill before committee, parliamentarians can ask for technical support from this law-making unit. He said there are 600 MPs and 16 political parties are represented. Each MP has the right to submit a bill. They also have research committees on issues such as water pollution and mining accidents. These committees can also set-up sub-committees to look at even more specialist areas. He thanked Members for his time.

**Jose Manuel Araujo** (Portugal) said that they have three phases in making laws; receive a proposal and analyse general aspects, once this is approved it goes back to the Committee, the idea then becomes more solid and committees listen to citizens views on the issues in the legislation. Once the final text is approved, this is also approved by the Committee so they can see from the first to last phase the committee has input. He said this wasn't always the case and is a process which is becoming more and more important. In Portugal, since 2008 rule changes, this has been the law-making system.

**Mr Mahesh Tiwari, India** thanked colleagues for the opportunity to speak and said that committees are very important for cross-party working and the scrutiny function. Committees enable Members to question experts and build consensus

across political parties as well as scrutinising draft laws. Parliament is supported by a strong structure of committees whose aims are set out clearly in the parliamentary rules. He explained that there are 24 committees which look at draft legislation, before it enters the plenary consideration in the Chamber. Four committees look at petitions and requests and report their findings to the Chamber. There is also a committee which looks at the rules. Ad hoc Committees can be created to examine specific subjects.

Recommendations issued by committees are not binding but they are often well received by the Government because they improve the quality of the laws passed by the Parliament. Committees can also propose changes to draft laws. He said that legislation is becoming more and more complex, technical and specialist. Members of Parliament therefore seek specialist support for technical legislation. Recently, they sought advice from doctors and pregnant mothers in order to gain a better understanding of the subject of surrogate motherhood. They collect statistics on the acceptance rate for their recommendations on the draft laws, he said that in some areas this can be as high as 75%.

**Mr Mohammed Almutairi, Saudi Arabia** thanked his colleagues and congratulated the new President on his appointment. He said they have 15 special committees that include special experts and look at bills submitted by the Shura Council for study. The specialised committees speak to stakeholders, scrutinise the bills and make a formal report back to the Shura Council which is then discussed. The committee listens to the Council debate and then looks at the bill once again, taking into account the feedback. The bill is then submitted for voting. The council can appoint an ad hoc committee temporarily which looks at how far a bill meets the aims set out at the beginning.

**José Pedro Montero, Uruguay** said they have 15 permanent committees which look at all areas of government policy (transport, tourism, constitution, administration, defence, international affairs, education and culture, industry, energy and mining, housing, social policy, human rights etc). Each legislator can only be part of one committee. He said that a legislator can submit a proposal to the committees, which starts the process, for a bill to become a law, it has to be approved within the committee by majority before it can go to a plenary session (simple majority). The Senate then repeats the same process. He said they have long running issues, because Uruguay is very conservative, some people have asked why these committees do not do presentations. In the meetings, only legislators are allowed, no external people. He said they are trying to increase transparency of their committees and hope to hold the meetings live in future. He said during the pandemic legislators could deliberate but not vote via Zoom.

**M. Samora da Costa César FERREIRA, Sao Tomé and Príncipe** said his country is small, situated in the guinea golf, and is formed of two islands with a population of 20,000 people and 55 MPs. He said their system is semi-presidential and has 5 specialised committees (legal, economic and finance, education and youth, international affairs, social aspects and health) and it also has the possibility to appoint ad hoc committees for research. He said the Government and deputies can submit legislative proposals to Parliament, these will be analysed in committees who

create a report which is then sent to plenary where it can be approved or declined during a general debate. If it is approved, then it sent back to committee so the specific matter can be set out, then back to the plenary for a final global approval. Ad hoc research committees cannot talk about topics related to the justice system.

