

The importance of parliamentary oversight during the **COVID-19** pandemic

Regional experiences and guiding questions





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1. Introduction

During the current crisis, governments and parliaments have adopted different measures to counteract the socioeconomic impacts of the COVID-19 pandemic. According to data from the Economic Commission for Latin America and the Caribbean (ECLAC), poverty has risen by more than 4%, which represents 34.7% of the region's population.ⁱ In addition, the second quarter of 2020 experienced a 10.7% increase in the unemployment rate and job losses at a level that ECLAC describes as “unprecedented”.ⁱⁱ Furthermore, the organization indicates that women, informal workers, domestic workers, children and adolescents, young people and the elderly, the rural population, Indigenous peoples, Afro-descendants, persons with disabilities, migrants, and homeless persons are among the most affected populations. In the particular case of women, they are not only more exposed to unemployment, less favourable conditions for accessing social security, and a greater burden in care work, they are also in a more vulnerable situation in terms of intrafamily violence within the quarantine context.ⁱⁱⁱ

Faced with this situation, governments have passed decrees and legislation to not only strengthen healthcare systems—many of which had marked deficiencies before the pandemic—and reduce contagion levels and the mortality rate but also implement actions to foster economic recovery through aid packages aimed at safeguarding employment and supporting family finances through vouchers and payment plans for basic services. In this regard, parliaments have a fundamental role not only to legislate on these measures but also to guarantee, through their oversight function, that government actions are carried out with respect for transparency and integrity and, in this way, prevent the exploitation of this complex scenario to commit acts of corruption.

Oversight is the means by which the parliament and parliamentarians **hold the government to account**. It includes both the work within parliamentary committees and the plenary, and the work of sessions that take place during the legislative process and the budget cycle.

Source: Inter-Parliamentary Union, *Tools for Parliamentary Oversight*, 2007.

This publication, inspired by the parliamentary dialogues held during the virtual meeting [Strengthening Oversight of Responses to the COVID-19 Pandemic](#) in August 2020, explores the main challenges faced by parliaments in the hemisphere as they exercise this function and presents a selection of good institutional practices for strengthening oversight in the midst of the pandemic, which have been implemented in some parliaments in the region. Additionally, a series of guiding questions has been included to support parliamentarians in their oversight initiatives, to strengthen monitoring of the government's actions and guide interpellations and questions to government officials.

Finally, specific recommendations are outlined to strengthen the institutional and technical capacities of parliament and of parliamentarians in exercising oversight that takes into account the difficulties and restrictions imposed by the pandemic.

i Economic Commission for Latin America and the Caribbean, *Measuring the Impact of COVID-19 with a View to Reactivation*, COVID-19 Special Report, N° 2, 2020. www.cepal.org/en/publications/45477-measuring-impact-covid-19-view-reactivation

ii Economic Commission for Latin America and the Caribbean, *The Social Challenge in Times of COVID-19*, COVID-19 Special Report, N° 3, 2020. www.cepal.org/en/publications/45544-social-challenge-times-covid-19

iii Economic Commission for Latin America and the Caribbean, *Preliminary Overview of the Economies of Latin America and the Caribbean*, 2020. www.cepal.org/en/publications/46504-preliminary-overview-economies-latin-america-and-caribbean-2020

2. Challenges to oversight during the current crisis

The current situation resulting from the COVID-19 pandemic has impacted the functioning of parliaments around the world; in many countries, measures have been adopted to ensure the continuity of legislative functions through [virtual sessions](#). This has been of vital importance, considering that, especially in crisis scenarios where certain freedoms have been restricted for citizens and a greater concentration of governmental powers and competences has been observed, maintaining a system of checks and balances and avoiding this concentration of power is essential for the functioning of democracies. Considering these complexities, reinforcing and protecting the oversight work of parliament is crucial to protecting democratic systems in the region by ensuring that adopted measures favour the common good and leave no one behind.

Transparency, access to information, and misinformation

Beyond the challenges experienced by parliaments to continue their work while abiding by social distancing guidelines in their countries, other barriers have also emerged, mainly in relation to [transparency and access to information](#).

