



COVID-19

DELIVERING PARLIAMENTARY DEMOCRACY

CPA Toolkit for Commonwealth Parliaments



Purpose of the Toolkit

This toolkit is published by the Commonwealth Parliamentary Association (CPA) www.cpahq.org for the benefit of its membership of 180 Commonwealth Parliaments and Legislatures and for the wider international community¹.

This information is intended to supplement the current global pandemic advice and information from a wide range of international organisations. Further links to this information can be found at the back of this toolkit.

About the CPA

The Commonwealth Parliamentary Association (CPA) connects, develops, promotes and supports parliamentarians and their staff to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth. The CPA collaborates with parliaments and other organisations, including the intergovernmental community, to achieve its statement of purpose. It brings parliamentarians and parliamentary staff together to exchange ideas among themselves and with experts in various fields, to identify benchmarks of good practices and new policy options they can adopt or adapt in the governance of their societies. www.cpahq.org.

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1. This guide does not supersede existing national guidance and plans. Rather, this guide should be used to augment existing relevant national plans and focus the support of the international community.

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FOREWORD

The outbreak of COVID-19 (Coronavirus), a severe respiratory disease that was first recorded in Wuhan, China in November 2019, has since spread rapidly to at least 180 countries and has been documented as a global health pandemic. The detrimental nature of this virus has consequently plunged many Parliaments across the globe into a state of emergency. The Commonwealth Parliamentary Association (CPA) Headquarters Secretariat has conducted research amongst our membership to synthesise a forward-looking 'CPA Toolkit for Commonwealth Parliaments and Legislatures on the COVID-19 (Coronavirus) pandemic and delivering parliamentary democracy.' This toolkit provides various measures that can be adopted by both Parliaments and Parliamentarians in order to continue to deliver on the Legislatures' role of scrutinising legislation and delivering democracy during a global pandemic.

The CPA has been championing parliamentary democracy across the Commonwealth since 1911 and has since served as a forum that enables the development of the best parliamentary practice. The CPA Headquarters Secretariat has conducted research into the current COVID-19 Coronavirus pandemic to produce a clear and concise forward-looking document that ascertains possible measures for adoption by Commonwealth Parliaments and beyond. The outbreak of the virus is developing at different stages around the world, with some countries experiencing fewer cases and others experiencing an epidemic that is harder to contain with mass numbers infected. The measures outlined for consideration in this toolkit are therefore inspired primarily by measures actioned by various CPA Legislatures in the midst of this current outbreak, combined more broadly with independently sourced research on business continuity and crisis management.

This CPA toolkit provides an overview of what the current global pandemic is and the basic protective measures that have been determined by Public Health officials worldwide. The toolkit then highlights ways in which Legislatures can remain operational, in continuing to uphold their democratic responsibilities and exert their democratic rights. An assessment of the different types of emergency legislation currently being enacted is detailed for the purpose of establishing solutions to the practical challenges faced by a democracy under a state of emergency. Key policies and response recommendations have been identified for careful consideration by Commonwealth Parliaments, Parliamentarians and parliamentary officials towards the conclusion of this toolkit.

The CPA will continue to work with its membership of over 180 Commonwealth Parliaments and Legislatures and with international partners to support the work of Parliaments and Parliamentarians during the current global pandemic.

We will provide maximum support to our Members and partners by using alternative means to deliver on our mandate of developing, promoting and supporting Commonwealth Parliamentarians and parliamentary staff to identify benchmarks of good governance and to implement the enduring values of the Commonwealth.

Mr Jarvis Matiya
Acting CPA Secretary-General
April 2020

WHAT IS COVID-19?

Coronaviruses (CoV) are a large family of viruses that cause illness ranging from the common cold to more severe diseases such as Middle East Respiratory Syndrome (MERS-CoV) and Severe Acute Respiratory Syndrome (SARS-CoV). Coronavirus disease (COVID-19) is a new strain that was discovered in 2019 and has not been previously identified in humans.

Common signs of infection include: respiratory symptoms, fever, cough, shortness of breath and breathing difficulties. In more severe cases, infection can cause pneumonia, severe acute respiratory syndrome, kidney failure and even death.

Standard recommendations to prevent the spread of infection include regular hand washing, covering mouth and nose when coughing and sneezing, thoroughly cooking meat and eggs. Avoid close contact with anyone showing symptoms of respiratory illness such as coughing and sneezing.

COVID-19 PANDEMIC²

A pandemic is a global outbreak of disease. Pandemics happen when a new virus emerges to infect people and can spread between people sustainably. Because there is little to no pre-existing immunity against the new virus, it spreads worldwide.

The virus that causes COVID-19 is infecting people and spreading easily from person-to-person. As the virus has continued to spread, cases have now been detected in most countries worldwide. On 11 March 2019, the COVID-19 outbreak was characterised as a pandemic by the World Health Organisation (WHO).

The current situation is the first pandemic known to be caused by the emergence of a new Coronavirus. In the past century, there have been four pandemics caused by the emergence of novel influenza viruses. As a result, most research and guidance around pandemics is specific to influenza, but the same premises can be applied to the current COVID-19 pandemic.