**Mr Carlos GUTIÉRREZ VICÉN, Spain** said that in Spain they have a similar system to the one described by colleagues with a committee structure reflecting Government department. They also have the power to appoint ad hoc committees to undertake research. He said committees have powers to summon officials and experts to give evidence, there are penalties for disobedience. He said they share an approach with the Italian Parliament, initiatives on certain limited areas can be approved by the committee without going to the plenary session. In these cases, the final report of the committee becomes the final text which goes to the Senate. He asked colleagues if they have a problem with excessive proliferation of committees. They are being created to inquiry on almost any topic, by the opposition. He said there is always something in the news which can be used as an argument to create a new committee. Where this is refused, it can excite public opinion, but that these inquiries do not always have useful outputs and create false expectations in the public.

**Mr Simon Burton (UK)** said that in a bicameral system it is very important the work of the committees across the two houses do not overlap. He also said that it is very important that committees receive information from a very wide range of sources and from citizens. He said that in his system committees do not examine legislation in the same manner but hold a specialist role looking at statutory instruments examine policy areas that might otherwise be forgotten. He said this adds approach enables the House of Lords to add value to the policy system.

**José Pedro Montero** thanked everyone for their contributions. He said it is important to draw ideas for improving the legislative process form colleagues. He concluded by thanking Schwab Philippe, current President of the Association, for his years of service and for keeping the fire burning during the pandemic.

*[Applause.]*

**Mr Philippe SCHWAB, President**, thanked Mr Montero for moderating the debate and thanked colleagues from Poland and Burundi who provided written statements for the General Debate.

## **6. Announcement on the elections**

**Mr Philippe SCHWAB, President**, announced that there had been three candidates for the three vacant posts as ordinary member of the Association. He said the candidates would have an opportunity to introduce themselves at 2.30pm, after lunch.



## 7. **Concluding remarks**

He reminded Members to go to the entry of the building for the group photo.

*The sitting ended at 12.05 pm*

# FOURTH SITTING

**Sunday 28 November 2021 (afternoon)**

Mr Philippe SCHWAB, President, was in the Chair

*The sitting was opened at 2.37 pm*

## **1. Introductory remarks**

**Mr Philippe SCHWAB, President**, welcomed everyone back and told Members the names of the candidates for the vacant posts as ordinary members of the Executive Committee:

- Ms Penelope Tyawa, Secretary General of South Africa
- Mr Serwan Abdullah Ismail, Secretary General of the Council of Representatives of Iraq
- Dr Gerorge Kleeman, Deputy Secretary General of the Bundesrat of Germany

He then proposed that each of these candidates talk a little about themselves.

**Ms Penelope Tyawa**, said she accepted the nomination and thanked President Philippe for his championing of the ASGP over many years. She said she had been enriched by sharing her experiences and learning at past ASGP events. She informed members that she is a registered psychologist and a public servant by choice. She said she had worked in research, in government and in communications. She joined parliament in the last 7 years and has focussed on strengthening its administrative capacity. She said she has been an active member of the ASGP and remembers being very nervous before her first presentation. She also participated in the Southern African Innovation Hub for ICT managers and had taken part in exchanges via the IPU. She said she was working forward to working with colleagues and was impatient to have this interesting engagement.

**Mr Serwan Abdullah Ismail, Iraq**, thanked his distinguished colleagues and said it was a great honour to be appointed. He informed members he has a PHD in Educational Leadership and has worked as a regional Governor in Iraq, he has also been a member of the Israeli House of Representatives, the Chair of a Committee. He said proud to represent Secretary Generals and will be a positive person for integration. He thanked the current President and said he is convinced of the importance of the rules which serve international parliaments.

**Dr Gerorge Kleeman, Germany**, he has held this role since 2015, he studied law before commencing his career in the civil service for the government, he then held a position working for parliament before moving to the Chancellery for 9 years where his main duty was to organise the law making function and prepare cabinet meeting for Angela Merkel. Since 2015, he has been a Secretary General. He said he finds the

meetings very interesting and provide new ideas for his organisation. He thanked everyone for his nomination.