On the one hand, the lack or scarcity of information limits the function of parliamentary oversight and evidence-based decision-making needed to adopt actions that correlate with the most prevailing needs and priorities of society. Additionally, for the public, the perception that information may have been hidden or manipulated by any power of the State generates uncertainty and mistrust. On the other hand, information overload, especially information that is unclear, also hinders accessibility and diminishes the public value of available data.

These challenges are further compounded by the massive spread of misinformation. In the context of the COVID-19 pandemic, the World Health Organization has characterized this problem as an “[infodemic](#)” in order to denounce its spread as it undermines the pandemic responses that have been adopted, leading segments of the population to ignore or distrust the recommendations of public health authorities and even encouraging them to follow behaviours that are potentially harmful to their health. In this way, disinformation and misinformation can ultimately increase mistrust in public institutions and contribute to information overload for the general public.

The Organization for Economic Cooperation and Development (OECD) identifies the main types of problematic content that are disseminated on the internet, especially through social media:

1. **Misinformation:** False or inaccurate information that has been shared without the intention of causing harm;
2. **Disinformation:** False information that has been shared with the intention of causing harm;
3. **Malinformation:** True or genuine information that has been shared to cause harm (e.g., making private information public).

Source: OECD, [Transparency, Communication and Trust: The Role of Public Communication in Responding to the Wave of Disinformation about the New Coronavirus](#), 2020.

As such, parliamentarians are challenged with maintaining active vigilance to guarantee transparency and public access to information on the part of both the government and the legislature, counteracting disinformation, validating and confirming that the information published or communicated to the public is truthful, and ensuring that public information is regularly communicated in plain language, so as to avoid creating barriers to its use. The fight to counteract disinformation requires that State branches collaborate closely, thereby avoiding possible consequences that affect all levels of public action.

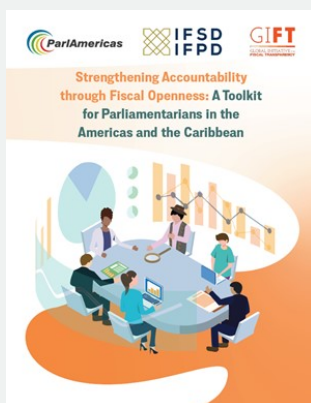
Public spending

Although the scope of the economic and fiscal responses implemented in the wake of the pandemic varies between countries, in most cases they have been accompanied by increases in public spending, aid packages, and the expansion of budgets, in a context in which the socioeconomic effects of the pandemic are expected to affect income and revenues.

It is important to note that given the serious and pressing socioeconomic consequences of the pandemic and the public health measures adopted to contain it, many of the responses were approved within the framework of state of emergency or state of exception declarations that, as previously mentioned, limit some of the legislature's capacities, including those related to oversight and auditing.

This reality, which demands quick actions and speed in certain approval processes involving parliaments, presents a challenge for legislators in their oversight functions and demands for fiscal transparency and accountability mechanisms. Here it must also be noted that oversight tasks can be perceived by society as an unnecessary impediment in times of crisis.

However, it is precisely in this complex scenario in which the need to grant exceptional powers to the government coincides with public demands for timely responses, that the functions of oversight and auditing of public spending and public procurement processes become even more relevant, as they are vital to limiting abuses of power, avoiding corruption, and ensuring transparent processes oriented to the common good.



ParlAmericas, together with the IFSD and GIFT, launched the publication **[Strengthening Accountability through Fiscal Openness: A Toolkit for Parliamentarians in the Americas and the Caribbean.](#)**

Consult this tool for good practices to promote transparency, accountability, and participation throughout the financial cycle.

The balance of powers

Reciprocal oversight between the branches of government is an ongoing challenge, especially given the demands and pressures of a global pandemic that have put this balance to the test.

In several countries of the Americas and the Caribbean, [actions in response to COVID-19](#) have included a large number of executive decrees regarding state of emergency declarations, as well as extensions; updates and temporary changes to measures related to health and quarantine regulations; restrictions on freedom of movement; border control; and the acquisition of goods and services required to face the pandemic; among others. In general, executive decrees elude parliamentary scrutiny before becoming law, which creates the need for retroactive oversight.