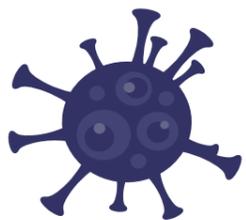
Pandemics of respiratory disease follow a certain progression outlined in the [Pandemic Intervals Framework](#).³ Pandemics begin with an investigation phase, followed by recognition, initiation, and acceleration phases. The peak of illnesses occurs at the end of the acceleration phase, which is followed by a deceleration phase, during which there is a decrease in illnesses. Different countries can be in different phases of the pandemic at any point in time and different parts of the same country can also be in different phases of a pandemic.

² <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

³ <https://www.cdc.gov/coronavirus/2019-ncov/php/pandemic-preparedness-resources.html>

COVID-19

What is Coronavirus?



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The virus that causes COVID-19 is infecting people and spreading easily from person-to-person. Cases have been detected in most countries worldwide and community spread is being detected in a growing number of countries. On 11 March 2020, the COVID-19 outbreak was characterized as a pandemic by the WHO.

Common signs of infection include:

- **Respiratory symptoms**
- **Fever**
- **Cough**
- **Shortness of breath**
- **Breathing difficulties**

In more severe cases, infection can cause:

- **Pneumonia**
- **Severe acute respiratory syndrome**
- **Kidney failure**
- **Death**



SYMPTOMS



PUBLIC HEALTH IMPACTS

The public health impacts of the Coronavirus outbreak are widespread. Some of the areas of public health affected will include:

- **Increased mortality rate** – the primary health impact of the global pandemic
- **Physical health of the general population** – for those who suffer from the virus but also through lack of exercise/fresh air, poor diet, etc during social distancing measures
- **Social care provision** - particularly for elderly or vulnerable groups
- **Mental health** – particularly through stress, anxiety, isolation especially during social distancing measures
- **Health services** – a global pandemic will have a huge effect on the public health services in any given jurisdiction.



Washing of hands frequently

Regularly and thoroughly clean hands with an alcohol-based hand rub or wash them with soap and water.



Maintain social distancing

Maintain at least 2 metre (6 feet) distance between people, especially those who are coughing or sneezing.



Practice respiratory hygiene

This means covering mouths and noses with either the bent elbow or a tissue when people cough or sneeze.



Avoid touching eyes, nose and mouth

Hands touch many surfaces and can pick up viruses. Once contaminated, hands can transfer the virus to the eyes, nose or mouth.

PREVENTION

KEEPING PARLIAMENT OPERATIONAL

In order to successfully preserve the operation of Parliament, during a time of global pandemic whereby the key functions of Parliament as a legislative body are arguably most needed, it is crucial that Commonwealth Parliaments take appropriate, proportionate and reasonable measures to facilitate this.

The measures outlined below seek to ensure that the safety of Parliamentarians and parliamentary staff are of vital importance as well as taking into consideration the manner in which the Parliament or Legislature would ordinarily operate.

It is the responsibility of all Parliaments and Legislatures to scrutinize all legislation and policies proposed by the government. This includes the routine laws required to run the country and the emergency powers that the government proposes as any global pandemic unfolds. In order for Parliament to remain operational, it must ensure that it acts just as efficiently in scrutinising all legislation and holding the Executive to account under all circumstances. Although Governments do have the option to propose procedural changes to facilitate alternative ways of working, it is for the Speaker and the House Procedure Committees to decide on the most appropriate action to be taken. For many Parliaments for example, there is no standard procedure in place yet for operating the Legislature remotely.

At the Norwegian Parliament (the Storting), a number of measures were introduced during the current global pandemic including: a reduction in the number of Members of Parliament at plenary meetings and during voting from 169 to 87; the plenary will only take decisions on urgent issues identified by the President in consultation with the Leaders of parliamentary party groups; some rules of procedure are temporarily suspended including extended deadlines and the requirements for physical presence in Committee meetings with priority given to video conferencing; reduced Committee workload with priority given to urgent business; and the cancellation of international and domestic Committee Members' travel. The Storting also established a Coronavirus Special Committee to examine Emergency Legislation and government measures⁴.

4. <https://www.stortinget.no/en/In-English/About-the-Storting/News-archive/Front-page-news/2019-2020/the-storting-constitutes-coronavirus-special-committee/>

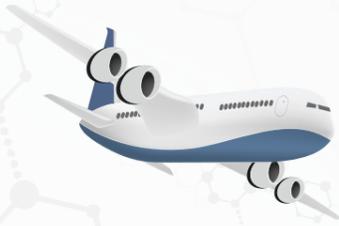
CUSTOMERS BUYING LESS

Fear of the virus and government advice to stay at home is having a devastating impact on the retail, tourism, leisure, hospitality and hotel industries across the world.



TRAVEL INDUSTRY DECLINE

The travel industry has been badly damaged, with airlines cutting flights and people cancelling holidays and business trips. Governments around the world have introduced travel restrictions to try to contain the virus.