**Mr Philippe SCHWAB, President, asked members to confirm their appointment be applause.**

*[Members applauded. The three members were appointed to the Executive Committee.]*

**2. Andy Richardson gave a presentation on recent developments from the Centre for Innovation in Parliaments**

Andy Richardson updated Members on recent developments at the IPU. He then invited the Chamber of Deputies from Chile to speak about his experience of the hub:

**Mr Miguel LANDEROS PERKIC, Chile,** said he had been involved in the South American, which had the participation of 14 countries. He said they had done many webinars on topics of collaboration between them. He said that at the start of the pandemic, solutions to the practical problems they were all facing was the focus of the hub's work, and it was important to share experiences. He said that different parliaments had different levels of preparedness for such an event. He said he was able to share the work they had undertaken on digitalisation with Peru, Brazil, Paraguay, Argentina and Ecuador.

**Mr Philippe SCHWAB, President,** thanked Andy for his update and invited Mr Rashid Mohammed Bunajma (Bahrain) to present the first communication on the Theme 'Digital Parliament'.

**Theme: Digital Parliament**

**3. Communication by Mr Rashid Mohammed Bunajma, Secretary General of the Council of Representatives, Bahrain, 'Digital transformation'**

**Mr Rashid Mohammed Bunajma** (Bahrain) spoke as follows:

The inauguration of the digital parliament in the Kingdom of Bahrain is in line with global trends, and constitutes a continuation of the successful and distinguished experience of the Council of Representatives during the Corona pandemic in ensuring the continuity and sustainability of parliamentary work in accordance with the action plan and strategy set by the General Secretariat. The pandemic was a catalyst for investment in digital and transformative measures at an unprecedented accelerating rate, which resulted in the investment and employment of modern technologies, and the completion of advanced stages in the field of digital

transformation in parliamentary work, and the development of administrative and training performance, all of which won the praise and appreciation of the Inter-Parliamentary Union, and considering the Parliament's model in digital transformation as an advanced experience, and called for its emulation and encouragement, in addition to the availability of many factors that contributed to initiating and launching the "Digital Parliament" project, as it now possesses the infrastructure, human cadres and technical expertise that qualifies it to launch this project, based on the high efficiency of the infrastructure, and cloud computing capabilities in digital integration and data linkage.

The General Secretariat of the Council of Representatives in the Kingdom of Bahrain had earlier launched a package of technical projects to support digital transformation in parliamentary work, such as the "electronic minutes" project, which represents an electronic system to process and build session records in a way that facilitates the process of transcribing, correction and auditing; in addition to the process of indexing, research and analysis, and the application of the "electronic voting" system, which allows remote parliamentary voting and electronic signature, as well as archiving royal speeches electronically during the opening of the annual sessions. In addition to the development of the "Smart Institutional Information and Reporting Platform Project", which presents indicators of parliamentary work and statistics related to the work of sessions and committees on an ongoing basis, and the automated response system "Hala Bot", which aims to improve the level of communication with citizens by employing artificial intelligence capabilities, in relation to learning and answering inquiries, and the "Visitors System", which enables visitors from outside the Kingdom of Bahrain to schedule their visits, and provides a snapshot of external visits, and provides the service of sending and saving files.

The (Digital Parliament) project, besides being supportive to the continuity of the democratic experience in the Kingdom of Bahrain; it, at the same time, achieves rationalization of spending and reduction of expenses, in addition to optimal and effective investment of financial resources, and their proper employment at the parliamentary, administrative, and professional levels. Additionally, it provides support and assistance to parliamentary diplomacy, developing and strengthening parliamentary external relations and extending bridges of friendship and cooperation between the national parliaments of countries of the world by virtue of modern means of communication technologies or via video communication, and other modern and advanced electronic applications.

