



# Legislative Actors' Resources Report

Parliamentary Resources, Obtaining Documents, Summoning Ministers, Summoning Experts, Task Area Congruence

## Sustainable Governance Indicators 2019

## Indicator

## Parliamentary Resources

## Question

Do members of parliament have adequate personnel and structural resources to monitor government activity effectively?

41 OECD and EU countries are sorted according to their performance on a scale from 10 (best) to 1 (lowest). This scale is tied to four qualitative evaluation levels.

- 10-9 = The members of parliament as a group can draw on a set of resources suited for monitoring all government activity effectively.
- 8-6 = The members of parliament as a group can draw on a set of resources suited for monitoring a government's major activities.
- 5-3 = The members of parliament as a group can draw on a set of resources suited for selectively monitoring some government activities.
- 2-1 = The resources provided to the members of parliament are not suited for any effective monitoring of the government.

## United States

## Score 10

The staff resources of the U.S. Congress substantially surpass those of any other national legislature. First, there are three large congressional agencies that perform research and analysis: the Congressional Budget Office (CBO), Congressional Research Service and Government Accountability Office. The CBO, a nonpartisan body, is the most credible source of budget analysis in the government. Secondly, each congressional committee has a sizable staff, divided between the majority and the minority parties. In addition, each member of Congress has personal staff, ranging from about 14 personnel, including at least one or two legislative specialists, for a member of the House, to more than 50, with several legislative specialists, for a senator from a large state.

The magnitude of Congress's resources reflects three features: First, Congress is constitutionally independent of the executive, and thus seeks to avoid depending on it entirely for information and analysis. Second, Congress's own structure has traditionally been decentralized, with much of the legislative work done in committee. And third, individual members are politically independent of the parties, and use staff both for participating in policymaking and for providing electorally beneficial services to constituents.

Importantly, Congress has cut staff personnel significantly in recent years. This reflects an increasing reliance on ideologically oriented think tanks for policy advice and centralization of control in the party leadership. The role of individual members and committees in policymaking has been diminished. Nevertheless, Congress's staff levels remain unmatched in the world.

## Australia

Score 9

Members of parliament have considerable resources at their disposal for monitoring government activity and obtaining relevant information to advance policymaking. The parliamentary library is well-resourced with many skilled researchers and is able to respond to requests rapidly, producing reports on policy issues at the request of members. In addition, each senator or member may hire employees in four full-time electorate officer positions. Members who have a second electorate office at federal expense may hire employees in an additional full-time electorate officer position. However, individual members of parliament do not receive allowances to fund independent research.

## Belgium

Score 9

Belgium is a parliamentary democracy. During the political crisis of 2010 – 2011, when the government was unable to be formed, the parliament took over policymaking from government without much problem. Thanks to Belgium's strong party system, information flows well between the government and parliament. As party heads are central figures in any political agreement, they can coordinate action at each level. Individual members of parliament as well as party parliamentary groups are also well-supported by state-funded expert staff and by parliamentary assistants – their overall level of resources is thus high, even if there is often a high level of party discipline in the federal parliament.

In addition, parliament can summon any person, even ministers, to request information. It can initiate special investigations through ad hoc committees, and the Audit Office (Cour des Comptes/Rekenhof), which monitors all Belgian institutions, is a collateral institution of the federal parliament.

## Czechia

Score 9

In Czechia, members of parliament can draw on a set of resources for monitoring government activity. In addition to their basic salary, members of parliament receive additional pay for their membership in parliamentary committees, commissions and other duties. They also have a budget for assistance and expertise; parliamentary committees have an office staff of two to three persons and a secretary, and there is a parliamentary library and a parliamentary institute. The latter serves as a scientific center providing information and training for members of both chambers of parliament.

## Finland

### Score 9

Parliamentarians' resources for obtaining information were greatly improved in the 1990s through the creation of a parliamentary assistant system. Currently, some 130 assistants work in a parliament of 200 sitting legislators. However, critics have recently argued that this system has become too comprehensive and expensive. The assistants perform a variety of tasks, some of which relate closely to the procurement of information and general expertise. Members of parliament are also assisted by the Parliamentary Office, whose task it is to establish the necessary conditions for the parliament to carry out its duties. Employing a staff of about 440, the office is also responsible for providing personal assistants. Furthermore, members of parliament are assisted by the Information and Communication Department, which includes the Library of Parliament, Research Service, and Parliament Information Office. The Library of Parliament has about 40 employees and maintains three service entities: collection services, reference and archival services, and information services. A Committee Secretariat provides secretarial services for the parliamentary committees and handles the preparation of matters brought before the committees. Additionally, the Research Service supplies information, documents, publications, and other materials that are required by members of parliament and other actors involved in parliamentary work. As legislators each serve on an average of two parliamentary committees, they also benefit from the information and knowledge provided by the various experts regularly consulted in committee hearings.

Citation:

<http://lib.eduskunta.fi/Resource.phx/library/organization/people.htx>

<https://www.eduskunta.fi/FI/tietoaeduskunnasta/Organisaatio/eduskunta-tyonantajana/Sivut/default.aspx>

<https://www.eduskunta.fi/FI/tietoaeduskunnasta/kirjasto/tietoakirjastosta/tekijat/Sivut/default.aspx>

## Germany

### Score 9

The German Bundestag has adequate personnel and structural resources to effectively monitor government activity. Members of parliament can conduct their own research or obtain information from independent experts. The parliamentary library and the parliamentary research unit respectively have staffs of 175 and 450 individuals. Every member of parliament receives a monetary allowance (about €20,000 per month in 2017) allowing him or her to maintain two offices and employ, on average, two experts. The German Bundestag has a staff of around 4,800. Parliamentary groups also have resources to commission independent research studies. Compared to the United States, German members of parliament' structural and personnel resources are modest.

## Lithuania

### Score 9

Members of parliament as a group have adequate personnel and structural resources to monitor government activities in an effective way. They have resources including personal staff; personnel assigned to parliamentary committees, commissions and other structures; and access to the Parliamentary Research Unit. Expenses incurred by calling experts for testimony or consultation can be reimbursed. Despite these resources, political parties are frequently unable to engage in professional parliamentary oversight, in part due to the parliament's heavy focus on lawmaking. For instance, during its 2012 to 2016 term, the parliament passed more than 2,500 legislative acts. During the spring 2017 session, the parliament adopted 421 legal acts (i.e., about seven legal acts per every sitting), a record for a parliamentary session.

Parties that form a part of governing coalitions are often unwilling to engage in self-monitoring, while opposition parties are frequently incapable of constructive external oversight. Although the parliament does not commission independent research, it can produce internal conclusions or reports, or invite experts to various parliamentary meetings. In addition, the parliament utilizes the results of audit reports produced by the National Audit Office. It is also often the case that members of parliament employ their party colleagues as advisers or assistants on the basis of trust rather than because these individuals have a particular expertise.

## Slovenia

### Score 9

Slovenian members of parliament command sufficient resources to perform their jobs effectively and to monitor government activity. Each member of parliament has a personal budget for education and literature acquisition as well as access to research and data services provided by the Research and Documentation Section. Additional resources are available to parliamentary party groups for organizational and administrative support, and for hiring expert staff. Parliamentary groups must have a minimum of three members of parliament. During the 2014 – 2018 parliamentary term, only three members of parliament did not belong to a parliamentary group. Since the early parliamentary elections in June 2018, all members of parliament have been part of a parliamentary group.

## Sweden

### Score 9

Members of the parliament can collectively monitor all aspects of government activities. They can find some support for these and other activities from the parliament's (Riksdag) administrative support (Riksdagens Utredningstjänst, RUT).



RUT conducts inquiries requested by groups of members of parliament. Individual members of parliament in Sweden receive rather little administrative support; instead, support is given to the political party organizations within parliament.

## Denmark

### Score 8

Parliamentary committees have staff, as do political parties. The parliament also has its own library and recently opened a (small) unit offering consultation on economic issues. In 2015, the total parliamentary staff was 430, which is not huge. More than a quarter of staff are secretaries, a little less than a quarter are academic staff, followed by security personnel and IT staff. In general, the members of parliament depend a lot on the government for information and expertise. To gather information, they ask written and oral questions of ministers, and use hearings, independent sources as well as contacts within interest organizations and think tanks. There is, however, no tradition in Denmark for major independent investigations initiated by the parliament. This can weaken its power in the political game vis-à-vis the government. Party discipline is also a strong factor in Danish politics, which can weaken individual members' possibilities.

Citation:

Anders Henriksen, "Folketinget er for svagt i forhold til regeringen," *Politiken*. 24 August 2010. <http://politiken.dk/debat/kroniken/article1042660.ece> (accessed 26 April 2013).

Året der gik i Folketinget: Beretning om Folketingsåret 2015-2016. [http://www.ft.dk/~media/sites/ft/pdf/publikationer/aarsberetning/aaret-der-gik-i-folketinget-2015\\_16.ashx](http://www.ft.dk/~media/sites/ft/pdf/publikationer/aarsberetning/aaret-der-gik-i-folketinget-2015_16.ashx) (Accessed 19 October 2017).

Året der gik i Folketinget: Beretning om Folketingsåret 2016-2017. [https://www.ft.dk/~media/sites/ft/pdf/publikationer/aarsberetning/aaret-der-gik-i-folketinget-2016\\_17.ashx?la=da](https://www.ft.dk/~media/sites/ft/pdf/publikationer/aarsberetning/aaret-der-gik-i-folketinget-2016_17.ashx?la=da) (Accessed 7 October 2018).

Folketingets administration, [http://www.ft.dk/Folketinget/Folketingets\\_administration.aspx](http://www.ft.dk/Folketinget/Folketingets_administration.aspx) (Accessed 1 December 2016).

Jørgen Grønnegård Christensen and Jørgen Elklit (eds.), *Det demokratiske System*. 4. udg. Chapter 4. Hans Reitzels Forlag, 2016.

## Estonia

### Score 8

Compared to many other countries, the Estonian parliament (Riigikogu) has a rather modest support structure. All administrative staff are employed by the Chancellery of parliament and can be divided into three categories. The first category includes analysts working in the research department who provide expert advice and produce information sheets and study reports. Because of budget and personnel limitations (12 advisers in total), their studies are typically very limited. In addition to in-house experts, the parliament can also commission studies from universities or private companies on a public-procurement basis. However, between 2017 and 2018, only

one such study was commissioned. The second category includes standing committee support staff. A standing committee typically has three to five advisers. The third group is made up of the advisers of party groups. In total, there are 31 people working for the six parliamentary party groups. Legislators can use a reading room in the parliamentary building and the National Library, which also serves as a parliamentary library, is located nearby. Members of parliament also benefit from allowances that they can use to order expert analyses, studies or information overviews. Though there is little evidence that the allowances are extensively used.

## Israel

### Score 8

Two major Knesset departments, the Knesset research center and the Knesset's legal advisory department, serve as structural resources for acquiring information. The role of the research center is to equip Knesset members, committees and departments with information and research to meet the requirements of their parliamentary work, including reports on government activities. The research center is a massive document producer. According to information provided on the center's official website, the Knesset's research center receives on average 500 research requests and produces 300 documents annually, which amounts to a total of about 6,500 documents since its establishment in 2000. In addition, according to the same source, most of the research documents are produced by the center's staff, but – in cases that require specific expertise – the research center employs external research services. The research topics themselves are highly diverse.

The Knesset's archive and library are also used to monitor the government's major activities. Since 2015, each member of parliament has been entitled to employ three assistants, who often engage in independent research on behalf of the member of parliament. Legislators' oversight capabilities have also been aided by recent government reforms, making information more accessible, and by information provided by outside experts and lobbyists. In addition, Knesset members may demand that members of the government provide information directly (either within the framework of its committee system or in the plenum), or by means of debates, agenda motions or parliamentary questions.

Additionally, the State Comptroller is, according to law, subordinated to the Knesset, and he hands to it all of his reports and other information and recommendations for better oversight over the government. The State Comptroller himself (or, at times, representatives on his behalf) is also an active participant in the Knesset's State Audit Committee.

In July 2017, a new instrument was added to the Knesset's toolbox with the establishment of the Knesset Parliamentary Oversight Coordination Unit (abbreviated in Hebrew to "Katef"). According to the unit's self-reported information and the speeches at the initiation ceremony (in February 2018), Katef's role is to improve the Knesset's oversight abilities, and to improve the relationship

and dialogue between the Knesset and the government. Among other rather vague authorities and goals, the Katef unit also undertakes several tasks of oversight itself. Indeed, Katef has published three reports, which focus on a given policy, detail its goals and the tasks each ministry or governmental authority undertook to implement the policy, and analyze its present stage of implementation and its achievements. However, while the reports are very useful and important, they lack uniformity and it remains unclear in what direction the unit wants to go.

Citation:

A Pamphlet Explaining About the Katef Unit's Vision, Fields of Operation, and Its Short History of Establishment, Undated. Available Online Through the Katef Unit's "About" Webpage (see link below). (Hebrew)

Alon, Gideon. "The fa is on the Shoulder [also Katef]." In: Israel Today website. July 23rd, 2017. (Hebrew): <https://www.israelhayom.co.il/article/492397>

Arlozorov, Meirav. "How the Knesset Broke the World Record in Proposing Private Bills." In TheMarker. May 16th, 2017 (Hebrew): <https://www.themarker.com/news/politics/1.4091536>

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"Correction: Debate on 'Hok Ha-Hesderim 2013,'" Open Knesset website (Hebrew)

"Is Bagatz mocking the petition against the treasury?," Globes website 18.6.2014: <http://www.globes.co.il/news/article.aspx?did=1000947260> (Hebrew).