GROWTH COULD STAGNATE

If the economy is growing, that generally means more wealth and more new jobs. According to the Organisation for Economic Cooperation and Development (OECD), the world's economy could grow at its slowest rate since 2009, due to the coronavirus outbreak.



COVID-19's ECONOMIC IMPACT

The economic impacts of the Coronavirus outbreak have left businesses around the world counting costs and trying to understand how the economy will be affected in the future.

'SAFER' INVESTMENTS HIT

When a crisis hits, investors often choose 'less risky' investments. Gold is traditionally considered a 'safe haven' for investment in times of uncertainty but the price of gold globally has fallen. The global oil price has also fallen as investors fear that the global spread of the virus will further hit the global economy and demand for oil.



UNEMPLOYMENT

Businesses in non-essential services may close, resulting in temporary or permanent unemployment in the services sectors. Governments have taken steps to provide benefits and the freezing of debt repayments to cushion the impact.



FINANCIAL MARKETS DECLINE

Financial markets around the world have seen huge falls since the outbreak began. Investors fear the spread of the coronavirus will destroy economic growth and that government action may not be enough to stop the decline. In response, central banks in many countries have cut interest rates.

INDUSTRIAL PRODUCTION SLOWED

With the restrictions on movement across the world, industrial production has slowed. In China, for example, where the Coronavirus first appeared, industrial production, sales and investment all fell in the first two months of 2020, compared with the same period in 2019. China makes up a third of manufacturing globally and is the world's largest exporter of goods. Supply chains for all major industries will be affected by the industrial slow down.



PRACTICAL AND INNOVATIVE STEPS TO KEEP PARLIAMENT FUNCTIONING

- Management of **'social distancing'** measures in accordance with official guidance. The usual practice is that Members of Parliament walk into voting lobbies in close proximity to each other, or via voting buttons located in the Chamber both of which constitutes a clear risk of spreading any virus during a global pandemic. If the distance between those voting can be managed effectively in a way that the recommended distance of at least 2 metres (6 feet) is maintained between people, this could ensure that voting can still take place and that the Parliament is able to operate in a safe and controlled environment. Managing the process for 'in-person' voting may be complex to implement, especially in some Parliament buildings, so as advised, the safer alternative would be for Members and parliamentary staff to work from home. However, if that is not suitable then proxy voting could be employed or pairing through whips to keep the number of Parliamentarians physically present kept to a minimum. Presiding Officers could then temporarily suspend standing orders specifically related to quorums.
- **Voting remotely** via email at a fixed time could be presented as an option for the continuation of parliamentary procedures and participation. The sample rules for voting can be drafted by the relevant persons, reflective of the standard practice of the given Parliament, with amendments to accommodate the new circumstances and may be circulated to all voters accordingly.

The Parliament of Spain already has remote voting technology in place for Members of Parliament who cannot sit for medical reasons, pregnancy or maternity/paternity leave. This technology has now been rolled out to all Members during the global pandemic and was used by the Senate for the first time. The system also includes electronic voting for MPs⁵.

5. <https://www.ipu.org/parliaments-in-time-pandemic#S>

GUIDANCE FOR PARLIAMENTS

A TRANSPARENT INSTITUTION

Demonstrate transparency in communicating to the general public how the global pandemic may affect the process in which Parliament will operate and the impact that this could have on Parliament's functions. Ensure that this information is easily accessible either via the parliamentary website or public announcements. Ensure that all elected and non-elected Parliamentarians have accurate information that they can share with their local constituents. Media briefings will assist with distributing the message more broadly to wider society.

PRODUCE DIGITAL GUIDANCE

Demonstrate how public proceedings may be 'live' streamed via online platforms and social media as an alternative to welcoming visitors to Parliament. Demonstrate how parliamentary colleagues can interact through virtual meetings via online applications like Skype. Demonstrate how Parliamentary Committees can continue to function and to conduct effective scrutiny via videoconferencing for Members, support staff, participants and witnesses. Produce and publish your step-by-step guide on digital working in order to establish the required arrangements and to manage any disruption.

SUPPORT HEALTHCARE WORKERS

The ever-growing pressure on the healthcare system during any global health pandemic can lead to increasing pleas for former medical practitioners to go back into the medical field. Many Members of Parliament who were previously medical practitioners can volunteer to go back into their former roles to assist and Parliaments should offer support to Members and staff who wish to do this.

It is just as important that Parliaments promote the message for all citizens to stand in solidarity with all medical staff and caregivers by providing support where necessary. Parliaments can encourage the public to demonstrate support by engaging in voluntary work, creating social media hashtags or by encouraging visible demonstrations of support (e.g. supporting public campaigns such as a 'national' applause for health workers).

RESTRICT NON-ESSENTIAL BUSINESS

In the case that your Parliament gives access to the general public to fulfil democratic access measures, operates commercial or non-commercial tours of the Parliament buildings (including school visits), accommodates public viewing galleries used by visitors to watch proceedings - it may be necessary to temporarily suspend these activities to ensure that your Parliament is upholding the official guidance.