The digital parliament project, despite the numerous features of enriching parliamentary work and facilitating the performance of parliamentarians for the tasks entrusted to them; it carries within it many informational risks, perhaps the most dangerous of which are related to data security and cyber-attacks. Therefore, the Kingdom of Bahrain has paid great attention to cybersecurity as one of the main pillars of the technical system in the Kingdom. In this respect, it established the National Center for Cyber Security to address and overcome these risks and provide a safe environment for digital transformation, in implementation of the royal directives, and a translation of the esteemed visions of His Majesty King Hamad bin Isa Al Khalifa, with regard to keeping pace with the developments of the times to

support the digital economy. and investment in the fields of artificial intelligence, electronic and digital transformation; and in support of the comprehensive development process witnessed by the Kingdom of Bahrain, whereas His Majesty made digital transformation a national goal priority. His Majesty issued a royal directive: "Developing a comprehensive national plan that ensures full readiness to deal with the requirements of the digital economy, by adopting and employing artificial intelligence techniques in the production and service sectors, by putting in place the necessary systems, and completing technical structures, and encourage qualitative investments, to ensure the maximum benefit from the returns on our national economy".

Therefore, the Kingdom of Bahrain has assumed an advanced rank in the Cybersecurity Readiness Maturity Index, according to the International Telecommunication Union (ITU) report and ranked advanced Arab ranks in the Communications and Information Technology Development Index (IDI) and the Communications Infrastructure Index (TII), according to the United Nations Report on Government Readiness. These are all indicators that qualify the legislative authority in the Kingdom of Bahrain to shift towards a digital parliament and enhance its presence in the Bahraini political scene, as a pioneering and distinguished experience.

As parliaments expand the use of modern technologies in their work, especially in light of what the outbreak of the Covid-19 pandemic imposed on the application of social distancing measures and remote work, and in implementation of the directives, supervision and follow-up of Her Excellency Mrs. Fawzia bint Abdullah Zainal, Speaker of the Council of Representatives, Parliament will inaugurate in January 2022 the first phase of the "Digital Parliament" project, the first of its kind in the Middle East; this is done by activating the Parliament's presentation of the parliamentary tools: a law proposal, proposals, and parliamentary questions. The second phase of the project will be launched for the rest of the constitutional, legislative and oversight tools later.

Whereas the tendency of most world countries is to adopt the goals and mechanisms of the Fourth Industrial Revolution in the field of information technology, communication technology, artificial intelligence, and the rapid digital transformation that the world is witnessing, which has achieved a qualitative shift in this regard based on the directives of the Supreme Committee for Information and Communications Technology in the framework of the Digital Government Strategy 2022, which opts to promote the use of emerging and advanced technologies to enable government agencies to be more open, responsive and effective; develop digital services according to the needs of citizens, encourage individuals to use the digital channels of their choice, and design new public services on the basis of "digital reliance."

**Serwan Abdullah Ismail, Iraq**, congratulated the speakers on their presentation and informed members that they have some experts of this type in the Iraqi Parliament but could benefit from having more. He said that he would like to benefit from this learning.

**Mr Indra ISKANDAR, Indonesia** thanked the speakers and said that the House of Representatives of Indonesia joined the open parliament initiative in August 2018, and through that initiative they are aiming for digital transformation and technical innovation. He said they have developed various technologies to deliver services to Members and the public through digital services. The website includes a legislative information system which enables citizens to participate in the legislative process and to share their complaints and aspirations. He said that during the pandemic they have changed their standing orders to allow both virtual and hybrid proceedings. They have also begun a digital initiative for streaming and social media platforms to continue their engagement the public and provide updates. He said they now have an ICT masterplan for the future.

**Ms Tyawa, South Africa** enquired of Mr Bunajma whether in Bahrain they have the facilities to undertake secret voting? She then referred to her colleagues from Chile's speech in which he mentioned iCloud storage and asked whether this was something Bahrain also had in place? She asked whether they create their own programmes or have internal staff capacity for coding ow whether this is outsourced She concluded by asking is Bahrain buys ready-made software?