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Friedberg, Chen. How to Improve the Knesset as a Legislative and Oversight Body: Key Recommendations. Updated Edition. Israel: the Israel Democracy Institute, 2018. (Hebrew)

Galnoor, Itzhak, and Dana Blander. The Political System of Israel: Formative Years; Institutional Structure; Political Behaviour; Unsolved Problems; Democracy in Israel. Tel Aviv: Am Oved Publishers Ltd., 2013, two volumes. (Hebrew) "Information and research in the Knesset," Knesset website (Hebrew)

"In the Knesset corridors," IDI website (September 2010) (Hebrew)

"Katef Unit – About." In the Katef unit's website.



<https://main.knesset.gov.il/Activity/Oversight/Pages/OversightAbout.aspx>

Knesset Legal advisory department (list of legal research)  
<http://main.knesset.gov.il/Activity/Info/Pages/LegalDeptSurveys.aspx>

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Lapid, Yair, and Ayelet Shaked. "Stopping the Legislation's Madness." In HaShiloach website. March 15th, 2017. (Hebrew) <https://hashiloach.org.il/%D7%A2%D7%95%D7%A6%D7%A8%D7%99%D7%9D-%D7%90%D7%AA-%D7%98%D7%99%D7%A8%D7%95%D7%A3-%D7%94%D7%97%D7%A7%D7%A7%D7%AA/>.

Public Inquiry Commissions Act, 1968 (Hebrew)

Shapira, Asaf, "A decade to the Knesset's research and information center," IDI website (September 2010) (Hebrew)

The Knesset's Rules of Procedure, up to date as of June 14th, 2018. (specifically article 135, "the Authorities of a Parliamentary Committee of Public Inquiry and the Presentation of a Report to the Knesset," clause A; also article 127, "Failure of Arrival [to a committee] and Failure of Presenting of Information"). (Hebrew)

"The MK's will get a third Parliamentary Assistant. How much will that cost us?" The Marker 28.10.2015: <http://www.themarker.com/news/1.2761401> (Hebrew)

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Zerachia, Zvi, "The treasury is deliberately holding out information from PMs so we can't supervise it," The Marker 7.1.2014: <http://www.themarker.com/news/1.2210843> (Hebrew)

## Italy

### Score 8

Members of parliament can draw on significant resources of highly qualified personnel to monitor the activities of the government. The permanent staff of both chambers is quite large and is selected through highly competitive mechanisms. Most staff members possess highly qualified legal expertise. The parliamentary staff regularly produces studies on issues and reforms under discussion. A special office of the parliament (the Ufficio Parlamentare di Bilancio, Upb), created in 2015 following the Fiscal Compact Treaty and successive decisions of the European Council, is now responsible for providing parliamentarians with a detailed evaluation of the government's fiscal proposals. The two chambers have quite extensive libraries. Members of parliament also have at their disposal resources for hiring personal parliamentary assistants. The selection of these assistants is much less merit-based and their quality highly variable. Whether in general members of parliament are really interested in using systematically the available resources for monitoring the government is another matter. Probably only a minority fully utilizes these resources.

Citation:

<http://www.upbilancio.it/>

<http://en.upbilancio.it/publication-of-the-report-on-recent-economic-developments-for-october-2018/>

## Luxembourg

### Score 8

Luxembourg's members of parliament must balance a heavy workload with dual mandates and other professional activities, including municipal councils and/or professional employment. According to the regulations of the unicameral Chamber

of Deputies, members can employ a personal assistant and recuperate some costs within the limits of eligible expenses. In practice, the parliamentary groups instead employ a pool of assistants who work for all the members of parliament of their group, rather than each member of parliament having his or her own assistant. Members of parliament can consult with external experts as part of the functioning of parliamentary commissions. In addition, they have access to a central state computer system to review databases, surveys, reports, agendas and other important information.

Citation:

Règlement de la Chambre des Députés du 1.6.2015.

Reimen, Frank/Jeanot Krecké (1999): Die Abgeordneten-kammer: Theorie und Praxis parlamentarischer Kontrolle, Passerelle.

## Norway

### Score 8

Members of parliament do not have personal staff, but can draw on support from general staff allocated to each party and paid for by parliament. The number of general staff members is related to party size. As such, the system creates a slight bias toward political parties rather than to the parliament and individual parliamentarians.

Legislators, all whom serve on committees, are also supported by committee staff; most of the legislative work is in fact done in committee. The parliamentary library is well regarded by representatives for its ability to provide support in research and documentation. Support resources are not lavish, but neither do they represent an impediment the effective functioning of parliament or its individual members. The parliament has a limited capacity to independently collect and analyze information, but routinely asks the government to answer questions and to provide additional information. The parliament has increasingly exercised its right to hold hearings.

## Austria

### Score 7

The two-chambered Austrian parliament, in which the National Council (Nationalrat) or lower house holds more power than the Federal Council (Bundesrat), is divided along two main cleavages. First, the strength of political party groupings within the parliament reflect the results of direct national elections (in the National Council) as well as indirect provincial elections (in the Federal Council). Second, the formation of coalitions creates a government and a parliamentary opposition.

All party groups that have at least five members in the National Council can use infrastructure (office space, personnel) paid by public funds and provided by parliament. All party groups are represented on all committees, in proportion to their strength. In plenary sessions, speaking time is divided by special agreements among the parties, typically according to the strength of the various party groups.

Individual members' ability to use resources independently of their respective parties has improved in recent years. Members of parliament can now hire a small number of persons for a personal staff that is funded by parliament and not by the party. This improves members' independence. However, this independence is still limited by the strong culture of party discipline, which is not defined by explicit rules but rather by the party leadership's power to nominate committee members and electoral candidates.

A significant step was taken in 2014 to improve the National Council's capacity. The right to install an investigating committee, which has been the prerogative of the ruling majority, has now become a minority right. Considering the rather strict party discipline in Austria's parliament, this must be considered a significant improvement of parliamentary democracy. Also, recently a new subgroup in the parliament was founded which is checking laws for economic costs and benefits.

At the moment, the working conditions of members of the Austrian parliament are better than ever before. The new situation following the elections of 2017 has already intensified conflicts between the government and opposition in parliament. The structural prerequisites for parliamentary confrontations exist and this will be used by the opposition in confrontations with the governing majority.

## Canada

### Score 7

Members of the House of Commons and the Senate have access to the research staff of the Library of Parliament, and these staffers are responsible for drafting parliamentary committee reports. Parliamentary committees or individual members of parliament can also request audits from the Auditor General of Canada, an officer of parliament that is independent of the government and is mandated to provide parliament with objective, fact-based information and expert advice on government programs and activities. Another important source of information for parliamentarians is the Office of the Parliamentary Budget Officer, PBO.

It is unclear how effective monitoring is in practice, however. A 2014 report from the office stated that it did not have enough data to analyze 40% of government programs.

The Liberal government has indicated its intention to provide more influence, resources and autonomy to parliamentary committees. A House of Commons committee put forward a number of legislative suggestions that would give more monitoring resources to members of parliament. However, the 2017 budget placed new restrictions on the PBO, including restrictions on research requested by members of parliament relating to parliamentary proposals. Limiting the independence of the PBO could limit the quality and quantity of evidence-based policymaking.

Citation:

Gillezeau, Rob. "The PBO will suffer under the Trudeau government's new rules," April 13, 2017. Retrieved October 6, 2017 from <http://www.macleans.ca/politics/ottawa/the-pbo-will-suffer-under-the-trudeau-governments-new-rules/>

## France

### Score 7

French legislators have fewer resources at their disposal than, for instance, their American colleagues, but they are reasonably equipped should they wish to make use of all facilities offered. In addition to two assistants, whom parliamentarians can freely choose, they receive a fixed amount of funds for any expenditure. There is a good library at their disposal, and a large and competent staff available to help individuals and committees. These committees can also request the support of the Court of Accounts or sectoral bureaucracies, which are obliged to provide all information requested. There are still problems, centered on the long tradition of parliamentarians holding several political mandates. Up to 2017, three-quarters of parliamentary members were also elected local officials, and many of them dedicate more time to local affairs than to parliamentary activities. A new piece of legislation forbids parliamentarians to hold executive positions in local or regional councils, forcing them to choose between local and national mandates. This is a true revolution applicable from June 2018. Since absenteeism was one of the major problems of the French parliament both in the plenary sessions and within the specialized committees, one might hope that the control and evaluation functions of parliament will improve in the future. The Macron constitutional revision to be discussed early in 2019 will provoke a debate about reducing the number of members of parliament by one-third while keeping overall parliamentary resources the same. According to the president, this should strengthen the resources of the remaining representatives. However, the opposition has argued that the quality and intensity of representation would be further weakened within a system in which parliament has already been subordinated to the executive.

## Greece

### Score 7

Members of the Greek parliament are granted full access to the well-resourced library of the parliament. They are also entitled to hire two scientific advisers who are paid out of the parliament's budget. However, many members of parliament hire family members or friends who, in effect, do administrative and secretarial rather than research work. This practice was continued in the period under review. Nevertheless, each party represented in parliament has its own scientific support group that is funded by the state budget.

Nowadays, updated academic advice is available also through two other institutions. The first is the Office of the Budget, a policy-oriented committee of university

professors with economic expertise who work independently of the government. They have published policy reports on the prospects of the Greek economy which diverge from official government predictions. There is also the more academically oriented foundation of the parliament, focusing on historical issues and constitutional matters.

Parliamentary committees are also quite active in organizing hearings and in discussing a variety of issues. However, the parliament lacks a research unit (such as, for example, the Congress Research Service or the Research Service of the House of Commons Library) that could provide members of parliament with expert opinion.

## Japan

### Score 7

Parliamentarians have substantial resources at their disposal to independently assess policy proposals. Every member of parliament can employ one policy secretary and two public secretaries paid through an annual fund totaling JPY 20 million (about €155,000). However, in many cases these secretaries are primarily used for the purposes of representation at home and in Tokyo. Both houses of parliament have access to a 560-staff-member Research Bureau tasked with supporting committee work and helping in drafting bills. A separate Legislative Bureau for both houses, with around 160 staff members, assists in drafting members' bills and amendments. The National Diet Library is the country's premier library, with parliamentary support among its primary objectives. It has a Research and Legislative Reference Bureau with over 190 staff members whose tasks include research and reference services based on requests by policymakers and on topics of more general interest such as decentralization. For such research projects, the library research staff collaborates with Japanese and foreign scholars.

Notably, the substantial available resources are not used in an optimal way for purposes of policymaking and monitoring. The Japanese Diet tends toward being an arena parliament, with little legislative work taking place at the committee level. Bills are traditionally prepared inside the parties with support from the national bureaucracy. Ruling parties can rely on bureaucrats to provide input and information, while opposition parties can at least obtain policy-relevant information from the national bureaucracy.

#### Citation:

Jun Makita, A Policy Analysis of the Japanese Diet from the Perspective of 'Legislative Supporting Agencies,' in Yukio Adachi, Sukehiro Hosono and Iio Jun (eds), *Policy Analysis in Japan*, Bristol: Policy Press 2015, pp. 123-138

Junko Hirose, Enhancing our Role as the "Brains of the Legislature": Comprehensive and Interdisciplinary Research at the National Diet Library, Japan, paper for the IFLA Library and Research Services for Parliaments Section Preconference 2014, [http://www.ifla.org/files/assets/services-for-parliaments/preconference/2014/hirose\\_japan\\_paper.pdf](http://www.ifla.org/files/assets/services-for-parliaments/preconference/2014/hirose_japan_paper.pdf)

## Netherlands

### Score 7

A comprehensive study on the information exchange between the States General and government in the Netherlands over the past 25 years concludes: “In a mature democracy the primacy of information provision to parliament ought to be in the hands of parliament itself; but in the Netherlands in 2010 *de jure* and *de facto* this is hardly the case. ... *De facto* the information arena in which the cabinet and the parliament operate is largely defined and controlled by the cabinet.” This state of affairs reflects the necessity of forming government coalitions supported by the majority of the States General. As an institution, the States General is not necessarily a unified actor. As basically every parliamentary vote can result in the downfall of a government, this creates mutual dependence for survival: parliamentary groups supporting the government (part of the legislature) and government ministers (the executive) become fused, which violates the democratic principle of control and accountability.

Moreover, the States General’s institutional resources are modest. Dutch members of parliament in large parliamentary factions have one staffer each, while members of parliament of smaller factions share just a few staffers. Members of parliament of coalition parties are usually better informed than opposition members of parliament. Members of parliament do have the right to summon and interrogate ministers, although the quality of the question-and-answer game is typified as: “Posing the right questions is an art; getting correct answers is grace.” Oversight and control in the Dutch States General is the prerogative of the departmentally organized permanent parliamentary committees, usually composed of members of parliament with close affinity to the policy issues of the department involved. The small Parliamentary Bureau for Research and Public Expenditure does not produce independent research, but provides assistance to the parliament.