THE ROLE OF INFORMATION TECHNOLOGY (IT)

A global pandemic (such as the COVID-19 pandemic) challenges some of the corporate business strategies of many public facing organisations such as Parliaments, and how they conduct their primary business functions. In the wake of recent global pandemics, many private sector organisations have been able to adapt quickly and maintain the efficient delivery of their business operation. This was largely achieved by:

- Establishing and embedding efficient digital workspaces
- The proactive acknowledgment of the importance of IT as a core element for organisational operation, and
- Investing appropriately in: establishing and managing an agile future-focused IT strategy; ensuring the availability of essential IT equipment and resources, and; embedding and enforcing a technology culture within their organisations.

Suggested IT Strategies for Parliaments

1. Develop and maintain a robust IT strategy and conduct regular IT health checks
2. Build and incorporate agile and proactive IT infrastructure and services into the overall business strategy; IT strategy must support the overall organisational strategy
3. Involve IT in all corporate governance planning and decision making; IT must be represented during decision making meetings
4. Adopt innovative IT solutions such as secure cloud technologies; examples include Microsoft Office 365, Microsoft Teams, Skype for Business, Microsoft Azure, AWS, Google Cloud and SharePoint
5. Budget and invest appropriately in technology, both the technology and the personnel behind the technology
6. Invest in training and embedding the use of technology as part of the Parliamentary operational culture
7. Balance the use of any IT with robust cybersecurity measures to safeguard its use against any potential risks to data and importantly personal information.
8. Encourage innovation.

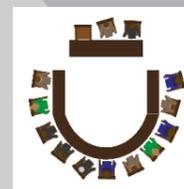
In addition, Parliaments can aim to adhere to a *minimal technology benchmark*, which is tested frequently. This will help promote better ways of delivering parliamentary services as well as better prepare Parliaments for potential emergency situations.

In the Parliament of the Maldives (People's Majlis), despite measures that restrict travel and non-essential movement, the Parliament is continuing with parliamentary sittings via video conferencing and online facilities, with Members of Parliament joining remotely from home. The first online sitting was held on 30 March 2020 and was attended by 71 MPs out of 87. The Members of Parliament debated a motion on the Government's proposed financial support programme as the country prepared for the economic and social impact of the COVID-19 global pandemic⁶.

6. <https://www.ipu.org/parliaments-in-time-pandemic#M>

SET UP VIRTUAL COMMITTEES

Parliaments should consider creating special Committees or holding special inquiries to look at the COVID-19 pandemic and how their government is tackling the issue. This can be done via remote meetings using easily accessible software and equipment.



PUBLISH REPORTS ONLINE

Parliaments should maximise the use of their websites by publishing Hansard, committee reports and legislation online in a timely fashion.



STANDING ORDERS

To accommodate new ways of working online, it may be necessary to update or suspend the Parliament's rules of procedure or Standing Orders. Or the Speaker may need to make special rulings to enable the Parliament to meet virtually.



GOING VIRTUAL

IT SYSTEMS & CYBERSECURITY

Some short-term investment may need to be made to provide suitable equipment and software as well as ensuring IT staffing support is on-hand. Remember to also put in place adequate security and guidance as well to keep systems safe.



e-ETIQUETTE

Parliamentarians should remember to be patient with new systems and approaches. There will be the need for trial and error. However video-conferencing modalities will sometimes require speaking one at a time, muting when not speaking, not always having the benefit of seeing body-language, giving shorter speeches, setting up your meeting much earlier and waiting for sessions to start.

e-VOTING

Parliaments should look at ways for legislators to vote electronically. This can be done verbally via video-conference or via special e-voting software. With testing new systems it is important that Members have a chance to approve the process or not.



ACTION POINTS FOR PARLIAMENTARIANS

1

WORK REMOTELY

The same advice applies to those working in Parliaments as in all public institutional bodies. It is important that Parliamentarians continue to uphold their responsibilities whilst ensuring that they are prioritising their own and others health and safety. Parliamentarians should ensure that they identify the key tasks that are able to be completed while working from home.

For example, when dealing with constituency casework for local constituents, Members of Parliament should consider doing so only through emails and phone calls and try to limit, where possible, the face-to-face interactions that they may otherwise have with local constituents, parliamentary staff and parliamentary colleagues. Investigative work by Parliamentary Committees can be done via videoconferencing, provided the appropriate IT and technical assistance is in place.

2

COMMUNICATION WITH CONSTITUENTS

During times of domestic and global uncertainty, the public often turn to their elected representatives for leadership and support. Although it may be more challenging under such a high-pressure environment, it is crucial that Parliamentarians engage with their constituents more than ever. Communication can be in the form of an email or letter to assure local constituents of their support and to reiterate any public health advice that may not have yet reached them. It may be a good idea to encourage those who may be considered most vulnerable, or high-risk, to contact the appropriate authorities so that they can ensure that they are being given the necessary local support.