Therefore, in the current situation, parliaments have to navigate between supporting the executive branch to ensure a rapid response to the multiple and complex impacts of the pandemic and exercising adequate oversight of these actions, demanding transparency, accountability, and integrity. In this sense, the communication channels between the executive branch and the legislative branch are crucial to address the current emergency.

Protecting the balance of power is critical to democracy in order to ensure that government policies meet the intended objectives and address the needs of the population.

3. Parliamentary oversight actions

This section provides an overview of existing oversight mechanisms, including examples of their implementation by parliaments and parliamentary committees in the hemisphere during the pandemic. In addition, it provides questions on priority issues concerning the pandemic that parliaments and legislators could consider as areas for monitoring and investigation as they exercise their oversight role through these various mechanisms.

Regional experiences: Oversight mechanisms and examples from the Americas and the Caribbean

In addition to using their time during plenary sessions to bring to the forefront of the legislative agenda different issues related to pandemic responses and the pandemic's socioeconomic effects, parliamentarians have also applied institutional mechanisms to strengthen parliament's oversight functions to respond to the complexities imposed by COVID-19.

A. Establish a **SPECIAL COMMITTEE in charge of monitoring the health and/or fiscal situation during the pandemic or assign this responsibility to a permanent multiparty committee with equitable gender representation. This responsibility can also fall on various committees.**

- **Brazil:** [Joint Committee for Monitoring the Fiscal Situation and the Budget and Financial Execution of Measures Related to the Coronavirus](#) ► [\(more information\)](#)
- **Jamaica:** [Special Select Committee on Public Health \(COVID-19\)](#)
- **Mexico:** [Plural COVID-19 Group of the Senate of the Republic](#)
- **Paraguay:** [Bicameral Congressional Committee for the Oversight of Resources Provided in Emergency Law N° 6524/2020](#) ► [\(more information\)](#)
- **Peru:** [Special Committee for Emergency Monitoring and COVID-19 Disaster Risk Management](#)
- **Suriname:** [COVID-19 Crisis Committee](#)

B. **BUDGETARY OVERSIGHT for pandemic response and recovery actions.**

- **The Bahamas:** The House of Assembly and Senate debated the [2020/2021 budget](#) that proposes to allocate funds to address various socioeconomic effects of the pandemic.

C. Conduct **INTERPELLATIONS to ensure ongoing accountability.**

- **Canada:** The [Finance](#) and [Government Operations and Estimates](#) Committees have called upon various members of the government, from different positions and ranks, to exercise oversight over a variety of issues related to governmental responses to the pandemic.
- **Costa Rica:** National government officials have been summoned by Legislative Assembly committees to report on the actions taken to respond to the COVID-19 pandemic, for example, for [accountability of the process followed for the acquisition of vaccines for COVID-19](#).

- **Ecuador:** Public authorities have been questioned during plenary sessions in relation to the measures adopted in their respective ministries or public institutions during the COVID-19 pandemic; for example, [the Right to Health Committee has requested the appearance of the Minister of Public Health in order to report on the COVID-19 vaccination process](#).
- **Dominican Republic:** National government officials have been called to appear before congressional committees to [report on the actions taken to respond to the COVID-19 pandemic](#).

D. Request [REPORTS ON PUBLIC DATA](#) as a mechanism to strengthen transparency and access to information.

- **El Salvador:** The Legislative Assembly ruled that public institutions that received funds in the framework of the health emergency declaration must submit a report every 30 days detailing the goods and services acquired to meet needs related to addressing the pandemic. (For example, the [Special Committee to Investigate the Placement of Securities and Loans in the Context of the COVID-19 Pandemic](#) has summoned the Minister of the Economy and the former Minister of the Interior to report on the management of funds allocated to their ministries).

E. Hold [PUBLIC HEARINGS](#) with civil society representatives and technical specialists, including experts on gender issues and populations in vulnerable situations, with the aim of gathering diverse perspectives on the impact and needs created by the pandemic.