Policy and program evaluations are conducted by the departments themselves, or by the General Audit Chamber (which has more information-gathering powers than the States General). Another more standardized mechanism is the annual Accountability Day, when the government reports on its policy achievements over the last year. Direct day-to-day contacts with officials are fuzzy and unsatisfactory due to the nature and interpretation of guidelines, and formal hearings between members of parliament and departmental officials are extremely rare. Members of parliament can ask officials to testify under oath only in the case of formal parliamentary surveys or investigations, but this is considered an extraordinarily time-consuming instrument and is used only in exceptional cases.

At present, members of parliament are exploring the possibility of creating a so-called light parliamentary investigation as a less time-consuming format that is somewhere between a hearing and an investigation. In 2016, a majority of parliament requested such an investigation-light procedure following the publication of the



Panama Papers. Formally, the States General may use the expertise of a governmental advisory body, but this process is closely supervised by the minister under whose departmental responsibility the respective advisory body functions. Only the Rathenau Institute (for scientific and technological issues) works exclusively for the States General.

Citation:

Guido Enthoven (2011), *Hoe vertellen we het de Kamer? Een empirisch onderzoek naar de informatierelatie tussen regering en parlement*, Eburon

<http://www.houseofrepresentatives.nl/administration/organization-chart/parliamentary-bureau-research-and-public-expenditure>

Parlementaire enquêtes (tweede kamer.nl, consulted 10 November 2016)

Wikipedia, Parlementaire enquête in Nederland (nl.m.wikipedia.org, accessed 3 November 2018)

Krouwel, A. P. M., & Koedam, J. (2015). The Netherlands: Investiture behind closed doors. In B. E. Rasch, S. Martin, & J. A. Cheibub (Eds.), *Parliaments and Government Formation: Unpacking Investiture Rules* (pp. 253-274). Oxford: Oxford University press.

## Croatia

Score 6

The members of the Croatian parliament (Sabor) are supported by some parliamentary staff. The Sabor has an Information and Documentation Department that keeps track of the Sabor's legislative activity and responds to queries for information from members of parliament and parliamentary staff about bills in progress and transcripts of plenary sessions. There is also a parliamentary library with various collections in the fields of law, politics, history, economics and sociology. However, the support staff for individual members of parliament is relatively small, as the budget of the Sabor allows for a secretary for every parliamentary group and one additional adviser for every 15 group members. Moreover, the Sabor does not have an office for policy analysis, and formal legalistic thinking characterizes is prevalent among Sabor staff.

## Poland

Score 6

The members of the Sejm, the Polish parliament, have permanent support staff and can draw on the Sejm's library and the expertise of the Sejm's Bureau of Research (BAS). In addition to researching legal issues, the BAS publishes a newsletter, discussion papers and a peer-reviewed quarterly Law Review (*Zeszyty Prawnicze BAS*). Since the parliamentary elections in 2015, however, the BAS has been progressively streamlined so as to reflect the political will of the ruling party. As a result, the quality of its expertise has declined, and it no longer issues critical studies. More generally, the PiS majority has made it difficult to monitor the government by circumventing normal legislative procedures, allowing individual members of parliament to submit draft laws, and passing legislation very quickly.

## Portugal

### Score 6

The Assembly of the Republic (AR) has a very robust committee structure composed of standing and ad hoc committees, as well as committees to assess implementation of the Plano do Governo and the Orçamento de Estado. Moreover, it can call members of the executive to explain issues and has some degree of autonomy in terms of its budget allocations. However, there remains a substantial lack of expert support staff.

Members of parliament do not generally have their own staff and, in most but not all cases, have little ability to rely on expert support. However, this is not due to a lack of funding for support staff. Legislation provides parliamentary party groups with fairly generous subsidies to hire support staff. In 2016, the most recent year for which data is available, total subsidies granted amounted to €8.5 million. As subventions are granted based on the legislation, the total is relatively stable over time.

Parliamentary groups are free allocate this funding as they choose and set wages for staff accordingly. The overall number of support staff in 2016 was 238, which exceeds the number of parliamentary members (230). However, support staff for members of parliament are limited, because parliamentary party staff funds are frequently used to pay general party staff rather than staff for the parliamentary group specifically. The former head of ECFP (the independent body tasked with monitoring party financing and accounts) recently noted that funding for parliamentary staff has become “a means for financing parties.”

As such, parliament’s capacity to monitor government activity is mainly contingent on legislators’ own expertise. Under the Costa government, a Socialist Party government supported by the parties to its political left, parliamentarians have shown a greater amount of interest in government monitoring, and the number of meetings involving these different political parties has increased substantially. However, this energy and interest does not imply that lawmakers in fact have adequate personnel and structural resources for the purposes of monitoring.

#### Citation:

Assembleia da República, “Relatório da Conta de Gerência da Assembleia da República – 2016,” available online at: <https://www.parlamento.pt/GestaoAR/Documents/oar/RelCGAR2016.pdf>  
Davim, Margarida. 2018. “O caso dos assessores-fantasma.” Sábado, September 13.

## Romania

### Score 6

The Romanian parliament has a Department of Parliamentary Studies and EU Policies, which is divided into two divisions: the Division for Legislative Studies and Documentation and the EU Division. Together, these divisions offer members of

both chambers, as well as parliamentary group leaders and committee chairs, useful documentation, studies and research materials, expertise and assistance. In addition, all members have equal access to the parliamentary library which provides references as well as research and bibliographic services. However, members of parliament have relatively limited individual resources. In practice, they tend to rely on assistance from former parliamentarians or political-party staff rather than on the expertise of the Department of Parliamentary Studies and EU Policies or independent experts.

## Slovakia

**Score 6** Members of the National Council, the Slovak parliament, can draw on a set of resources for monitoring government activity. Members of parliament have a budget for assistants and expertise and tend to have a support staff of at least two persons. They can draw on the Parliamentary Institute, an information, education and research unit providing expertise for parliamentary committees, commissions and individual legislators. In addition, there is a parliamentary library.

## South Korea

**Score 6** Members of parliament (MPs) have a staff of nine, including four policy experts, three administrative staffers and two interns. Given the large quantity of topics covered, this staff is scarcely sufficient, but is enough to cover legislators' main areas of focus. Tight schedules and the record-high number of agencies monitored by the National Assembly have generated skepticism regarding the effectiveness of legislative oversight. Observers familiar with parliamentary affairs have voiced concern that parliamentary audits are inevitably superficial, as lawmakers have little time to study dossiers thoroughly or prepare their questions. Moreover, some lawmakers lack the capacity and willingness to monitor government activities effectively.

## Turkey

**Score 6** The administrative organization of the Grand National Assembly of Turkey (TBMM) consists of departments that support the Speaker's Office. The conditions of appointment of the administrators and officers are regulated by law (Law 6253, 1 December 2011). The administrative organization (including the research services department and the library and archives services department) is responsible for providing information as well as bureaucratic and technical support to the plenary, the bureau, committees, party groups and deputies; informing committees about bills and other legislative documents and assisting in the preparation of committee reports; preparing draft bills in accordance with deputy requests; providing information and documents to committees and deputies; coordinating relations and legislative information between the Assembly and the general secretary of the

president, the Prime Minister's Office and other public institutions; organizing relations with the media and public; and providing documentation, archive, and publishing services (Article 3, Law 6253). Although the budget of the Assembly is part of the annual state budget, it is debated and voted on as a separate spending unit. The Assembly prepares its own budget without negotiation or consultation with the government; yet, it does follow the guidelines of the Ministry of Finance.

In 2017, the 550 deputies were provided with 482 primary and 465 secondary advisers and 493 clerks. A total of 29 experts and 93 clerks are assigned to the various party groups. As of 2018, 86 legislative experts -16 of them were assigned in the standing committees- and 30 deputy-experts were employed at the Department of Laws and Resolution. The Turkish parliament attempted to improve its human resources, especially for budget and final accounts processes, and provide greater support for parliamentary members' work. Within this scope, the so-called Country Expert Project covers 44 countries and employ four experts and 47 officers. However, capacity-building remains a major problem. The parliamentary library and research unit cannot effectively meet demands for information.

Citation:

26. Dönem, 1, 2 ve 3. Yasama Yılı, [https://www.tbmm.gov.tr/komisyon/insanhaklari/faaliyet\\_raporlari\\_26.htm](https://www.tbmm.gov.tr/komisyon/insanhaklari/faaliyet_raporlari_26.htm) (accessed 1 November 2018) "TBMM personel alımı başvuru sonuçları açıklandı!" 15 November 2017, <http://www.hurriyet.com.tr/tbmm-personel-alimi-basvuru-sonuclari-aciklandi-40646332> (accessed 1 November 2017)

## United Kingdom

### Score 6

Members of parliament have relatively few resources at their disposal in terms of personnel capable of monitoring government activity. Parliamentary parties have few additional resources and therefore can provide little support. In addition, if a party is in government, a substantial proportion of its members of parliament will be (junior) members of the government and therefore not too keen to monitor themselves.

Parties in opposition are granted some public funds to hire additional researchers to fulfill their duties of controlling the government. But in terms of resources this is still not much compared to those the governing parties can call on through the ministerial bureaucracy.

The Dame Laura Cox Report 2018 exposed the widespread problem of bullying and harassment of House of Commons staff. In response, the House of Commons Commission swiftly announced measures to end this.

Citation:

European Parliament / Directorate-General for Research 2000: Comparison of organizational and administrative arrangements in EU national parliaments; [http://edz.bib.uni-mannheim.de/daten/edz-ma/ep/00/budg110\\_en.pdf](http://edz.bib.uni-mannheim.de/daten/edz-ma/ep/00/budg110_en.pdf)

## Chile

- Score 5** The National Congress is furnished with a multidisciplinary staff of consultants in order to support deputies and senators in their representative, legislative and control functions as well as in the field of congressional diplomacy. Nevertheless, this support tends to be asymmetric in comparison with ministerial analytical and investigatory capacities. The National Congress' oversight function is based in the Chamber of Deputies. However, this function tends to operate as a reaction to journalistic complaints in combination with political conflicts rather than as a proactive mechanism for monitoring the government's ongoing activity.

## Hungary

- Score 5** The Hungarian parliament has a good library and even a small research section. Moreover, members of parliament are provided some funds for professional advice. However, since these funds are apportioned according to the share of seats in parliament, the democratic opposition parties receive only a small amount of money. This has made it difficult for the small and ideologically fragmented opposition to monitor the government's hectic legislative activity. The key obstacle to effective monitoring of the government is not the lack of resources but the behavior of the Fidesz majority in parliament and its committees.

## Ireland

- Score 5** The Oireachtas Library and Research Service manages the Irish parliamentary library. The service's primary users are the individual members of the houses of the Oireachtas, committees and staff of the houses.

Whereas ministers recruit advisers and experts, there is no system of internships that allows members to recruit researchers and no tradition of members or groupings commissioning and publishing evaluations of government activity. The main resource available to members for monitoring government activity is the committee system. This allows members to call expert witnesses and explore the implications of proposed legislation. The resources available to these committees appear adequate for their purpose.

These resources are complemented through the mechanism of Parliamentary Questions. Dáil Éireann allocates time during which deputies may ask questions of members of the government relating to their departments or to matters of administration for which they are responsible. Considerable civil service resources are devoted to researching the answers to these questions, of which a total of 50,000 were processed during 2014. This works out at an impressive average of 300 per deputy.

Citation:

A statement of the services available from the Oireachtas Library and Research Services is provided here:

<http://www.oireachtas.ie/parliament/media/housesoftheoireachtas/libraryresearch/others/LRSSStatementofServicesapprovedbyCommission2012.pdf>

Michael Gallagher, 'The Oireachtas: President and Parliament,' in John Coakley and Michael Gallagher (eds), *Politics in the Republic of Ireland*, 2010.

## Malta

### Score 5

The passage of a new act in 2016 giving parliament financial autonomy over its internal budget decisions (the Parliamentary Services Act), and an increase in funding in the 2017 and 2018 budgets, has left MPs in Malta with more resources than previously. Members of permanent parliamentary committees enjoy support from newly appointed research officers as well as academics and specialists. Greater participation of MPs in international conferences has helped bridge the resource gap, but more is required. These developments have improved the process for evaluating EU legislation and other social issues. Additional resources must be allocated to the parliamentary scrutiny committee dealing with pipeline aquis. Furthermore, despite improvements, legislators have too few resources to support their legislative work. Staff members are too few in number, and fully occupied by their primary duties. MPs must bear some responsibility for this situation, since most of them appear loathe to give up their professional activities, and regard their role as legislator as a part-time occupation. MPs can now be fined for not attending sittings. The prime minister is pushing harder to discuss the matter of a full-time parliament, but this, along with any change to current remuneration levels, would require consensus among a majority of MPs.