**Mr Rashid Mohammed Bunajma, Bahrain,** replied that the secret ballot does not exist in his Parliament, an electronic voting system is in place and enables members to verify that a majority has indeed been attained in each vote. If a secret vote was ever required, it would be possible to do this using the electronic voting system.

He added that cloud storage is managed by a Governmental body with whom Parliament has an agreement, this ensures the security of the data store. He explained that for digital projects, he can call on internal resources as well as external contracts for the provision of services.

#### **4. Communication by Dr Georg Kleeman, Secretary General of the Bundesrat, on 'Virtual Web-Seminars for Students'**

**Mr Philippe SCHWAB, President,** invited Dr Georg Kleeman to present his communication.

**Dr George Kleeman** spoke as follows:

Dear colleagues, At our last meeting in May 2021 – at that time only in a virtual format – I presented briefly the new digital service offered by the Bundesrat Visitor Service since spring 2021: Virtual web-based seminars for students. We call them “webseminars”. This new option was developed because of the restrictions due to the coronavirus pandemic.

The ASGP asked me to report today a little more detailed on these seminars. Many of us are currently grappling with the challenge of new virtual formats. I would therefore like to give you a brief “work-in-progress” report: what was necessary to

develop the concept of our webseminars. And I will tell you about our initial experiences.

Our new interactive webseminars connect speakers from the Bundesrat visitor service via a video conference platform with students in their classrooms at school or at home. The seminars present basic knowledge about the function, composition and workings of the Bundesrat. The focus is on the role of the Bundesrat within Germany's legislation.

Usually, in normal times over 50,000 students at the age of 14 to 18 from all over Germany take part in Bundesrat information programmes every year. They come to Berlin and learn about the Bundesrat's role, how it works and, above all, they have an opportunity to see politics in action on the spot. Last but not least with outreach of experts of our visitor service from first hand perspective.

This first-hand and on site-experience is the "unique selling point" that we as parliaments can offer to school classes. It is the special difference to classical school lessons.

But how can we transfer this unique selling point to our webseminars? How can we make clear that only parliaments can provide this kind of online service we offer? Our first and most important decision was not simply offer material for a download. We focus on individual outreach by members of the visitor services team. They moderate the webseminars, explain the Bundesrat's work and engage in discussions with the students.

However, this can only be achieved with team members who have a particular flair for online formats and can convey information seriously and entertaining at same time on camera.

In addition, the formats we offer must be informative and lively. We have a range of options: short explanatory videos, animated graphics and, above all, interactive, playful elements, such as quizzes. That allows the young people to use their smartphones and cast their votes virtually via the web application "TedMe". This is really popular during the webseminars. And voting has a very direct link to parliaments.

During the seminars, the students can discuss a current political issue from their daily life. With support from the moderator, they explore how this would be addressed within the framework of the Bundesrat's legislative activities. Here too the students can join in with their smartphones and discuss through the chat function. Many young people find that much easier than speaking in front of the whole class at school. This is the second really popular item of the webseminars. You see, we use tools in the webseminars that are familiar to students from their daily lives.

At the same time, we try to make the technical requirements for participation as simple as possible, in order to enable as many schools as possible to take part. We use an official government videoplatform system that is similar to webex and

therefore easy to understand and to use. Additional Information for teachers is available on the Bundesrat homepage, providing details about what a webseminar offers, the technical requirements and how to register.

The key to successful webseminars is therefore a good mix of entertaining formats, an easy-to-use technical set-up, and, above all, scope for active participation by students. Good moderation with a human touch holds everything together, responding to questions and situations as they arise. Only this personal contact makes these formats vivid, with first-hand experience and flexibility.

When designing a program you have to remember a simple point: a successful webseminar - like all other programs - is not a magic machine that turns students into experts on federalism and the legislative process in Germany. We cannot replace instruction in schools and cannot teach an entire section of the curriculum in just one hour. However, we can provide a targeted complement to classroom-based teaching and, above all, we can offer something that schools cannot: authentic first-hand experience.