- **Canada:** The Finance Committee has made a [public and open call for Canadians to comment on actions the federal government could take to revive the Canadian economy](#) post-COVID-19 as part of the 2021 national budget development process.
- **Ecuador:** The [Right to Health Committee](#) has developed sessions welcoming various stakeholders, including specialists and researchers in health crisis management, with the aim of compiling and submitting to the National Emergency Operations Committee and the National Health Authority the recommendations presented by such specialists.

F. Conduct [STUDIES](#) to deepen analysis of the policies enacted in response to the pandemic.

- **Brazil:** Consultants from the Legislative Advisory Office and the Budget and Financial Oversight Advisory Office of the Chamber of Deputies conducted a study on [taxation during the pandemic](#).
- **Canada:** The Standing Committee on National Finance published a [report](#) on the government's response to the pandemic to identify gaps and provide recommendations to strengthen this work.

G. Create [COMMUNICATION CAMPAIGNS](#) to draw attention to overlooked problems created by the pandemic, in order to demand a response from the executive branch .

- **Colombia:** During the isolation, the Legal Committee for Women's Equity launched an [online campaign](#) to draw attention to gender-based violence and [requested more support from the national government](#). ► ([more information](#))

Guiding questions for oversight

The proposed questions in this section are intended to guide oversight initiatives, strengthen monitoring of the government's actions, and guide the interpellations and questionings of government officials.

What steps is the government taking to ...?

TRANSPARENCY AND ACCESS TO INFORMATION

- ☒ ...strengthen transparency so that citizens have access to relevant information related, for example, to public procurement and contracting processes involved in addressing the effects of the pandemic?
- ☒ ...ensure that requests for information and petitions submitted to the government by parliamentarians and the public are processed in a timely manner in accordance with current regulations on access to information?
- ☒ ...strengthen the work of oversight entities so that they can better oversee execution and spending and monitor the performance of authorities and public officials involved in efforts to mitigate COVID-19?
- ☒ ...protect the work of journalists, including compliance with laws and provisions on transparency and access to public information?

COMMUNICATION WITH THE PUBLIC

- ☒ ...regularly communicate and publish reliable data on the health situation in the country (new cases, deaths and outbreaks, etc.)?
- ☒ ...disseminate information in a way that is clear and understandable for the general public, including people with various disabilities, and through different ICTs (e.g., online, radio, television)?
- ☒ ...promote different preventive measures, including hygiene and other preventive behaviours (e.g., the use of masks)?
- ☒ ...ensure that despite the restrictions enacted to mitigate the pandemic, civic spaces are maintained for the work and participation of civil society organizations so that the freedoms of assembly, association, and expression are respected, given that they are fundamental guarantees for monitoring government actions?
- ☒ ...counteract disinformation, particularly regarding the pandemic, vaccines, and vaccination plans, as well as other institutional responses?

HEALTH

- ☒ ...develop, manage, and communicate information on the acquisition of vaccines, as well as a vaccination plan that transparently informs inoculation schedules and includes the necessary precautions to prioritize the population groups most vulnerable to the virus?
- ☒ ...mitigate the spread of COVID-19, especially in groups of people who are particularly vulnerable to the virus?
- ☒ ...strengthen epidemiological surveillance systems to rapidly detect COVID-19 outbreaks?
- ☒ ...expand access to health care, particularly for traditionally marginalized groups?
- ☒ ...protect healthcare workers, not only in terms of personal protective equipment, but also in terms of adequate employment benefits of health coverage and social security?
- ☒ ...ensure continued access to essential health services unrelated to COVID-19, for example sexual and reproductive health care?
- ☒ ...re-evaluate and strengthen the health and social services that exist to attend to victims of gender and domestic violence?

If you have any recommended questions to guide oversight initiatives that have not been included in our list, please send them to parlAmericasopn@parlAmericas.org.