Citation:

Camilleri, I. Parliament is out of touch with Brussels. No feedback to Brussels' documents. *Times of Malta* 14/06/11  
Its too early to talk about what is in store for me *Times of Malta* 11/10/2015

MPs express different opinions on pay rise for politicians, full-time parliament proposals. *Malta Today* 6/01/2015  
<http://www.timesofmalta.com/articles/view/20160111/local/new-law-will-make-parliaments-administration-autonomous-of-the.598431>

Parliamentary service Act Chapter 562 ACTXL11 of 2016

Most PN proposals to improve parliamentary work included in PL manifesto - government *Times of Malta* 19/08/17

The PN has seven suggestions for a better functioning parliament *Times of Malta* 18/08/17

Speaker concerned about incomplete security coverage around parliament. *Times of Malta* 30/11/17

## Mexico

### Score 5

The Mexican presidential system, with its emphasis on the presidential government, and the electoral system have systematically weakened parliament and members of parliament. Members of Congress were until recently prohibited from running for re-election. This system was intended to bring legislators closer to civil society, but it



had weakened the legislative role and increased the power of party bosses. The most senior members largely control Congress. They tend to control the careers of more junior congressional members because the effect of Mexico's strong no re-election rule prevents members of Congress from using their constituency as a political base. In turn, members tended to lack resources and legislative scrutiny was often perfunctory. Similarly, members have had little incentive to take a deep interest in lawmaking, because their term as incumbents was so short. Moreover, good legislative performance often went unrewarded in local or national politics.

However, since 2018, local representatives, city council members and mayors will be able to run for re-election. Senators and federal representatives will have to wait until 2024 and 2021, respectively, to run for a consecutive term. An important caveat to this political reform is that candidates who want to run for a second term will have to be nominated by the same party that nominated them for their first term, or run independently if they did so the first time. Some critics claim that this incentivizes elected officials to prioritize party accountability over constituent accountability. Moreover, it further increases the administrative burden to INE. Re-election is a significant regulatory challenge for the electoral authorities, and the guidelines for the 2018 (regulation for Article 134) process are still not fully defined.

## New Zealand

### Score 5

While New Zealand members of parliament are not generously equipped with financial or personnel resources to monitor government activity, they do have access to party research budgets, which fund party research units. Other personnel available to individual members of parliament include an executive assistant (in parliament) and electorate staff, with constituency members being more generously funded than those on the party lists. Despite the availability of these resources, opposition parties are placed at a distinct disadvantage relative to the breadth of staff, research and other resources made available to the government and its small support parties. Each party's research unit follows up on parliamentarians' requests, especially in preparation for parliamentary debates.

Following the 2017 election, inexperience on both sides of the house was evident. On one side, even the most experienced National members of parliaments had not been in opposition for nine years. On the other, Labour's 46-member caucus included 17 new parliamentarians, NZ First's group of nine included two new parliamentarians and the Greens' eight parliamentarians also included two newcomers.

Citation:

K.-U. Schnapp and P. Harfst, *Parlamentarische Informations- und Kontrollressourcen in 22 westlichen Demokratien*, *Zeitschrift für Parlamentsfragen*, 36 (2005), pp. 348–70.

## Spain

### Score 5

Every parliamentary group is assigned funds to hire personnel, with budget allocations dependent on the party's electoral results. However, individual members of parliament lack even a single exclusive assistant, and the small number of staff members is shared. No real parliamentary research units exist, and economic resources for parliamentary committees are also scarce. The lack of technical support for deputies and senators, who cannot effectively oversee all dimensions of public policy, has been frequently criticized, but no improvements are in sight.

The scrutiny of EU policymaking illustrates the lack of resources, as the Joint Committee of the Congress and the Senate for European Affairs has at its disposal only two legal clerks, a librarian and three administrative personnel. Despite growing demands for greater parliamentary involvement in EU affairs, budgetary restrictions have prevented any change with regard to human and financial resources.

#### Citation:

Kölling, M. and I. Molina. 2015. "The Spanish National Parliament and the European Union: Slow Adaptation to New Responsibilities in Times of Crisis." In *The Palgrave Handbook of National Parliaments and the European Union*, eds. C. Heffler et al. London: Palgrave Macmillan.

## Switzerland

### Score 5

The Swiss parliament is not broadly professionalized. Officially, it is still a militia parliament, meaning that legislators serve alongside their regular jobs. However, this is far from reality. Almost 90% of members use more than a third of their working time for their political roles. Legislators' incomes have also been increased over time. On average, the various components of remuneration total more than CHF 100,000 annually (about €85,000). However, legislators do not have personal staffs, and the parliamentary services division offers only very limited research services, though legislators do have access to the parliamentary library. Thus, from a comparative perspective, member of parliament resources are very limited.

## Bulgaria

### Score 4

The Bulgarian parliament has a budget of only a little more than 0.15% of national public spending. About three-quarters of the budget are used for the remuneration of members of parliament and administrative staff. As a result, resources available to members of parliament for expert staff and independent research are very limited. This means that the capacity of the National Assembly to effectively assess and monitor the policies and activities of the executive is also limited. This limitation is not structural, but rather of a political character, since the Bulgarian parliament has full discretion over the central government budget and could secure the resources for enhanced monitoring.

## Cyprus

### Score 3

Since 2016, the House of Representatives has taken measures to enrich resources needed for legislative work. Through technological upgrades and the recruitment of specialized staff, it has sought services beyond administrative and secretarial support. However, no report is available on the exact roles and the impact on legislating. Likewise, no public reports are available on the contributions of personal assistants to deputies' work. Similarly, the outcome of cooperation agreements signed in the past with universities and other research institutions have so far not been announced.

In addition to information received from ministers and other state officials, the parliament needs more resources to efficiently monitor government activities. It needs its own research and expertise capacities.

## Iceland

### Score 3

Parliamentarians have access to experts employed by parliament. While the 28-person Committee Department (Nefndasvið) is tasked with assisting the parliament's standing committees, individual members can also turn to this department for assistance. However, the limited capacity of the Committee Department, combined with its primary mandate to assist the parliament's standing committees, restricts its ability to effectively assist more than 50 of the total 63 members of parliament. Ministers also have access to resources in their ministries. The 2007 – 2009 government enabled members of parliament whose constituencies are located outside of the capital area to hire half-time personal assistants. The aim of this was to improve members of parliament's access to information and expertise. However, this policy was withdrawn after the 2008 economic collapse due to parliamentary budget cuts and is still to be reintroduced. In late 2018, parliament passed a new budget for 2019, stipulating a substantial increase in the number of parliamentary assistants.

Citation:

Parliament (Althingi). <https://www.althingi.is/um-althingi/skrifstofa-althingis/skipurit-og-hlutverk/nefndasvid/>. Accessed 22 December 2018.

## Latvia

### Score 3

Parliament does not have adequate resources to monitor government activity effectively. Some limited expertise is available from parliamentary committee, legal office, personal administrative support and parliamentary library staff. However, this has not allowed for substantive policy analysis or the independent production of

information. Until 2017, the Latvian parliament was the only legislature in the Baltic Sea region with no institutional research capacity.

In 2017, the parliament created a new parliamentary research unit. As of May 2017, it is in its start-up phase, with a director and staff of three. The 2018 budget for the unit is expected to include resources for outsourcing expertise. To date the unit has produced four studies. Their mandate for further research studies to be done in 2018 was approved by the presidium of the parliament in November 2017. The planned work is to be produced on a medium- to long-term schedule (i.e., issues to be addressed are broad and overarching, not narrow and tied to legislative work in progress). The mandate approved for the research unit does not, at present, enable the research unit to be responsive to in progress legislative work.

## Indicator

## Obtaining Documents

## Question

## Are parliamentary committees able to ask for government documents?

41 OECD and EU countries are sorted according to their performance on a scale from 10 (best) to 1 (lowest). This scale is tied to four qualitative evaluation levels.

- 10-9 = Parliamentary committees may ask for most or all government documents; they are normally delivered in full and within an appropriate time frame.
- 8-6 = The rights of parliamentary committees to ask for government documents are slightly limited; some important documents are not delivered or are delivered incomplete or arrive too late to enable the committee to react appropriately.
- 5-3 = The rights of parliamentary committees to ask for government documents are considerably limited; most important documents are not delivered or delivered incomplete or arrive too late to enable the committee to react appropriately.
- 2-1 = Parliamentary committees may not request government documents.

## Czechia

## Score 10

As specified in the rules of procedure of the Chamber of Deputies, Czech parliamentary committees may ask for almost all government documents. Governments usually respect committee requests and tend to deliver the documents on time.

## Estonia

## Score 10

Parliamentary committees have the legal right to obtain from the government and other executive agencies the materials and data necessary to draft legal acts and evaluate draft law proposals made by the government. The commission can also invite civil servants from the ministries to participate in commission meeting in order to provide additional information or explain governmental position. In 2017, two special study committees were formed to analyze in depth on the demographic crisis and state reform. Both committees can compel information from state authorities, including financial forecasts and expenditures, related to the topic under investigation.

## Finland

## Score 10

Reports drafted by committees provide the basis for legislative decisions. Committees prepare government bills, legislative initiatives, government reports and other matters for handling in plenary sessions. Given these tasks and functions, it follows that the government is expected to report in full its motives for proposing

legislation and that committees are able to obtain the desired documents from the government upon request.

## Greece

Score 10

Members of parliament may request the supply of government documents and frequently exercise this right. Documents are normally delivered in full, within one month, from the competent ministry to the parliament. Restrictions apply to documents containing sensitive information on diplomatic, military or national security issues, but even in such cases a competent committee can inspect some classified documents in closed-door sessions. Overall, members of parliament are usually very demanding regarding information and they press authorities to obtain it.

Citation:

The supply of government documents to the parliament is regulated by article 133 of the Standing Orders of the Parliament.

## Latvia

Score 10

The parliament has the right to obtain documents from the government. No problems have been observed in the exercise of this right.

## Sweden

Score 10

Parliamentary committees (or indeed any persons) have the right to review all public documents in Sweden unless they are classified or part of an ongoing decision-making process.

In this respect, the Swedish system leaves very little to be desired. The problem, instead, has been the execution of these rights. In the annual reviews conducted by the Parliamentary Committee on Constitutional Affairs (KU) during the past several years, the committee has severely criticized the government's central office (Regeringskansliet) for not providing documents, or for being exceedingly slow in doing so. The media, too, has been critical of the government in this respect.

## Switzerland

Score 10

Parliamentary committees, as well as members of parliament, have access to government documents and receive copies of these promptly upon request. Legislators have also electronic access to the majority of government documents.



## Australia

Score 9

The legislature has strong powers, deriving from both Section 49 of the constitution and the Parliamentary Privileges Act, that require the executive arm of government to provide parliament with information. As parliamentary bodies, these powers are vested in parliamentary committees. There are only a very few acceptable reasons for refusal: a minister or other member of the executive who refuses to turn over requested documents can be held in contempt of parliament.

## Austria

Score 9

Currently, all parliamentary committees have the power to ask for any kind of document. However, documents deemed “secret” can only be viewed in a special parliamentary room and cannot be copied.

Significant portions in government documents obtained by newly formed investigative committees were redacted, ostensibly for the purpose of protecting privacy. This resulted in an uproar among members of parliament and demonstrated, that committees are entitled to obtain documents, yet the government can create significant limitations in accessing parts of these documents.

In its recent decision, the Austrian Constitutional Court has once more strengthened the position of investigative committees, relative to the government, when it comes to obtaining documents and other data.

Citation:

VfGH, UA 1/2018-15, 14.9.2018

## Belgium

Score 9

Parliamentary committees are de facto able to obtain essentially all documents they need, as long as documents are not deemed highly confidential. The more sensitive areas include domestic and foreign security, in particular regarding the police and intelligence services, for which two special regular parliamentary committees have been set up. These powers become even stronger when a parliamentary committee is set up to initiate a parliamentary investigation. However, this often leads to a strategy of not collecting data on sensitive issues in order to avoid having to disclose sensitive information. This does of course imply that government policymaking takes place somewhat in the dark.

## Denmark

Score 9

Parliament is entitled and granted access to most government documents. There are internal ministry documents, however, that are not made available. This is occasionally criticized by some politicians, especially from the opposition. However, ministers and ministries know that it is politically important to heed parliament requests. Documents may be stamped confidential, but, in general, most committee documents are publicly available.

Citation:

Henrik Zahle, Dansk forfatningsret 1: Institutioner og regulering. Copenhagen: Christian Ejlers' Forlag, 2005.  
Folketinget, Håndbog i Folketingsarbejdet. Oktober 2015.  
[http://www.ft.dk/dokumenter/publikationer/folketinget/haandbog\\_i\\_folketingsarbejdet\\_2011.aspx](http://www.ft.dk/dokumenter/publikationer/folketinget/haandbog_i_folketingsarbejdet_2011.aspx) (accessed 22 October 2014).

## France

Score 9

Committees have free access to all requested documents. However, areas such as national security, the secret service or military issues are more sensitive. The government might be reluctant to pass on information but, worse, could be tempted to use information limitations to cover up potential malpractices. For instance, in the past the PMO had at its disposal substantial amounts of cash that could partially be used for electoral activities of the party in power. No information was available about where the money actually went. In the same vein, it is only since the Sarkozy presidency that the president's office budget has become transparent and accessible to parliamentary inquiry.

## Germany

Score 9

The German Bundestag is a “working parliament” – that is, parliamentary committees are of great importance in preparing and discussing legislative initiatives. Outside their law preparation activities, they also serve in an oversight role with respect to government ministries. Nonetheless, the government sometimes tries to withhold information. But most documents are made public and can be accessed.

In a recent ruling from 7 November 2017, the Federal Constitutional Court again strengthened the information rights of the Bundestag vis-à-vis the government by making comprehensive information publicly available.