Most important to remember: an hour is not a long time. And an hour in an online format feels twice as short. Attention spans on screen is much shorter than in analogue life. Think of our many video conferences in recent months. That means: you need to concentrate more than ever on the essentials when running a webseminar. In the limited time available the point is not to convey as much information as possible, but to focus on the essentials and sustain interest as much as possible. To the point: Think about these three points:

- 1) We formulate clear core messages!
- 2) We use formats that are suitable for the content and are at the same time familiar to the target group! You must be up to date, knowing which media formats young people use and understanding how these formats can be utilised effectively. That calls for outside expertise when designing a program.
- 3) The most important thing however: webseminars should not simply copy previous analogue formats. At the start of the design process, a real new approach is needed to thinking about the content and formats, and finally a little bit a new approach about the role of your parliament. You need to take the perspective from the outside of the politics bubble.

Our webseminars are the first format we offer specifically for a generation with school and education in a digital world. Therefore the webseminars are the first truly cross-media format that the Bundesrat has made available. We rapidly realised that it's necessary to create a network linking all our analogue and digital information formats. This is the challenge for our information service for the next years but an enormous potential for new programs and ideas.

Quite current e think there will be huge demand for webseminars even after the pandemic. This format also offers a chance to reach out to schools that do not have the time or opportunity to come to Berlin. Ultimately, the pandemic was kind of kickoff into a new digital world – but not to forget the fatal price of many victims of the Covid pandemic all over the world.

Our webseminars are the first step to a digital world, created out of necessity and far from being perfect. But all change starts with a first step.



Colleagues, we do not have time today to view an entire webseminar. However, as my final message, I can present you our new short promotional video. It's a world premiere. Enjoy it! And thanks for your attention

**Mr Philippe SCHWAB (President)** thanked Mr Kleeman for his presentation invited members to pose questions.

**Mr Jose Manuel Araujo, Portugal**, asked whether the seminars were dedicated specifically for young people of different ages? He said he thought the project was fantastic and asked about the number of webinars developed from the beginning of the project to the present day. He said that from April in Portugal they have opened online guided tours. He then asked how Mr Kleeman who he is able to make videos in Parliament?

**Dr Georg Kleeman, Germany**, thanked colleagues for their questions, he said the people who produce the webseminars are members of the visitor services team, the same people who manage the visits in the building and explain the work of parliament on tours. In response to Mr Araujo, he said that they decided to give different information, depending on the age of the kids, the content is varied. He said that 1,500 students had participated over 5 months and that they had got good reactions from the classes and teachers who had participated. He said that teachers like the programme because they get a lesson prepared for them by the visitor services team. He said they provide 1 lesson on the legislative process and 1 lesson on democracy. He also said that it is sad that students cannot visit Berlin and make a trip to visit the parliament building but that they will be able to do this another time.

**Mr Philippe SCHWAB, President** thanked colleagues for their questions and invited Mr Najib El Khadi to present his communication.

**5. Communication by Mr Najib El Khadi, Secretary General of the Chamber of Representatives, Morocco, on 'Parliament and citizens; a new mobile phone application'.**

**Mr Najib El Khadi, Morocco**, spoke as follows:

For some years now, the House of Representatives has taken a number of initiatives to reinforce the trust of citizens in the legislative institution, promote its role in the consolidation of democracy in Morocco and anchor its position as the representational parliament of the nation. In this regard, numerous actions have been carried out, whether within the framework of the "Electronic Parliament" project, or as part of the "Open Parliament" concept.

In the same vein, the House of Representatives launched earlier this year a new mobile application targeting mainly the public. It allows citizens to communicate and interact with their representatives in the House.

This mobile application serves also as a platform of interaction on government and parliament bills during the process of their examination in the House of

Representatives, as it allows citizens to submit their recommendations and views on the various subjects in the House's agenda. Besides, the application allows the public to follow the works of the House, watch video-recorded sittings and follow up with its latest updates.