3

ENCOURAGE COMMUNITY SPIRIT AND SELFLESSNESS

Parliamentarians can be seen as the voice of reason and authority during a time of crisis. Therefore, Parliamentarians can use their own platforms to encourage responsibility, safety and local community support during any global pandemic. In times of crisis, it is often the case that there is a shift in 'normal' behaviours.

For example, there can be an increase in 'panic-buying' by people who may not otherwise realise the consequences of their actions. A Member of Parliament can remind local people that such shortages can have devastating impacts on their local communities. Parliamentarians can assist with distributing public information leaflets and flyers that educate local populations on the detrimental impacts of stockpiling. It is important to encourage communities to rally together and support each other.

ACTION POINTS CONTINUED

4

LIAISE WITH VOLUNTEER GROUPS

Parliamentarians are in a unique position to identify the local volunteer groups who are seeking to provide support to their constituents and to liaise with them to ensure that the appropriate support reaches the local people who will benefit most from it. Groups delivering food to vulnerable people in the community may require the support of their Member of Parliament in enlisting volunteers or identifying vulnerable people. Members of Parliament can help by circulating notices to make people aware of the local support available.

Parliamentarians can also help to identify professional healthcare coordinators to liaise with local services when Members are contacted by constituents who are ill or are in need of social care or assistance.

5

PUBLIC SUPPORT FOR MENTAL WELLBEING

Mental wellbeing is just as important as physical wellbeing during any global pandemic as morale is often low. Recommendations to 'social distance' can lead to increased loneliness, particularly amongst the most vulnerable groups. Parliamentarians can play a vital role in encouraging their communities to talk to each other and offer support, encouraging positive messaging and spreading optimism. Parliamentarians can help to create a 'wellbeing' campaign with local mental health organisations to circulate to local communities that support is available.

Parliamentarians must also prioritise their own welfare alongside their duties. Parliamentarians that fall ill are unable to effectively serve their local communities. It is therefore essential that priority be given to avoiding putting Parliamentarians or others at risk and to heed all of the advice that is being given.

6

DO NOT LOSE FOCUS ON OTHER THINGS

There is a temptation in circumstances such as an international or national crisis to be distracted from other issues that may seem on the surface to have less priority but are still very important. The running of the state or jurisdiction must also continue and parliamentary scrutiny is vitally important. It is also important that Parliamentarians do not lose focus on areas such as education, the environment, housing, defence and other national and global issues which still need time and resources focused on them.

THE ROLE OF PARLIAMENT

For many states and territories, the threat of a global pandemic virus has been considered a primary civil emergency risk over the past decade. Many jurisdictions and the wider international community have produced strategies to guide coordinated and effective preparedness and how to respond to a global pandemic - an outbreak that the World Health Organisation (WHO) stated was a matter of 'When, not if'⁷.

In 2019, the WHO published its *Global Influenza Strategy for 2019 – 2030*⁸ aimed at building stronger country capacities for disease surveillance and response, prevention and control, and preparedness and calling on every country to have a tailored influenza programme. As such, various other countries have developed their own preparedness strategies, including the *Canadian Pandemic Influenza Preparedness: Planning Guidance for the Health Sector (CPIP)*⁹ and the *UK Influenza Pandemic Preparedness Strategy*¹⁰. Such guides have been built to develop and guide the world's responses to pandemics and global health emergencies.

TYPES OF LEGISLATION ENACTED DURING A GLOBAL PANDEMIC

Responding to any global pandemic will also require a legislative response and there are many different types of legislation that can be enacted as outlined below:

- **Existing legislation** may have provisions that allow governments to react to the virus, such as Public Health Acts that include measures such as quarantine, detention and compulsory medical examination powers for national and local authorities.
- **New legislation** during a global pandemic that is passed by Parliaments to meet the demands of the required response that existing legislation simply is unsuited for. A range of emergency bills have been introduced across many Commonwealth Parliaments during different global pandemics.
- Greater **Executive powers** may also be used such as secondary/delegated/subsidiary legislation through Executive Orders or through a Minister if this isn't possible. This may require a Parliament to be summoned even if it is not already sitting.

7 World Health Organization. (2019). Global influenza strategy 2019-2030

8 https://www.who.int/influenza/global_influenza_strategy_2019_2030/en/

9 <https://www.canada.ca/en/public-health/services/flu-influenza/canadian-pandemic-influenza-preparedness-planning-guidance-health-sector.html>

10 <https://www.gov.uk/government/publications/review-of-the-evidence-base-underpinning-the-uk-influenza-pandemic-preparedness-strategy>

EMERGENCY LEGISLATION

Emergency, fast-tracked legislation can be proposed which can be passed on an expediated timetable. Such legislation is used to take decisive and rapid action in response to emergencies such as the current COVID-19 global pandemic. Emergency Legislation could take the form of delegated or secondary legislation emanating from Executive Orders or new primary legislation. The way that Emergency Legislation is enacted differs across jurisdictions - this can include the presence of a specific process for Emergency Legislation or the inclusion of measures within Standing Orders¹¹. In the case that there is no procedure for Emergency Legislation, a Parliament often has the means to pass Emergency Legislation through its standard parliamentary channels but on a fast-tracked schedule, if there is broad agreement that this is necessary within the Parliament (and with the agreement of the Speaker).