Citation:

<https://www.bundesverfassungsgericht.de/SharedDocs/Pressemitteilungen/DE/2016/bvg16-084.html>  
<http://www.sueddeutsche.de/politik/auskunftsrecht-verfassungsgericht-staerkt-kontrollrechte-des-bundestags-1.3738737>  
<http://www.bundesverfassungsgericht.de/SharedDocs/Pressemitteilungen/DE/2017/bvg17-094.html>

## Japan

- Score 9 Government documents can be obtained at the discretion of legislative committees. There are typically no problems in obtaining such papers in a timely manner.

## Lithuania

- Score 9 Members of parliament have the right to obtain information not only from the government itself but also from various government agencies, enterprises and other public-sector organizations. When carrying out their oversight function, parliamentary committees can request information and relevant documents from ministries and other state institutions. These are normally delivered in full and within an appropriate time frame. There are some restrictions concerning the access of information considered to be sensitive for reasons of state security. In addition, information from ongoing pretrial investigations and other investigations cannot be provided if this could harm the investigations.

## New Zealand

- Score 9 The Cabinet Manual defines the right of committees to ask for government documents. All documents must be delivered in full and within an appropriate time. There are limitations with regard to classified documents.

Citation:

Cabinet Manual: Providing Information to Select Committees: <http://cabinetmanual.cabinetoffice.govt.nz/8.66> (accessed October 24, 2015).

## Norway

- Score 9 The parliamentary right of access to information is a very strong norm, which most members of the government are very careful not to violate. They thus work to ensure that the parliament is provided with adequate and timely information. Oral proceedings and consultations are sometimes used to supplement written procedures. There are some limitations to access to information rights, for instance, in cases related to security. However, even in these cases, parliament has an extended foreign relations committee, which has access to more classified information.

## United States

- Score 9 The legislature's right to obtain government documents is well established in the U.S. system of government and congressional committees have subpoena power to request documents. This power is sometimes limited by claims of executive privilege – a constitutionally recognized entitlement that protects White House and agency

internal communications in limited circumstances. Although the executive branch often withholds classified information from general release to members of Congress, the members of the House and Senate Intelligence Committees have top-secret clearance enabling them access to sensitive secrets. In any case, for most issues, the information that Congress needs for policymaking or oversight of administration does not fall under any plausible claim of executive privilege or security restriction. In these cases, Congress can obtain almost any information that exists. Within very broad limits, Congress can also ask departments and agencies to gather data or perform studies when it finds existing information to be insufficient.

In a sharp departure from past practice, the Republican Congress during the first two years of the Trump presidency has largely refrained from conducting oversight or investigations into the conduct of the executive branch. The Democratic takeover of the House of Representatives as a result of the 2018 midterm elections will massively increase the levels of oversight and investigation and transform the conditions of executive accountability in the Trump presidency.

## Canada

**Score 8** Parliamentary committees have the right to receive government documents in the course of their deliberations. However, these documents often arrive incomplete and redacted because of confidentiality considerations, or too late for the committee to make effective use of them.

## Chile

**Score 8** Congressional committees or individual deputies can request documents, which must be delivered by the government within legally defined time limits. Those deadlines are generally met, but there are de facto limitations in the exercise of oversight, as the majority party or coalition can block the minority's request. Until recently, obtaining information from state-owned companies or the Ministry of Finance was difficult.

## Italy

**Score 8** Parliamentary committees are comparatively powerful. They can significantly amend legislation and they have extensive oversight powers. Committees also have the right to ask for documents from the government. Delivery of the documents may not always be prompt, but there is no significant evidence that the government fails to comply.

## Slovenia

Score 8

In Slovenia, parliamentary committees have the right to ask for almost all government documents, and they can discuss any document in sessions either open or closed to the public. However, the Cerar government, similar to previous governments, sometimes delivered draft bills and other documents at the last minute or with considerable delay, thereby infringing on the work of the committees and obstructing public debate on the proposals. Compared to previous governments, there have been more public debates on most important legislation.

## South Korea

Score 8

Parliamentary committees are legally able to obtain the documents they request from the government. The government, including governmental agencies and public institutions, is required to deliver these documents within 10 days of a request from a member of the National Assembly. Documents pertaining to commercial information or certain aspects of national security can be withheld from the parliament. Moreover, problematic issues do arise in the process of requesting documents. For example, because of the frequency of requests from parliamentarians, there have been numerous cases reported in which agency officials have had to work overtime to meet the document requests.

Parliamentarians can also summon the officials concerned as witnesses. However, bureaucrats are sometimes reluctant to offer the documents and information requested in an effort to protect their organizational interests. The inability to override witnesses' refusal to answer questions remains an issue that must be addressed. Under current law, the National Assembly can ask prosecutors to charge those who refuse to take the witness stand with contempt of parliament. However, this carries only light penalties, such as fines. The National Assembly should work to reform the hearing system to make it a more effective tool in probing cases of national importance. Under the Moon government, government institutions have become more cooperative in response to parliamentary committees' document requests.

## Spain

Score 8

The information and documentation requested from the government must be made available within a period not exceeding 30 days and in the manner most suitable to the applicant. If this is not done, "the legally justified reasons preventing the supply of such information" must be provided. This legal margin allows the government to avoid delivering some important documents (e.g., on the grounds of secrecy), or

enables it to deliver the documents incompletely or late. Furthermore, although every member of a committee is in principle entitled to request any information or document, they can only do so with the prior knowledge of their respective parliamentary group. Access to documents may also vary depending on the ministry. Documents generally arrive on time and in full, but obstacles are occasionally erected.

Citation:

November 2017, Europa Press: “La Audiencia Nacional rechaza enviar documentos a la comisión sobre financiación del PP”

<http://www.europapress.es/nacional/noticia-gurtel-audiencia-nacional-rechaza-enviar-documentos-comision-financiacion-pp-20171129140500.html>

## United Kingdom

### Score 8

The “Osmotherly Rules,” updated in October 2014, define the rights of select committees to obtain government documents. Although published in a Cabinet Office document, like many internal parliamentary rules, they are informal and cannot be legally challenged. However, documents are rarely held back and will thus be made available to committees. Only in very specific, pre-defined circumstances are documents withheld from select committees. There are occasional disputes with government over the provision of specific information, and committees will then have to order the production of government documents. Their rights are thus not formally limited, but there is sometimes a political struggle between the committee and the government, although the struggle is usually mediated by the fact that the government party also has the majority on the committee, and party-political motives thus rarely come into play. Freedom of Information requests can additionally be used to obtain documents, but this does not include documents that affect national security or public interests. The media reinforce parliamentary scrutiny through their strong influence and the keen interest they take in committee findings that challenge the serving government.

Citation:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/364600/Osmotherly\\_Rules\\_October\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364600/Osmotherly_Rules_October_2014.pdf)

## Bulgaria

### Score 7

Under the Rules of Organization and Procedure of the Bulgarian parliament, parliamentary committees can obtain any documents from any public or private person in the country. A chairperson of a standing committee is obliged to acquire such documents if one-third of the members of the committee ask for them. In practice, some documents are withheld from parliament with arguments about confidentiality or national security. While parliamentary committees are entitled to handle classified information and documents, such a demand would require



cumbersome formal procedures such as setting up a specific body to investigate the concrete issue, adopting respective rules and procedures, and ensuring confidentiality. The institution of “parliamentary questions” put to the executive also gives individual members of parliament access to the executive branch. Representatives of the executive can delay the execution of these requests, because responsibilities are not clearly specified and sanctions are not defined. There have been numerous instances of such delays. However, parliamentary questions remain an effective and widely used (especially by the opposition) tool for parliamentarians to access government information.

## Croatia

### Score 7

According to Article 115 of the Standing Order of the Croatian Parliament (Sabor), any working bodies of the Sabor may “seek a report and data from ministers of state or officials who administer the operations of other state administrative bodies,” and ministers are obliged “to report on issues and affairs within the authority of the ministries or other state administrative bodies, to submit a report on the execution and implementation of laws and other regulations and the tasks entrusted to them, to submit data at their disposal, or data they are obliged to collect and record within the scope of their duties, as well as records and other documents necessary to the work of parliament or its working body, to respond to posed questions.” However, these rights are seldom exercised in practice. The most commonly used supervisory mechanisms are oral or written questions to the government.

## Ireland

### Score 7

Parliamentary committees have the power to send for persons, papers and records; to require attendance by ministers in order discuss current policies and proposals for legislation; and to require the attendance of principal officeholders in bodies that are funded by the state. The issue of access to government documents by committees has not been contentious in recent years.

While parliamentary committees were once weak, they have been getting stronger since the 1980s. One comparative ranking of the strength of committee systems in 39 advanced industrial democracies placed Ireland mid-table (Martin 2010).

#### Citation:

The Committee of Inquiry into the Banking Crisis Final Report January, 2016.

The scope and structure of the Banking Inquiry are set out here:

<http://www.oireachtas.ie/parliament/media/Relevant-Proposal-to-the-Committees-on-Procedure-and-Privileges-of-Dail-Eireann-and-Seanad-Eireann.pdf>

Shane Martin ‘The Committee System,’ in Muiris MacCarthaigh and Maurice Manning (eds, 2010) *The Houses of the Oireachtas*. Dublin: IPA.

## Israel

### Score 7

According to Israel's basic laws and the Knesset's Rules of Procedure, the executive or appointed officials must attend and provide information to Knesset committees upon request, unless information is considered confidential. However, the law contains no specific provisions or sanctions for enforcement in cases of disobedience and lack of compliance or the provision of insufficient or inaccurate information. Thus, the parliament has only general or disproportionate means of response, such as passing a motion of no confidence or reporting to the Civil Service Commission. These options do not provide a solution to mundane problems, such as receiving unreliable information from the government.

In recent months, several members of parliament and the minister of justice have worked to draft a reform initiative involving two components: limiting the amount of private legislation and strengthening the Knesset's oversight capacity. The reform proposal would enhance Knesset committees' role in overseeing their corresponding ministries, expand their roles in approving ministry budgets, and give them greater power to summon civil service appointees to public hearings. But, there isn't sufficient evidence to suggest anything meaningful has yet come out of this initiative.

Citation:

Fridberg, Chen, "The Knesset committees from an oversight perspective: Chronicle of a failure foretold?," *Studies in Israel's revival* 20 (2010) 49-79: <http://in.bgu.ac.il/bgi/iyunim/20/a3.pdf> (Hebrew)

Knesset Rules of Procedure, Section H, Chapter 7

Plesner, Yohanan, "There is Still Hope for Knesset Reform," IDI Website, 10/8/17, <https://en.idi.org.il/articles/18582>

Zerahia, Zvi, "The treasury is deliberately holding out information from PMs so we can't supervise it," *TheMarker* 7.1.2014: <http://www.themarker.com/news/1.2210843> (Hebrew)

Roznai, Yaniv, Liana Volach, Law reform in Israel, in "The Theory and Practice of Legislation," 6(2018)2, pp. 291-320: <https://www.tandfonline.com/doi/full/10.1080/20508840.2018.1478330>

## Luxembourg

### Score 7

In general, information flows freely between the government and coalition parties. In the cases where such flows are seen as incomplete, parliamentary questions (questions parlementaires) are a popular and sometimes effective way for members of parliament to obtain information from the government or to gain insight into specific topics.

However, many parliamentary questions are answered only partially or inadequately. In Luxembourg, there is no culture that demands inquiries to be answered comprehensively. The effect of parliamentary questions on government work is

rarely visible. Much more effective in creating change is the pressure of the press, particularly, if the national TV broadcaster RTL picks up something.

Citation:  
 Question parlementaire. Chamber (Parliament).  
[https://chd.lu/wps/portal/public/Accueil/Actualite/!ut/p/z1/fY9Nb4JAEIZ\\_DVdmmEYVe1sUKST1g41V92LQbFcTYBug5e-Xfhw0oc5tJs\\_zTl5QcPBCQvImXhjAHIRdfF5N0V1tXZTDfIDBcU7z1zz1CVexDJDYmolcEiL6sPsBiHOZJ-Ilnk63EaY482S8iQhTAnXrJ-HGR8riLNzKJeMJ-MfPPj28Z8RCMtnW-khRY2AAqOcIoaYrGgUuEvKQJnSnn5Li\\_rEuAHV6Dfd6Mb9aIbzpeve2ycHHez73jXWmlK7Z1s5OKZcbNvB\\_p6ESpULLtfVjrCfCyDK4lk!/dz/d5/L2dBISEvZ0FBIS9nQSEh/](https://chd.lu/wps/portal/public/Accueil/Actualite/!ut/p/z1/fY9Nb4JAEIZ_DVdmmEYVe1sUKST1g41V92LQbFcTYBug5e-Xfhw0oc5tJs_zTl5QcPBCQvImXhjAHIRdfF5N0V1tXZTDfIDBcU7z1zz1CVexDJDYmolcEiL6sPsBiHOZJ-Ilnk63EaY482S8iQhTAnXrJ-HGR8riLNzKJeMJ-MfPPj28Z8RCMtnW-khRY2AAqOcIoaYrGgUuEvKQJnSnn5Li_rEuAHV6Dfd6Mb9aIbzpeve2ycHHez73jXWmlK7Z1s5OKZcbNvB_p6ESpULLtfVjrCfCyDK4lk!/dz/d5/L2dBISEvZ0FBIS9nQSEh/) Accessed 24 Oct. 2018.  
 Gouvernement: Toutes les actualités.  
[https://gouvernement.lu/fr/actualites/toutes\\_actualites.html?r=f%2Faem\\_event\\_type%2Fgouv%3Atags\\_type\\_event%5Cparliamentary\\_question](https://gouvernement.lu/fr/actualites/toutes_actualites.html?r=f%2Faem_event_type%2Fgouv%3Atags_type_event%5Cparliamentary_question).  
 Accessed 24 Oct. 2018.