The application is available in Arabic and French. It should be noted, though, that the use of French is driven by the necessity to include the Moroccan expatriates, who represent a significant share of the overall Moroccan population.

Moreover, the application provides value-added digital services compatible with mobile environment, including availability of simplified, ergonomic features supported by mobile phones and tablets.

The application is now under the testing phase, prior to its official launching and making it available to the public. The first phase works on the scoping and preliminary study (functional and technical aspects); whereas the second phase focuses on parameters and technical development.

There are two categories of users of the application: citizen and Representative. After registration, the citizen can perform the following actions:

- Follow the news of the House,
- Communicate with the House members and bodies,
- Submit questions to Representatives, amendments and subjects for debate,
- Use electronic services such as requesting to visit the House and its library.

The news takes the form of videos of plenary sittings and other business of the House. It is also possible to consult articles relating to parliamentary news and follow the House's schedule and agenda.

It is also possible to select a body of the House, submit requests or questions to it, and consult the responses received. The said bodies include the Speaker of the House, the Board, the Parliamentary Groups and Caucuses, the Standing Committees, the Thematic Working Groups, the Petitions Committee, the Exploratory Missions, and Members in general.

Among the electronic services offered by the application: the possibility to request a visit, apply for an internship for students or undertake a virtual visit.

Additionally, each Representative has his own space to consult the requests made to him by citizens, interact with these requests and provide answers and clarifications.

It should be noted that the application made available to Members, which will be installed on their tablets, includes a well-secured business section intended solely for Members and offering them several high-value services.

It enables them to address questions to the Government, inscribe amendments and parliamentary bills, keep track of their mail and use the various applications and services available on the intranet.

These applications will be updated regularly, taking into account the reviews, shortcomings and the possible improvements based on practical use.

**Mr Manuel CAVERO, Spain**, thanked Mr El Khadi and said that the topic opens many possibilities with regards to the relationship between parliaments and citizens, both directly with MPs and with the institutions. He said that in the Spanish parliament they have held forums with the public, which enable the public to ask questions and propose matters directly to senators. He said these sessions received great dedication from Members and, initially, the Q&A was popular. However, the initial enthusiasm declined over time and the forum became an activity where citizens complained that the senators did not respond to their questions quickly enough or with comprehensive enough answers. He asked Mr El Khadi whether he had measured the response of Moroccan representatives and whether there was a commitment from them to take an active part in the initiative? He said it can become an activity which doesn't give parliament a good reputation.

**Mr Miguel LANDEROS PERKIC, Chile**, asked whether is the conceptual design was made by the Secretary General or created by the ICT people? He said that sometimes, when these kinds of apps are developed, some aspects are not taken into account and eventually the information which is sent out is not ideal. He was interested to learn more about the app building process.

**Ms Ruth Lucia DE WINDT, Suriname**, asked Mr El Khadi how he has dealt with digital security of the application?

**Mr Najib El Khadi, Morocco**, said that that these types of programme are not a magic wand for addressing all problems. These initiatives address a profound question, it's about education and awareness raising whilst also taking into account the possible negative effects. Provisions are put in place for security, for example ensuring that contact between a citizen and a Member of Parliament is tracked so the Member can be sure of the identity of the person before them.

With regards to developing applications, he explained that the general idea was conceived by the Secretary General, after which many meetings were held with a specialist business which was charged with the development of the application, in order to ensure all the relevant parliamentary information was fed into the project.

He confirmed that information security was an essential consideration when delivering services and falls within the competence of the Secretary General. Laws relating to digital security have been adopted in the Kingdom of Morocco and Parliament must respect these rules.

## **6. Administrative and financial questions**

**Mr Philippe SCHWAB (President)** invited members to consider the ASGP draft budget displayed on the screen and to pose any questions.

He asked Mrs Perrine Preuvot to introduce the budget for 2020 and the draft budget for 2021.