Going virtual: The Tynwald in the Isle of Man hold a plenary session virtually in response to the COVID-19 pandemic (Image courtesy of the Speaker of the House of Keys, Parliament of Tynwald).

11 <https://publications.parliament.uk/pa/ld200809/ldselect/ldconst/116/11614.htm>

BEST PRACTICES FOR EMERGENCY LEGISLATION

- **Scrutiny:** The need to ensure that effective parliamentary scrutiny is maintained in all situations. Can effective parliamentary scrutiny still be undertaken when the progress of bills is fast-tracked?
- **'Good Law':** Ensuring the technical quality of Emergency Legislation is maintained and improved. Is there any evidence that the fast-tracking of legislation has led to 'bad law'?
- **Participation:** It is important to provide interested bodies and affected organisations with the opportunity to influence the legislative process. This is a key role for Parliamentarians who often represent the interests of many different groups within society. Is Parliament able to take account of the work of campaigners in its scrutiny work when a bill completes its parliamentary passage so quickly?
- **Proportionate:** It is crucial that legislation remains proportionate, justified and appropriate in its response and that fundamental constitutional rights and principles are not permanently jeopardised. Ensure legislation has some form of continuous-review mechanism and perhaps it is time limited in its application. Governments should also, where possible, be including impact-assessments to accompany legislation to enable Parliaments to see the full ramifications on any new laws.
- **Transparency:** To what extent is the policy-making process within government and the parliamentary legislative process compromised when bills are fast-tracked?

CHALLENGES FOR PARLIAMENT

Although the introduction of Emergency Legislation may be necessary during a global pandemic and the emergency measures are crucial for the functioning of the government authorities, they also bring some potential problems. The massive extension of Executive power and the curtailing of certain civil liberties in society, in conjunction with a restricted Parliament, means that Parliamentarians are crucial to ensuring that scrutiny is applied and that any government is held to account as far as possible, but in a manner that does not impede the national effort against the global pandemic.

The challenges faced by Parliaments during a global pandemic can include:

- **Increased pressure on government departments and parliamentary staff:** those involved in the drafting and passing of Emergency Legislation need to work fast to develop the draft legislation and to make policy decisions while ensuring that the legislation is passed quickly.
- **Lack of scrutiny:** Because a new piece of Emergency Legislation may be passed with significantly reduced numbers of Members of Parliament in the chamber or without a vote at all, such Emergency Legislation can suffer from a lack, or complete absence of, parliamentary scrutiny. This is significant considering the far-reaching powers that such legislation most often brings and for how long the Emergency Legislation may be enacted.

In the UK Parliament, an Emergency Coronavirus Bill was fast-tracked through all parliamentary stages. The bill aims to increase the available health and social care workforce by, for example, removing barriers to allow recently retired health workers to return to work and easing the administrative burden on frontline staff.

- **Lack of expertise or access to experts:** With the inevitable restrictions in place due a global pandemic, Parliaments can be restricted in their access to experts by social distancing measures. In addition, when parliamentary sessions or Committees take place with fewer Members of Parliament then the sources of expertise usually present amongst Parliamentarians can be missing.
- **Too much Executive Power:** with measures having the potential to greatly concentrate power in government authorities, often for an unspecified period, and the impact on civil liberties, it is crucial that such Emergency Legislation is scrutinised effectively to ensure that such powers are used proportionately.

ACTION POINTS FOR PARLIAMENTS

1

SCRUTINY

A Parliament can work to change or suspend their Standing Orders to make the necessary changes that would allow the services of the House to continue if large numbers of Parliamentarians were forced to work from home or were absent due to illness, particularly relating to how decisions are made in the chamber. This could include limiting the number of written questions that a Member can table on a particular day, changes to the arrangements for Motions or in some circumstances, office opening hours.

2

PARLIAMENTARY COMMITTEES

The impact on the formal activities of Parliamentary Committees, including receiving evidence and producing reports, could be severely compromised due to changes in a Parliament's operation. Although new Emergency Legislation related to a global pandemic may bypass the Committee stage (or take place as a Committee of the whole House), these mechanisms still play an important role during times of crisis. While the Parliamentary Committee systems' scope and function may be significantly restricted during the crisis period of a global pandemic, additional solutions such as taking evidence from witnesses by video link, and Committee Members taking part electronically with only the Committee Chairperson in the inquiry room, could be employed.

3

POST-LEGISLATIVE SCRUTINY

In the absence of robust scrutiny during the passage of Emergency Legislation, it is even more important during this period for Parliamentarians to identify any unintended effects of emergency measures and to suggest changes where necessary. Post-legislative scrutiny can also examine procedural issues in addition to the implementation of legislation, particularly as the rapid passing of bills can place additional pressure on processes within Parliaments.

4

SAFEGUARDS

Parliamentarians can push for time-bound provisions within a bill through sunset clauses. With emergency measures potentially limiting civil liberties on an unprecedented scale and centralising power in the Executive and government authorities, it is crucial that Emergency Legislation does not continue indefinitely and beyond necessity.