## Mexico

### Score 7

The constitution invests Congress with significant powers. However, until recently, the independence of Congress was undermined by legislation that blocked congressional members from being immediately re-elected. This ban made congressional members dependent on a few powerful leaders who controlled access to resources and increased traditional personalistic and clientelist party structures. For this political, rather than legal, reason congressional committees voted largely along party lines and legislative scrutiny was generally perfunctory. For example, congressional members are legally entitled to request and scrutinize government documentation under the Freedom of Information Act. While the ban on being immediately re-elected has been abolished, it is too early to assess the effect of this change on legislative scrutiny.

## Romania

### Score 7

According to Article 111 of Romania's constitution, "the government and other agencies of public administration shall, within the parliamentary control over their activity, be bound to present any information and documents requested by the Chamber of Deputies, the Senate or parliamentary committees through their respective presidents." However, this access is limited in case of documents containing classified information, especially with respect to national security and defense issues. Members of parliament also complain about delays in the provision of documents and information.

## Iceland

### Score 6

The Information Act from 2012 (Upplýsingalög, No. 140/2012) grants standing parliamentary committees the right to request government documents relating to their work, with the exception of classified documents. Exempted documents include minutes, memos, and other documents from cabinet meetings; letters between the

government and experts for use in court cases; and working documents marked for government use only, excluding those containing a final decision about a case or information that cannot be gathered elsewhere. The government can restrict access to documents if it can make a case that there is an exceptional public security risk, such as national security, international relations, or business agreements. The Committee on Foreign Affairs has a special legal status, which allows it to request government documents that would enable it to fulfill its legal obligations. The chair of the committee and the foreign minister can decide to keep the discussions and decisions of the committee confidential. The Budget Committee can also request the government documents it needs to fulfill its legal obligations.

In a case relating to the most infamous telephone call in Icelandic history, the central bank refused to comply with a parliamentary committee request to release the recording or transcript of a telephone conversation, which took place shortly before the 2008 economic collapse, between the prime minister and the central bank governor. This dispute remains unresolved demonstrating that the right of parliamentary committees to request access to information is not the equivalent of a right to obtain information. Further, a leaked transcript of the telephone conversation, reported on national television (RÚV), suggests that the bank may have committed legal violations. Even so, the governing board of the central bank, appointed by parliament and tasked with ensuring the bank operates in accordance with the law, is not known to have discussed the issues arising from this leak as the minutes of its meetings are not open to the public.

An internet newspaper, Kjarninn, sued the central bank in 2017 in an attempt to gain access to the coveted recording of the telephone conversation. Then, all of a sudden, a transcript of the recording was published in Morgunblaðið. The editor of Morgunblaðið is the former central bank governor who, according to the transcript of the telephone conversation, declares to the prime minister that the €500 million loan to Kaupthink Bank just before the financial crash will not be recovered. The legal ramifications of this exposure remain to be seen.

Citation:

The Information Act (Upplýsingalög nr. 142/2012)

## Netherlands

### Score 6

The government has to provide correct information to the States General (according to Article 68 of the constitution). However, this is often done somewhat defensively, in order to protect “ministerial responsibility to parliament” and a “free consultative sphere” with regard to executive communications. Providing the States General with internal memos, policy briefs (e.g., on alternative policy options), interdepartmental policy notes or advice from external consultants is viewed as infringing on the policy “intimacy” necessary for government-wide policy coordination, as well as on the state’s interests. As political scientist Hans Daalder has noted: “In practice, it is the ministers that decide on the provision of information requested.”

## Citation:

Guido Enthoven (2011), *Hoe vertellen we het de Kamer? Een empirisch onderzoek naar de informatierelatie tussen regering en parlement*, Eburon

R.B. Andeweg & G.A. Irwin (2014), *Governance and Politics of the Netherlands*. Houndmills, Basingstoke: 174-182.

## Poland

### Score 6

On paper, parliamentary committees have full access to government documents. Members of parliament may demand information from government officials, either in written or verbal form, at the sitting of the Sejm plenary or at a committee meeting. Since the parliamentary elections in 2015, however, it has become increasingly difficult for opposition members of the Sejm to obtain government documents and to receive them in good time. In some cases, the government has also failed to deliver the correct documents.

## Portugal

### Score 6

The government is obliged to respond within 30 days to requests for information from the Assembly of the Republic. While there is no data on how it responds specifically to requests from parliamentary committees, delivery of information to requests from members of parliament can be untimely or incomplete. During the third session of the 13th legislature, held during the current period under review, parliamentarians issued 3,056 questions, while 833 questions were carried over to this period as they had not been answered during the previous legislative session. Out of this total, 57% (2,235) were answered. This marks a considerable deterioration vis-à-vis the previous review period, when 80% of questions were answered, but is similar to the pattern in the first legislative session (55%).

Moreover, there was a further deterioration regarding requests to the central government, with only 7% of (new and pending) requests being answered during the period under review. This is considerably lower than the previous review period.

As noted in previous reports, this response rate does not appear to reflect a deliberate attempt to conceal information from the Assembly. In general, it is likely that committee requests are answered more promptly and fully than those made by individual legislators

## Citation:

Assembleia da República (2018), *Balanço da Atividade Parlamentar – 3.ª Sessão Legislativa da XIII Legislatura*, available online at: [https://www.parlamento.pt/ActividadeParlamentar/Documents/Estatisticas\\_Actividade\\_Parlamentar\\_XIIILeg/ActividadeLegislativa\\_XIII\\_3.pdf](https://www.parlamento.pt/ActividadeParlamentar/Documents/Estatisticas_Actividade_Parlamentar_XIIILeg/ActividadeLegislativa_XIII_3.pdf)

## Hungary

### Score 5

Traditionally, parliamentary committees in Hungary enjoyed far-reaching access to government documents. However, the new standing orders of the Hungarian parliament, as adopted under the 2012 Act on Parliament, do not regulate the access of parliamentary committees to public documents. The Orbán governments have used their parliamentary majority to restrict access to public documents, even for discussion within parliamentary committees.

## Slovakia

### Score 5

Parliamentary committees have the formal right to ask for almost all government documents. The main limits stem from the logic of party competition. Smer-SD members of parliament do not support opposition members of parliament in their legislative activities. As a result, the committees' access to government documents is often not timely.

## Turkey

### Score 5

According to the Rules of Procedure (Article 62), the speakership of the TBMM may invite the vice-president, ministers and deputy-ministers, and senior public officials to provide information at the plenary, as described by Article 119 of the Constitution (state of emergency). Parliamentary commissions may directly communicate with any ministry and request information from a ministry relevant to the commission's work (Article 41)

Citation:

Rules of Procedure of the Grand National Assembly of Turkey, <https://www.tbmm.gov.tr/docs/ictuzuk.pdf> (accessed 1 November 2018)

Ş. İba, Parlamento Hukuku, Ankara: Turhan Yayınevi, 2017.

## Cyprus

### Score 4

The government and the broader public administration have no constitutional obligation to make documents available to the parliament. In practice, ministers or other officials answer questions, present their views or documents to deputies, House committees or ad hoc committees.

The Law on the Deposition of Data and Information to Parliamentary Committees gives committees the right to ask for official information and data. However, this law is cautiously formulated. Under its terms, if an official attends a committee hearing

she/he is obliged to tell the truth and to provide genuine documents. Hiding information or documents may lead to judicial sanctions for misinforming or misguiding the committee.

Critically, under the law, attending a meeting if invited is not mandatory. Thus, the House's ability to obtain documents depends on an officials' willingness to attend a hearing as well as on a minister's discretionary power to approve release of documents. Thus, she/he can withhold information without risking sanctions.

Citation:

1. Law on the deposition of data and information to the House of Representatives and parliamentary committees 21(I)/1985 [http://www.cylaw.org/nomoi/enop/non-ind/1985\\_1\\_21/full.html](http://www.cylaw.org/nomoi/enop/non-ind/1985_1_21/full.html)

## Malta

### Score 4

Parliamentary committees may request documents from the government, though the government is not obliged to comply. For example, the government could refuse to release documents, because the documents could contain commercially sensitive information or it is too soon to make the information public. The 2015 parliamentary ombudsman report highlighted the need to publish government documents and agreements and for limits of the state's duty to disclose. The ombudsman also stated that in some cases non-disclosure by the executive is totally unjustified citing the example of parliament not being privy to commercial agreements entered into by the public administration. The ombudsman's 2018 plan again stressed the need for government transparency and accountability. The freedom of information act must be strengthened.

Citation:

Said Pullicino, J (ed) 2015 The State's Duty to Inform Office of the Parliamentary Ombudsman  
Annual Report 2015 Parliamentary Ombudsman  
How the rule of law is being undermined Times of Malta 23/10/17



## Indicator

## Summoning Ministers

## Question

## Are parliamentary committees able to summon ministers for hearings?

41 OECD and EU countries are sorted according to their performance on a scale from 10 (best) to 1 (lowest). This scale is tied to four qualitative evaluation levels.

- 10-9 = Parliamentary committees may summon ministers. Ministers regularly follow invitations and are obliged to answer questions.
- 8-6 = The rights of parliamentary committees to summon ministers are slightly limited; ministers occasionally refuse to follow invitations or to answer questions.
- 5-3 = The rights of parliamentary committees to summon ministers are considerably limited; ministers frequently refuse to follow invitations or to answer questions.
- 2-1 = Parliamentary committees may not summon ministers.

## Australia

## Score 10

Committees have the legal right to summon ministers to appear before committee inquiries, but in practice compulsion to appear is uncommon. Under the principle of comity, a house of parliament does not seek to compel the attendance of members of that house or another house. It is common, however, for members, including ministers, to appear by invitation or by request before committees, to assist with committee inquiries.

## Belgium

## Score 10

Ministers are regularly summoned to parliamentary committees. The rights of committees do not appear to be restricted. This is reinforced by the fact that most parliamentary members (majority and opposition alike) have little chance of seeing their own proposals pass in parliament. Therefore, they concentrate much of their time on written questions (which must be answered by the minister in charge), which can improve a member's media visibility. However, when the media attention on a topic is intense, one frequently sees important ministers replaced by (less important) state secretaries during questioning.

## Czechia

## Score 10

Ministers and the top personnel of major state institutions are obliged to attend committee meetings and answer questions when asked. According to the rules, ministers are also required to present draft bills to appropriate committees. If the ministers send officials below the rank of deputy minister, committees may, and

often do, refuse to discuss a legislative proposal. If the Chamber of Deputies believes that there has been serious misconduct and a minister's explanation is regarded as insufficient, it may establish a parliamentary inquiry committee. During the period under review, one such committee was set up.

## Denmark

Score 10

Committees regularly summon ministers for meetings, called consultations (samråd). These meetings are key elements of how the Danish parliamentary system works. Consultations play an important role in the legislative process for members of parliament. At the same time, the meetings are where the People's Assembly exercises its parliamentary control of the government.

Citation:

Henrik Zahle, Dansk forfatningsret 1: Institutioner og Regulering, 2005.

Henrik Zahle, Dansk forfatningsret 2: Regering, forvaltning og dom, 2004.

## Estonia

Score 10

Permanent committees have the right to request participation of ministers in committee meetings in order to obtain information. However, no information on how regularly committees use this ability is available.

In addition, MPs can individually forward written questions and interpellations to the ministers. These must be answered publicly at one of the national parliament's plenary sessions within 20 days.

## Finland

Score 10

Committees are able to summon ministers to hearings and do so regularly. Committee meetings usually begin with a presentation by a ministry representative. Ministers can take part in committee meetings and debates but cannot be regular members of the committee. Furthermore, when deemed necessary, committees invite the Ombudsman, the Deputy Ombudsman or their representatives to a formal hearing as experts on questions of legislative drafting.

Citation:

<https://www.eduskunta.fi/EN/lakiensaaminen/valiokunnat/Pages/default.aspx>

## Germany

Score 10

Parliamentary committees' right to summon ministers is established by the Basic Law. The Basic Law also gives members of the federal government or the Bundesrat the right to be heard in front of the plenum or any committee.

## Latvia

**Score 10** Members of parliament have the right to pose questions to ministers and summon them to answer questions before parliament. At least five signatories are required for such a request. Ministers generally comply with parliamentary requests.

Parliamentary committees have the right to request information from ministries as well as to summon ministers to committee meetings.

## Lithuania

**Score 10** Parliamentary committees are able to summon ministers and the heads of most other state institutions (with the exception of court judges). Invited people, which also attend parliamentary commissions and other groups, typically answer questions posed by the members of the parliament and provide other relevant information. In some cases, vice-ministers or other authorized civil servants can serve as substitutes for ministers. However, rather than being used as a forward-looking mechanism, this instrument of parliamentary control is often restricted to the explanation of government activities on an ex-post basis.