EMPLOYMENT AND SOCIAL PROTECTION

- ☑ ...mitigate the effects of income loss caused by unemployment due to the pandemic, including among the informal sector?
- ☑ ...extend sick leave coverage and its duration?
- ☑ ...support employers, especially small- and medium-sized enterprises, so that they can continue to operate and generate employment?
- ☑ ...ensure a safe return to work?
- ☑ ...develop measures that provide opportunities for women who are engaged in occupations considered essential, including as nurses, paramedics, supermarket workers, teachers, and childcare workers, given that women are disproportionately involved in such activities?
- ☑ ...optimize the use of cash transfers, non-cash transfers (e.g., foodstuffs) and/or subsidies (e.g., for basic services) directed toward populations in vulnerable situations?
- ☑ ...develop measures that respond to the economic and employment insecurity of women, bearing in mind their high participation in the informal economy and their work within single-parent households and unpaid care work?

HUMAN RIGHTS AND BASIC NEEDS

- ☑ ...respond to the effects of confinement on gender-based and domestic violence as well as child abuse?
- ☑ ...address various socioeconomic problems exacerbated by the pandemic, including access to housing and food security?
- ☑ ...ensure or expand access to basic services and telecommunications, including the internet?

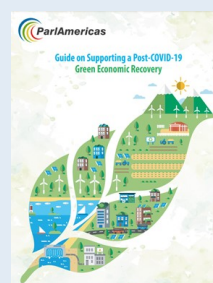
PUBLIC SPENDING

- ☑ ...guarantee the transparency of public spending and the public procurement process, including its publication on official web pages?
- ☑ ...publish specific data on the goods or services acquired, including the quantity and quality, price, population, or need to which it responds, and mechanisms for verifying compliance with the contract, among other details?
- ☑ ...mitigate the diversion or mismanagement of public funds in the healthcare system and by any government or private body involved in the response to the pandemic?
- ☑ ...ensure accountability for actions carried out with the resources invested in response and recovery, including information on the beneficiaries?
- ☑ ...prioritize a gender approach in response and recovery actions, aid packages and budgets?

SUSTAINABILITY

- ☑ ...recognize the zoonotic origin of the pandemic and the relationship between environmental protection/sustainability and climate change and population health?
- ☑ ...integrate climate and environmental considerations into economic recovery plans and align them with the Paris Agreement and the 2030 Agenda for Sustainable Development?

Consult the [ParlAmericas Guide on Supporting a Post-COVID-19 Green Economic Recovery](#) to learn more about climate and environmental considerations in economic recovery, aligned with the Paris Agreement and the 2030 Agenda for Sustainable Development.



4. Recommendations

The following recommendations could strengthen the institutional and technical capacities of parliament and parliamentarians to exercise efficient and effective oversight that considers the complexities and needs imposed by the pandemic.

General

- Encourage oversight actions governed by the democratic principles of transparency, accountability, and public integrity.
- Prioritize areas or issues that require urgent or more rigorous oversight in order to optimize parliamentarians' time.
- Guarantee, to the greatest extent possible, multiparty and equitable gender representation in parliamentary committees and working groups focused on oversight.

Technical support

- Use technical support services for data analysis that allows for evidence-based decision-making and oversight actions.
- Strengthen the professionalization of parliamentary services offered to legislators, decision-making bodies, and parliamentary oversight committees.
- Encourage collaboration with academia and research centres to enrich and strengthen oversight processes considering theoretical and technological advances.
- Develop tools for evaluating the budget and its differential impact on specific populations particularly susceptible to the effects of the pandemic, such as women, single-parent households, and workers in the informal sector, as well as on populations in vulnerable situations and with limited access to social protection, including traditionally marginalized groups and groups in historically disadvantaged conditions, such as those living in poverty, persons with disabilities, Indigenous people, Afro-descendants, descendants of indentured persons, members of the LGBTI community, refugees, displaced persons and migrants, homeless persons, and the prison population, in order to leave no one behind.
- With the support of the women's committee or its equivalent and technical offices, develop tools such as checklists or impact assessments to evaluate bills, budgets, and public policies with a gender perspective.



[ParlAmericas Parliamentary Portal on Gender Equality](#) presents toolkits for mainstreaming gender equality in parliamentary work.