5

REDUCE THE NUMBERS

Following the measures of 'social distancing' and minimising contact during a global pandemic, it may be necessary to drastically reduce the number of Members of Parliament in the House temporarily. Having fewer Parliamentarians would also affect the process of decision-making in the House. A solution proposed by the UK Parliament's Procedure Committee was to drastically reduce the number of Members of Parliament in the main chamber at any one time, the Members selected to attend in person would represent the current party balance of the House. Such alterations to standard parliamentary procedures would also come alongside decisions by the Speaker on what business should and should not continue during this period and perhaps, postponing certain non-essential business.

6

BI-PARTISANSHIP

In times of emergency such as a global pandemic, party-politics should be put aside as far as possible. Parliamentarians must also be careful to balance their role in scrutinising and holding the government to account without unnecessarily hindering a swift and urgent national response when it is needed most. It is also important to note that many of the changes required to maintain the operation of the Parliament will also have to be decided through informal cooperation and political agreement.

ACTION POINTS CONTINUED

CASE STUDIES

- **Committee:** As a direct response to the current global pandemic, the Parliament of New Zealand quickly established an Epidemic Response Committee with government and opposition Members of Parliament to scrutinise government actions and the Committee is meeting via video-conferencing.
- **Innovation:** In Brazil, the Parliament passed a new resolution which enables Parliamentarians and parliamentary staff to work remotely during the current global health emergency using video-conferencing and virtual management tools. The system allows Members of Parliament to register to a session and shows all phases of the legislative process including the bill under discussion, amendments, the results of each voting round, speeches, and committee agendas. The first remote plenary session took place on 20 March 2020 and was livecast to the public through the Parliament's media and digital platforms.
- **Reducing the numbers:** The UK Parliament has to-date continued to conduct proceedings with face-to-face plenary sittings, albeit with a reduced number of Members of Parliament in the chamber (the quorum in the House of Commons is 40). Parliamentary staff have also been encouraged to work remotely.
- **Bi-partisanship:** [In Pakistan](#), a Parliamentary Committee comprising party representatives from across the political divide has been formed to deliberate and make recommendations to the government, on how to manage COVID-19. Likewise [in South Africa](#), there has been a show of unity across all 14 political parties within the national Parliament in response to the spread of the virus across the country.

GLOBAL POLICY RESPONSES

A number of key measures that can both protect the public from the spread of a global pandemic as well as mitigate from the direct and indirect, social and economic effects can and have been employed by national governments and advocated by the international community. Commonwealth Parliamentarians can focus their activities on these policy areas during their scrutiny of the Executive and to ensure that parliamentary scrutiny continues. These key policy areas can also continue to be scrutinised following a global pandemic as part of the response and planning for similar events in the future.

The global response so far has largely been shaped by three focuses: public health policy; monetary and fiscal policy; and international cooperation.

At the centre of the global COVID-19 pandemic response:
World Health Organisation (WHO) Headquarters,
Geneva, Switzerland



PUBLIC HEALTH RESPONSES

LIMITING CONTACT

Perhaps the most important policy responses at this stage are those taken to contain the global pandemic, particularly through limiting the population's activities in public. The key to this policy approach is ensuring that populations keep as much distance between themselves as possible. On the most extreme end of the scale, measures have been introduced to lockdown parts and/or even whole countries from all but the most essential activity. The economic impacts from this policy response are hugely significant but evidence suggests that this measure has proven effective in limiting the spread of the virus.

TESTING

Extensive, early and exhaustive testing, as has been done in South Korea during the Coronavirus pandemic, has been suggested as being effective in containing a global pandemic. By tracing the spread of the pandemic, acting early and mobilising resources, it is suggested that jurisdictions can prevent a sharp and exponential increase in cases as well as get important data for future responses to the global pandemic.

RESEARCH AND DATA

The medical and scientific community can work to develop vaccines in response to any global pandemic. Procedures for determining the antibodies against a specific virus and establishing medical data on those who have already contracted a particular virus can also be developed 'at pace' across countries. These measures may be less useful for the 'here and now' but will be essential to protect populations against the prolonged spread or future outbreaks of the global pandemic and must proceed in tandem with more immediate measures.

ECONOMIC RESPONSES

FISCAL POLICIES

Supply chain and distribution, business operations, employee support, and Small and Medium Enterprises (SME) support are all areas where policymakers can provide effective economic responses to any global pandemic. Some policy responses may include suspending the payment of payroll taxes and/or the refundability for paid sick leave for employers; expanding and streamlining loan programmes for small and medium sized businesses; and enable facilities for larger businesses to access loans and loan guarantees. Parliamentarians have a key role in highlighting these areas and responding to the requirements of their local constituents.