## Norway

**Score 10** Parliamentary committees may summon ministers for appearances. Ministers regularly respond to invitations and answer questions. In addition, there is a weekly session in parliament where legislators can ask questions directly to the ministers. If a minister is found to have misinformed parliament, he or she cannot expect to continue as a minister for long.

## Slovenia

**Score 10** The right of parliamentary committees to summon ministers is enshrined in the Rules of Procedure of the Slovenian parliament. Ministers regularly follow invitations; if they are unable to attend in person, they can also authorize state secretaries to represent them. Ministers are also obliged to answer questions from members of parliament, either in oral or written form, and this obligation is largely respected in practice. Moreover, the prime minister must personally answer four questions from members of parliament in every parliamentary session. In 2017, members of parliament submitted a total of 1,409 questions to the government generally or to individual ministers specifically (361 less than in 2016), with 80% of questions submitted by opposition parties. Only three questions remained unanswered (3 more than in 2016).

## Citation:

National Assembly (2018): Report on the Work of the National Assembly in 2017. Ljubljana ([https://fotogalerija.dz-rs.si/datoteke/Publikacije/PorocilaDZ/Mandat\\_2014%E2%80%932018/Letno\\_porocilo\\_-\\_2017.pdf](https://fotogalerija.dz-rs.si/datoteke/Publikacije/PorocilaDZ/Mandat_2014%E2%80%932018/Letno_porocilo_-_2017.pdf)).

## Switzerland

- Score 10** Parliamentary committees can summon ministers for hearings. Formally, this request is not binding. However, for political reasons, ministers typically respond to these requests, and answer the committees' questions.

## United States

- Score 10** Executive officials do not appear on the House or Senate floor. However, department secretaries and other high-level officials of the executive branch appear with great frequency and regularity, essentially on request, before legislative committees and subcommittees. In the context of an investigation, committees sometimes subpoena executive branch members to make an appearance. Most appearances are voluntary, however, motivated by the desire to maintain strong relationships with the congressional committee. The resulting burdens on high-level executives become considerable, with congressional appearances and the required preparation taking up a significant share of executives' time. Congress uses testimony from executive officials both in evaluating proposals for new legislation and in "oversight," that is, in reviewing and evaluating the administration's performance.

## Chile

- Score 9** In August 2005, a constitutional reform (Law No. 20,050) established the process of ministerial interpellation. Committees in the Chamber of Deputies and the Senate have the right to summon ministers for questioning about matters concerning their area. The ministers are obliged to attend. This political instrument has been used on various occasions. The effectiveness of this instrument of congressional oversight depends on the quality and quantity of information accessible to the National Congress through other channels.

## Greece

- Score 9** Ministers are regularly summoned to committees but they are obliged to appear in front of a committee only if two-fifths of the committee members require them to do so. There are a few restrictions with regard to information given to the committees by the Minister of Defense and the Minister of Foreign Affairs. The former may restrict his or her comments only to armaments supplies, while the latter is not obliged to give information on any ongoing negotiations or talks in which Greece still participates.

Owing to the ongoing economic stagnation in Greece and tensions with neighboring countries, ministers were frequently summoned to parliament and engaged in intense debates with the opposition. As expected in a polarized party system, sometimes debates created a spectacle rather than a setting to exchange rational arguments.

Citation:

The summoning of ministers is regulated by article 41A of the Standing Orders of the Greek parliament.

## Iceland

Score 9

Parliamentary committees can legally summon ministers for hearings, but seldom do so. The foreign minister is summoned and usually attends meetings of the Foreign Affairs Committee. The relative representation of each party across and within parliamentary committees reflects the relative representation of each party in parliament.

The Special Investigation Committee, appointed by the parliament in December 2008 to investigate the processes that led to the collapse of Iceland's three main banks, summoned several ministers and ex-ministers during 2009 and 2010.

The most notable example of a prominent politician being held accountable was the 2010 indictment of Prime Minister Geir Haarde by parliament, which led to a trial in 2012 before the High Court of Impeachment. Haarde was found guilty on one count of negligence relating to his tenure as prime minister before the 2008 economic collapse. He was found guilty of neglecting to hold cabinet meetings, during the first months of 2008, on important issues relating to the economic collapse. This obligation is stated in paragraph 17 of the constitution. As a first-time offender, Haarde was not given a custodial sentence. He is now Iceland's ambassador to the United States, and will soon take up the position of Iceland's representative to the Nordic and Baltic constituency on the Executive Board of the World Bank.

## Italy

Score 9

Article 143 of the Chamber of Deputies' rules of procedure enables parliamentary committees to summon ministers for hearings. Similar rules apply for the Senate. Summoning ministers is a regular practice, and ministers normally comply with such requests.

## Japan

Score 9

Committees may request the attendance of the prime minister, ministers and lower-ranking top ministry personnel, such as senior vice-ministers, among others.

## Luxembourg

### Score 9

Interaction between the executive and the parliament is generally straightforward. Any member of parliament can introduce a parliamentary question (written or oral). Questions are addressed to the parliamentary president. Within one month, the responsible minister(s) must respond and deliver detailed information about relevant policy decisions and departmental activities. Questions and answers are fully published on the Chamber of Deputies' website. On Tuesdays, when the parliament convenes, there may be a lively question and answer session, covering a broad range of relevant issues posted by opposition parties.

#### Citation:

Schroen, Michael (2008): *Parlament, Regierung und Gesetzgebung*, in: Wolfgang H. Lorig/Mario Hirsch (eds.), Springer VS Verlag, pp. 106-129.

## Mexico

### Score 9

Under Article 93 of the constitution, parliamentary committees have the right to summon ministers, which happens quite a lot in practice.

Regarding the resources of legislators to monitor the government, it is worth noting that – through legislative committees – they can (and frequently do) conduct hearings where they summon ministers as well as other public officials, who have an obligation to attend. It is often the case that hearings are held right after Annual Presidential Reports to go over evidence and documents supporting the president's claims on their respective offices (similar to the State of the Union Address in the United States). While these resources are relevant and useful for monitoring, they very rarely have meaningful consequences for public officials (positive or negative).

## Netherlands

### Score 9

Parliamentary committees may invite ministers to provide testimony or answer questions. Outright refusal to answer such a request occurs only rarely. Nevertheless, ministers often do not answer the questions in a forthright manner. Every week, parliamentarians have the opportunity to summon ministers and pose a seemingly unlimited number of questions. Recently, the minister for public health canceled international commitments in favor of dealing with parliamentary issues concerning the bankruptcy of two local hospitals.

#### Citation:

R.B. Andeweg & G.A. Irwin (2014), *Governance and Politics of the Netherlands*. Houndmills, Basingstoke: 174-182.

NOS, Minister Bruins wil vinger in de pap bij keuze overnamekandidaat ziekenhuis Lelystad, 2 November 2018

## Portugal

**Score 9** Ministers must be heard at least four times per legislative session in their corresponding committee. Additionally, committees can request ministers to be present for additional hearings. A committee request requires interparty consensus. However, each parliamentary group may also unilaterally request ministerial hearings. These vary from one to five per session, depending on the size of the parliamentary group. Ministers accede to requests for their attendance at hearings.

## Romania

**Score 9** According to Article 54(1) of the Chamber of Deputies Regulations, ministers are permitted to attend committee meetings, and “if their attendance has been requested, their presence in the meeting shall be mandatory.” Furthermore, ministers are requested to present a work report and strategy of their ministry before committees once per session. Notably, the frequency with which ministers attend committee meetings is not documented. Sometimes ministers send deputies who are not always able to respond to queries raised by parliamentarians. The fact that members of parliament addressed over 4,000 questions to ministers in 2018, often raising the same question repeatedly over several weeks, suggests that they often do not receive a satisfactory response.

## South Korea

**Score 9** The parliament has the constitutional right to summon ministers to appear before parliamentary hearings, and indeed frequently exercises this right. Regular investigation of government affairs by parliament is an effective means of monitoring ministers. Almost every minister has been summoned to answer parliamentarians' questions in the context of a National Assembly inspection. However, the role of the minister in the South Korean system is relatively weak, with the professional bureaucracy trained to be loyal to the president. In addition, the ruling party and ministers can agree not to invite ministers or to cancel hearings on politically controversial issues.

## Spain

**Score 9** According to article 110 of the constitution, the committees of both the Congress of Deputies and the Senate “may summon members of the government” to ask them questions. At least 70 deputies or one-fifth of the members of a committee need to make the request. The request is subject to a vote in the Bureau of Congress and the Board of Spokespersons. The party supporting the government may try to reject some of the requirements made by the opposition, but after 2016, minority governments have been in a weak parliamentary position, rendering this veto much



more difficult to sustain. If the initiatives are approved, ministers are obliged to answer questions raised in these sessions. Ministers are regularly summoned by the committees overseeing their policy areas (see “Task Area Congruence”) and it is quite common for ministers themselves to request to be allowed to report on matters relating to their respective departments. In 2018, the mechanism for summoning ministers was frequently exercised.

August 2018, La comparecencia urgente de Sánchez

<https://www.europapress.es/nacional/noticia-comparecencia-urgente-pedro-sanchez-12-ministros-votacion-lunes-congreso-20180826115534.html>

## Sweden

### Score 9

Parliamentary committees summon ministers who appear and respond to questions. This is most frequently the case with the annual review conducted by the Parliamentary Committee on Constitutional Matters, but has been used by other committees, too. Except for very few cases, summoned ministers will appear in parliamentary committees. A few years ago, there was extensive media attention on a couple of instances when former cabinet ministers declined to appear before a parliamentary committee.

The hearings occur regularly and are often broadcasted by public service television. The results of the hearings are published and accessible to everyone.

## Austria

### Score 8

The legal ability to summon ministers is in practice limited by the majority that the government parties have in all committees. As the majority party groups tend to follow the policy defined by the cabinet, there typically is little interest in summoning cabinet members, at least against the minister's will.

While this de facto limitation can be seen as part of the logic of a parliamentary system in which the government and the parliamentary majority are essentially a single political entity, it is given additional influence by Austria's high level of party discipline.

## Canada

### Score 8

Ministers are normally expected to appear before parliamentary committees, but are not legally required to do so, and sometimes decline for various reasons. In recent years, ministers have begun to send their deputy ministers to appear before parliamentary committees. Ministers are of course questioned and held accountable in the House of Commons.

## France

**Score 8** Committees can summon ministers for hearings, and frequently make use of this right. Ministers can refuse to attend but this is rather exceptional. Given the supremacy and the discipline of the majority party in parliament during the Fifth Republic, such a refusal does not result in serious consequences.

## Ireland

**Score 8** The powers and scope of Oireachtas committees of inquiry are set out in the Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013, which was signed into law in July 2013. The act provides for Oireachtas inquiries, consistent with the Supreme Court's judgment on the scope of such inquiries. The scope of legitimate parliamentary inquiries that can now be carried out is broad. The legislation expands the scope of evidence that civil servants may give, thus enabling committees to develop a full narrative of events for the purpose of establishing facts.

Cabinet ministers regularly attend committees and assist them with their work. Oireachtas (parliamentary) committees play an increasingly important role in parliamentary business. They can receive submissions and hear evidence from interested groups, discuss and draft legislative proposals, publish minutes of evidence and related documents, and demand the attendance of government ministers.

### Citation:

For a discussion of how a constitutional provision for cabinet confidentiality might impinge on the work of the Banking Inquiry, see the July 2014 post by Dr. Conor O'Mahony on the Constitution Project @ UCC website:

"Cabinet Confidentiality and the Banking Inquiry"

<http://constitutionproject.ie/?p=342>

However, the committee's work was not unduly hampered by these considerations.

For the Supreme Court judgment on the powers of Oireachtas Inquiries see

[https://www.google.ie/search?q=abbeylara+case&oq=abbeylara+case&aqs=chrome..69i57.8950j1j7&sourceid=chrome&es\\_sm=122&ie=UTF-8](https://www.google.ie/search?q=abbeylara+case&oq=abbeylara+case&aqs=chrome..69i57.8950j1j7&sourceid=chrome&es_sm=122&ie=UTF-8)

## New Zealand

**Score 8** It is common practice that ministers follow invitations to visit select committee meetings, but occasionally they refuse to do so. This follows a guideline that committees can request but not require that a minister appear before them. Only the House of Representatives itself can compel members to attend a committee if they do not do so voluntarily.

### Citation:

Officials and Select Committees – Guidelines (Wellington: States Services Commission 2007).

## Poland

Score 8

Ministers and heads of the supreme organs of state administration (or their representatives) are obliged to take part in committee meetings whenever issues are discussed that fall within their domain. Groups comprising at least 15 members of parliament and parliamentary party groups have the right to ask for up-to-date information from members of the government. The Sejm then issues opinions, desiderata and suggestions on these reports. The comments are not legally binding, but in a worst case scenario may lead to a vote of no confidence against a minister, and even to his or her dismissal. In the period under review, the parliamentary opposition undertook several attempts to vote the prime minister and individual ministers out of office. All of them failed because of the government's absolute majority. The PiS government has taken the summoning of ministers less seriously than its predecessor.