Transparency and access to information

- Strengthen active transparency around oversight initiatives undertaken by parliament, and budgetary oversight in particular, by publishing useful, timely, and relevant information on the parliament's website, permanently and without the need for public requests (barring exceptions in national regulations), and ensure that this information is presented in plain language.
- Establish and/or strengthen guidelines that facilitate the development of interpellations or hearings with authorities, allowing for clearer processes that meet the objectives of each of these sessions.
- Implement provisions and regulations that establish norms with regards to requests to the executive branch for reports or written responses within an established timeframe, ensuring that these include mechanisms for follow-up and compliance.
- Create and/or strengthen provisions, programs, or offices in charge of evaluating laws in order to ensure that the legislation adopted is meeting the expected objectives and to determine whether its application has been efficient and effective.

Communications and public relations

- Explore ways to collaborate with the media and journalistic investigation groups that provide relevant information for the work of investigative committees and oversight actions.
- Establish response mechanisms and protocols to deal with erroneous or misleading information disseminated by social media platforms, as well as by traditional media and, in this way, counteract misinformation and disinformation.
- Foster and maintain public confidence in the response and recovery of the health and socioeconomic crisis, leading by example from parliament and, in turn, demanding that the government communicate in a clear and timely fashion with the public through different media in order to achieve greater reach.
- Renew opportunities for public participation in the decision-making process and oversight actions to facilitate a better understanding of the public's demands and complaints regarding the measures adopted by the government.

5. Recommended resources

- 1 Economic Commission for Latin America and the Caribbean, [*COVID-19 Observatory in Latin America and the Caribbean: Actions by Country*](#), 2020.
- 2 Organization for Economic Co-operation and Development, [*Legislative Budget Oversight of Emergency Responses: Experiences during the Coronavirus \(COVID-19\) Pandemic*](#), 2020.
- 3 Organization for Economic Co-operation and Development, [*Transparency, Communication and Trust: The Role of Public Communication in Responding to the Wave of Disinformation about the New Coronavirus*](#), 2020.
- 4 Organization of American States, [*COVID-19 in Women's Lives. Reasons to Recognize the Differential Impacts*](#), 2020.
- 5 Pan American Health Organization, [*Understanding the Infodemic and Misinformation in the Fight Against COVID-19*](#), 2020.
- 6 ParlAmericas, [*COVID-19 and Parliament's Role during a Pandemic*](#), 2020.
- 7 ParlAmericas, [*Strengthening Oversight of Responses to the COVID-19 Pandemic*](#), 2020.
- 8 ParlAmericas, [*Legislating for Post COVID-19 Economic Recovery: Cooperative Dialogue between Presiding Officers of Parliaments of the Americas*](#), 2020.
- 9 ParlAmericas and Directorio Legislativo, [*COVID-19: The Challenge of Adapting and Strengthening the Role of Parliaments. An analysis from an Open Parliament perspective*](#), 2020.
- 10 ParlAmericas and Directorio Legislativo, COVID-19: [*The Challenge of Adapting and Strengthening the Role of Parliaments. An Analysis of the Legislative Agenda and the Centering of Gender Equality in Legislative Responses*](#), 2020.
- 11 ParlAmericas, EUROsociAL+, and Transparency and Access to Information Network, [*Legislative Transparency Toolkit*](#), 2020.
- 12 ParlAmericas, Institute for Fiscal Studies and Democracy and Global Initiative for Fiscal Transparency, [*Strengthening Accountability through Fiscal Openness: A Toolkit for Parliamentarians of the Americas and the Caribbean*](#), 2020.
- 13 ParlAmericas and the National Assembly of Ecuador, [*Compendium of Legislative and Executive Actions from the Americas and the Caribbean in Response to COVID-19*](#), 2020.
- 14 Transparency International, [*Public Procurement during States of Emergency: Minimum Requirements to Ensure the Integrity of Contracts Awarded during Crises*](#), 2020.
- 15 UN Women, [*A Primer for Parliamentary Action: Gender Sensitive Responses to COVID-19*](#), 2020.



International Secretariat of ParlAmericas
703 - 155 Queen St., Ottawa, Ontario, K1P 6L1 Canada
Telephone: + 1 (613) 947-8999
www.parlamericas.org | info@parlamericas.org