**Mrs Perrine PREUVOT (Co-Secretary)** talked the Plenary through the main points of the budget for 2020, and the draft budget for 2022.

She said that in 2020 the budget had been exceptionally low due to cancellation of the sessions in Kigali and Geneva, due to the pandemic. For this reason, the budget was almost balanced and therefore it had only been necessary to ask the IPU for a small contribution in order to balance the budget.

Looking ahead to the draft budget for 2022, costs would go back up due to the fact that both sessions are being held away from Geneva, in Indonesia and Rwanda respectively.

She drew members attention to the importance of ensuring their parliament has paid its membership fees in a timely fashion, and also urged members to ensure their accounts teams followed the explicit instructions (with regards bank detail and amount) which are set out in the ASGP's call for funds as this would avoid payment errors.

**Mr Philippe SCHWAB (President)** thanked Mrs PREUVOT for her presentation and for all of her work in managing the finances of the Association. He then invited the Association to adopt the draft budget.

*The budget for the Association was approved.*

## **7. Draft agenda for the next meeting in Nusa Dua (Indonesia), March 2022**

**Mr Philippe SCHWAB (President)** presented the draft agenda for the next session, which would take place in Nusa Dua from 20 to 24 March 2022:

➤ **Possible subjects for General Debate**

- 1. Travel by Members of Parliament: Rules for Expenses and Allowances***
- 2. What do we expect of the Secretary-General in the 21st century?***
- 3. Assisting the transition: Offering support when Members of Parliament lose, or give up, their seats***

*Moderator: Mr Charles ROBERT*

*Informal subgroups will be invited to consider the following themes:*

- Systems for financing MPs' retirement*
- Systems for supporting MPs who give up their seat voluntarily*
- Systems for supporting MPs who lose their seat*

➤ **Themes**

***The renovation of Parliamentary Buildings:*** *What should we be able to deliver with our buildings and how to strike a balance between preparing for remote and physical proceedings in the parliamentary buildings of the future?*

***Soft law, what is the place of this regulation in our society?***

➤ **Communications**

- *Mr Ahmed Al Nadabi, Secretary General of the Shura Council in Oman, on ‘The Restructuring of the General Secretariat of the Shura Council in line with the Requirements of Oman Future Vision 2040’*
- *Mr. Raúl Guzman, Secretary General of the Senate of Chile, on "Ratings on Legislative Transparency in Latin America."*
- *Mr Ali Mohammad Gholiha, Secretary General of the Islamic Parliament of Iran, on the "Development of Information and Communication Technology (ICT) in Parliaments".*

**Mr Philippe SCHWAB (President)** invited members to approach the secretariat with any further suggestions for communications or contributions to general debates.

The draft agenda was approved.

## **8. Closure of the session**

**Mr Philippe SCHWAB (President)** thanked members for their very active participation in the work of the Association.

He thanked the co-secretaries of the Association, Perrine PREUVOT and Elektra GARVIE-ADAMS for their work during, and also between the sessions, as well as the secretaries Daniel MOELLER and Karine VELASCO for their help in facilitating the sessions.

On behalf of the whole association, he thanked the interpreters whose excellent work allowed members to understand one another throughout the session.

He concluded the session by thanking the Spanish hosts for making the Association warmly welcome.

**Mr Najib El Khadi, Vice-President, Morocco** thanked Mr Philippe Schwab for his excellent work as President of the Association on behalf of the Executive Committee. He underlined that Mr Schwab had led the Association with the greatest care, employing both flexibility and rigour in his management of the Association's affairs. He concluded that Mr Schwab was an inspirational role model for the role of Secretary General.

**Mr Philippe SCHWAB (President)** thanked Mr El Khadi for his warm words. He declared that it has been a pleasure to act as conductor of the orchestra and that he was now very happy to leave the pulpit and return to play music alongside his colleagues in the Association.

He thanked all the members then closed the session.

*The sitting ended at 5.15 pm.*