MONETARY POLICIES

Governments and central banks across the world have a role to play in initiating measures in an attempt to blunt some of the economic impacts from a global pandemic. Interest rates can be lowered to historic lows and quantitative easing programmes can be introduced. The International Monetary Fund (IMF), the World Bank, and other international financial bodies are able to make available their own tools, such as the IMF's Rapid Financing Instrument and Rapid Credit Facility for countries with balance of payment problems. Some initial global coordination on economic policy can also take place through the Group of Seven (G7) and Group of Twenty (G20). Parliamentarians need to scrutinise monetary policies introduced during a global pandemic to ensure that they are meeting the needs of citizens.

INTERNATIONAL COOPERATION

In a period of division and fragmentation of the global political system, a global pandemic or health crisis could be a shock to national and sub-national governments and so it is important to emphasise that this pandemic is a global problem which requires cooperation and shared solutions across international borders. Parliamentarians should ensure that international connections and networks are maintained as the work towards vaccine development, information sharing about the global pandemic and its spread, as well as the longer-term outlook for recovery will be strengthened by Parliaments and Parliamentarians working together across the international community. International and inter-parliamentary organisations such as the Commonwealth Parliamentary Association can be important arenas whereby Parliaments and Parliamentarians can share experiences, exchange important information and impart best practice from their respective jurisdictions.

Further difficult decisions will likely have to be made which will challenge political unity as the economic ramifications set in. Parliamentarians can play a vital role in emphasising national and global unity. National development plans will have to be altered to account for the changing reality; progress towards the Sustainable Development Goals (SDGs) will be affected; and policy reforms that strengthen jurisdictions' resilience to similar situations in the future will likely be prioritised. It is therefore critical that the role of Parliaments and Parliamentarians continue the momentum of cooperation and inclusive decision-making.

RESOURCES AND INFORMATION

The situation regarding the latest global pandemic and COVID-19 (Coronavirus) is rapidly changing and so this information resource and the links below are subject to change. Please check the latest information online.

World Health Organisation – www.who.int

- Coronavirus disease (COVID-19) outbreak - <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>
- Country & Technical Guidance - Coronavirus disease (COVID-19) - <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/technical-guidance>
- Coronavirus disease (COVID-19) travel advice - <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/travel-advice>
- Global research on Coronavirus disease (COVID-19) - <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/global-research-on-novel-coronavirus-2019-ncov>
- Coronavirus disease (COVID-19) advice for the public: Myth busters - <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public/myth-busters>

Commonwealth Coronavirus Response Centre

- Providing a wide range of information on the COVID-19 pandemic in Commonwealth countries with further advice on action by governments, organisations, like the Commonwealth Secretariat, and individuals; and links to a network of over 250 technical institutions globally that respond to acute public health events - www.thecommonwealth.io/coronavirus-response-centre
- Commonwealth Coronavirus Trajectory Tracker – providing a daily update on the scale of the Coronavirus outbreak in Commonwealth countries, primarily based on the data provided by the World Health Organisation - www.commonwealthsdgdata.org

Inter-Parliamentary Union (IPU): Parliaments in a time of pandemic

- The IPU have published a wide range of information about the response from national Parliaments to the Coronavirus pandemic on their website: www.ipu.org/parliaments-in-time-pandemic

Legislative Assemblies Business Continuity Network (LABCoN)

- The Legislative Assemblies Business Continuity Network (LABCoN) has a range of expertise for Parliaments and Legislatures and has published: 'Managing Disruption: Business Continuity for Legislatures' (2019) – visit <https://labcon.network/> to download a copy.

UK Parliament: House of Commons Library

- The UK Parliament's House of Commons Library has produced a wide range of briefing papers and information available online about the Coronavirus and the Legislative response in the UK. Visit <https://commonslibrary.parliament.uk/coronavirus/>
- The briefing paper on 'Coronavirus: Changes to practice and procedure in other Parliaments' is also available at: <https://commonslibrary.parliament.uk/research-briefings/cbp-8874/>

Scottish Parliament Information Centre – Coronavirus Information and Research

- The Scottish Parliament Information Centre has published information on the ongoing Coronavirus crisis and the response of the Scottish Government. Visit <https://spice-spotlight.scot/2020/03/30/coronavirus-covid-19-hub-for-spice-material/>

Institute for Government

- Analysis and information from a leading think tank on government and parliamentary affairs. Visit: <https://www.instituteforgovernment.org.uk/explainers/uk-parliament-coronavirus>

PARTNER ORGANISATIONS FOR PARLIAMENTS

Government Ministries

Non-Governmental Organisations (NGOs)

International Non-Governmental Organisations (NGOs)

International and Commonwealth networks

Civil Society Organisations

Healthcare bodies and professionals

Local volunteer groups

Military and emergency services (police, fire, ambulance/paramedics)

Local government

Media

The Commonwealth Parliamentary Association (CPA) will continue to work with its membership of over 180 Commonwealth Parliaments and Legislatures and with international partners to support the work of Parliaments and Parliamentarians.

If you would like to support the international work of the CPA in providing advice and guidance to Commonwealth Parliaments and Parliamentarians during a global pandemic and developing support for business continuity planning then please contact the CPA Headquarters Secretariat hq.sec@cpahq.org.



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