## United Kingdom

Score 8

Ministers can be summoned to parliamentary committee hearings, but they cannot be forced to attend, because ministers have to be members of parliament or members of the House of Lords, and members of parliament cannot be forced to attend any meeting. However, the Osmotherly Rules recommend that ministers accept invitations to a hearing as an act of respectful courtesy, and thus ministers will usually accept an invitation to a hearing in a select committee. It would be headline news and damaging to the minister in question if they refused to appear before a committee on anything remotely controversial, although the answers given to committees can be bland. Ministerial questions in plenary sessions of parliament complement the work of committees and can be quite sharp in tone. The prime minister and key aides traditionally refuse to appear before select committees, but have appeared before the Liaison Committee, which is composed of the chairs of all the other committees.

## Bulgaria

Score 7

Legally, parliamentary committees have the power to summon ministers and the prime minister, and under the Rules of Organization and Procedure of the Bulgarian parliament, these executive-branch figures are obliged to comply. When a minister or the prime minister is asked a parliamentary question, he or she has to respond in person in the National Assembly in due time. There is no sanction for non-compliance except the possible loss of reputation and political image. Members of the executive most often comply with summons from the parliament, but can afford to ignore such summons indefinitely, often using other duties and obligations as an excuse for their lack of response.

## Croatia

**Score 7** Parliamentary committees can and do summon ministers for hearings. However, these hearings are not always taken seriously by ministers.

## Israel

**Score 7** Parliamentary committees are able to summon ministers. According to the basic law's provisions on the Knesset, every committee may require a minister to appear before it, and the minister is obliged either to attend the meeting or send a representative to provide the required information. Officials invited by committees generally attend meetings as requested. However, ministers and other public figures do occasionally refuse requests or provide insufficient information, causing conflicts between the Knesset and the government. Committees have no real power to enforce sanctions in these cases. Moreover, they are not authorized to force a minister to provide information at a set date in order to better prepare for meeting. This is part of the motivation behind the recent reform proposed by several Knesset members. The reform proposal would enhance Knesset committees' role in overseeing their corresponding ministries, expand their roles in approving ministry budgets, and give them greater power to summon civil service appointees to public hearings.

One exception to the rule detailed above is the Knesset's State Audit Committee. Since 1990, the audit committee has been able to warrant the attendance of officials, and fine officials who failed to show up to the committee or sufficiently justify their lack of compliance. (Though the size of the fine is not specified).

Citation:

Ataeli, Amichai, "The Evasion and its Punishment," Yedioth Aharonot, 07.07.2016, <http://www.yediot.co.il/articles/0,7340,L-4825644,00.html> (Hebrew)

Lis, Jonathan, "Instead of an investigation committee, a decoration committee: In the Knesset they are jealous of American congress," Haaretz 7.9.2014: <http://www.haaretz.co.il/news/politi/.premium-1.2426295> (Hebrew)

Plesner, Yohanan, "There is Still Hope for Knesset Reform," IDI Website, 10.8.2017, <https://en.idi.org.il/articles/18582>

"The Legislature's Authority to Inquire Information, and the Obligation to Provide True Information," Knesset Research and Information Center (December 2002). (Hebrew)

## Malta

**Score 7** A parliamentary committee may call any minister unless precluded from doing so by a vote within the committee. In 2012, the house speaker ruled that committees have the authority to devise their own rules and approved this method. However, since 2013, ministers have freely appeared before various committees to provide explanations or answer questions.

Citation:

<http://www.timesofmalta.com/articles/view/20150824/local/security-committee-to-discuss-visas-scam.581745>

<http://www.timesofmalta.com/articles/view/20160919/local/public-accounts-committee-expected-to-examine-state-hospital-contracts.625475>

<http://www.timesofmalta.com/articles/view/20160118/local/committee-wrapping-up-long-oil-procurement-debate.599271>

## Slovakia

- Score 7** The right of parliamentary committees to summon ministers is enshrined in Article 85 of the Slovak constitution. In practice, committees make relatively little use of this right.

## Hungary

- Score 6** The standing orders of the Hungarian parliament stipulate that ministers have to report personally to the parliamentary committee(s) concerned with their issue area at least once a year. However, they do not guarantee parliamentary committees the right to summon ministers for other hearings as well. In the period from the 2018 parliamentary elections to the end of 2018, the number of questions to ministers and the prime minister amounted to 184, out of which 39 were posted by members of parliament from the government's majority. The prime minister was addressed on 21 occasions (only opposition side members of parliament). The most summoned minister was by far the minister of human capacities (60), followed by the finance minister (25).

## Cyprus

- Score 5** The constitution (Art. 79) stipulates that the president of the republic "may address" or "transmit his views" to the House or a committee "through the ministers." Moreover, ministers "may follow the proceedings, [...] make a statement to, or inform" the House or a committee on issues within their sphere of responsibility. Thus, constitutionally, the parliament is very weak, and has no power to summon executive officials or enforce the provision of documents. In practice, however, ministers and other officials are regularly invited to provide committees with information on issues relating to their mandate and policies. They rarely decline invitations to appear themselves or be represented by senior administration officials and provide information or requested data. Thus, since attendance is up to the discretion of the executive, there have been cases where ministers have ignored invitations either when the subject related to a contentious matter or for other reasons.

Citation:

1. The Constitution of Cyprus,  
[http://www.parliament.cy/easyconsole.cfm/page/download/filename/SYNTAGMA\\_EN.pdf/foldername/articleFile/minute/pdf/](http://www.parliament.cy/easyconsole.cfm/page/download/filename/SYNTAGMA_EN.pdf/foldername/articleFile/minute/pdf/)

## Turkey

### Score 4

Ministers can attend committee meetings as a representative of the government without invitation, and may talk on the subject matter at hand (Rules of Procedure, Article 29, 30 and 31). However, ministers may also delegate a senior civil servant to be his or her representative at a committee meeting. If relevant, the committee may ask a minister to explain a government position, but he or she is not required to comply with this invitation if there is no legal obligation (Article 62). While parliamentary committees are not able to summon ministers for hearings, the responsible minister may voluntarily decide to participate in a meeting. Normally, the committees are briefed by high-ranking ministerial bureaucrats. In the new presidential system, the ministers will always be present at the Planning and Budget Committee when the previous year's final accounts and following year's draft budget are discussed. They also attend the budgetary debates in the plenary.

The latest available GNAT activity report is from 2016.

During the review period, the effects of the state of emergency, corruption scandals, resignation of metropolitan mayors, economic instability and regional affairs (e.g., Turkey's involvement in the war in Syria, the massive movement of refugees from neighboring countries into Turkey, and Kurdish developments in and outside of Turkey) are highly visible. None of the government's senior executives took responsibility for or allowed an independent parliamentary investigation into these issues. Instead, the government demonstrated a lack of accountability vis-à-vis parliament.

Citation:

Rules of Procedure of the Grand National Assembly of Turkey, <https://www.tbmm.gov.tr/docs/ictuzuk.pdf> (accessed 1 November 2018)

TBMM Faaliyet Raporu, 26. Dönem, 1, 2 ve 3. Yasama Yılı, [https://www.tbmm.gov.tr/komisyon/insanhaklari/faaliyet\\_raporlari\\_26.htm](https://www.tbmm.gov.tr/komisyon/insanhaklari/faaliyet_raporlari_26.htm) (accessed 1 November 2018)

## Indicator

## Summoning Experts

## Question

Are parliamentary committees able to summon experts for committee meetings?

41 OECD and EU countries are sorted according to their performance on a scale from 10 (best) to 1 (lowest). This scale is tied to four qualitative evaluation levels.

- 10-9 = Parliamentary committees may summon experts.
- 8-6 = The rights of parliamentary committees to summon experts are slightly limited.
- 5-3 = The rights of parliamentary committees to summon experts are considerably limited.
- 2-1 = Parliamentary committees may not summon experts.

## Australia

## Score 10

Parliamentary committees conduct inquiries, to which experts are always invited to give evidence. Experts are also sometimes compelled to appear before committee inquiries.

## Austria

## Score 10

Parliamentary committees have no formal limits in terms of summoning experts. Every party, including the opposition (i.e., the committee's minority parties), can nominate or invite experts it deems qualified. Expert hearings are held quite regularly.

However, this opportunity is not used in the best possible way. The twin factors of party discipline and cabinet dominance over the parliament's majority mean that independent expert voices do not ultimately have great influence.

## Bulgaria

## Score 10

Under the Rules of Organization and Procedure of the Bulgarian parliament, parliamentary committees are able to invite experts. This opportunity is available to deputies from the opposition as well. Experts are obliged to provide the committees with any information and documents that the latter require for their work. While experts cannot be obliged to attend the committee meetings, these invitations carry considerable prestige and an opportunity to have an input in the legislative process,



thus providing incentive to respond promptly. Since the expert work is paid and the parliamentary budget for such expenditures is small, committees have to be selective and cannot invite a broad range of experts.

## Canada

**Score 10** Parliamentary committees have the right to summon any expert they choose to provide testimony. However, committees cannot compel experts to appear or testify. Parliamentary committees now allow witnesses to appear via Skype, which has increased the pool of experts available.

## Croatia

**Score 10** Croatia is one of the rare countries where experts can be named as outside members of parliamentary committees, and this has become a regular practice. The Committee for International Relations, the Committee for European Integration and the Committee for Internal Affairs and National Security are the only exceptions to this rule. Some civil society actors, such as Citizens Organize to Oversee Voting (Građani organizirano nadgledaju glasanje, GONG), insist that committees' use of experts be fully open through the use of a transparent summoning process.

## Czechia

**Score 10** In Czechia, parliamentary committees may and often do summon experts.

## Estonia

**Score 10** Parliamentary committees can summon experts for committee meetings. They do this regularly, and to an increasing extent. Each committee determines which experts to call for each particular matter. In addition to ministerial representatives, researchers from universities and think-tank representatives, NGO activists involved in draft-law preparatory work are often invited. The scope of hearings varies depending on the public interest and priority of the issue under investigation.

## Finland

**Score 10** Parliamentary committees are able to summon experts for committee meetings, which they do so regularly and increasingly frequently. A committee starts its work

with a recommendation by the committee's own experts on which additional experts to call. This may include ministerial representatives or other individuals who have either assisted in preparatory work or represent specific agencies, organizations, or other interested parties. The scope of hearings varies greatly. In some cases, only one expert may be called, but in major legislative projects a committee may hear dozens of experts. Data from earlier research shows that committees in 1938 consulted advisers in 59% of all cases on which they prepared reports. The corresponding figure for 1960 was 94% and 100% in 1983. The number of experts consulted has likewise been increasing.

Citation:

<https://www.eduskunta.fi/EN/lakiensaataaminen/valiokunnat/Pages/default.aspx>

Dag Anckar, "Finland: Dualism and Consensual Rule", in Erik Damgaard, ed.: *Parliamentary Change in the Nordic Countries*, Oslo: Scandinavian University Press, 1992, pp. 182-186.

## France

Score 10

The parliamentary committees can summon as many experts as they wish as often as they need in all matters, and they often make use of this right. The recent Benalla affair, involving a close confidant of the president, has shown that committees enjoy considerable power in that matter. The main problem is often related to the absenteeism of members of parliament even in cases of very important issues such as Brexit.

## Germany

Score 10

Parliamentary committees are able to hold public hearings at any time, and can summon experts to attend them. This mechanism is regularly used. Rule 70 Section 1 of the Rules of Procedure of the German Bundestag states that "for the purpose of obtaining information on a subject under debate, a committee may hold public hearings of experts, representatives of interest groups and other persons who can furnish information." Experts are often able to influence parliamentary discussions or ministerial drafts and bring about changes in the draft laws. The number of public hearings is increasing.

## Iceland

Score 10

Independent experts are frequently asked to appear before standing parliamentary committees. Following the 2008 economic collapse, committees have more frequently summoned experts, particularly lawyers, economists, and finance and banking experts. Furthermore, political scientists and other experts were asked to give advice relating to the drafting of a new constitution. However, no substantive

minutes are recorded of expert testimonies before parliamentary meetings. There have been examples documented of experts making outlandish statements in their testimonies.

In late 2018, the constitutional and supervisory committee of parliament summoned several members of parliament to a hearing following a scandal in which six members of parliament were taped in a public bar by an offended bystander using foul and misogynistic language, several of the members of parliament were intoxicated at the time of the incident. With one exception, the summoned members of parliament did not attend the hearing and the hearing was postponed indefinitely.

Citation:

Gylfason, Thorvaldur (2014), "Tvöfalt líf — Allir segjast vera saklausir ...," samtal við Þráinn Bertelsson (Double Life – Everyone proclaims innocence ..., a conversation with Þráinn Bertelsson), *Tímarit Máls og menningar*, 4. hefti.

## Ireland

Score 10      There are no restrictions on summoning expert witnesses to their meetings.

## Norway

Score 10      Each party represented on a parliamentary committee has the right to invite experts to appear at committee hearings. This kind of invitation is becoming increasingly common, with experts coming from interest organizations, NGOs, businesses and academia to present information and views on various issues and policy proposals. Moreover, the parliament has a group of independent experts who assist legislators by collecting and analyzing information.

## Sweden

Score 10      Parliamentary committees may certainly summon experts. They do not usually do so as part of the regular deliberation of the committees, but rather in the form of a public hearing on some specific issue.

## Switzerland

Score 10      Parliamentary committees are free to invite experts to provide testimony at hearings.

## United Kingdom

Score 10

Parliamentary committees may summon expert witnesses who will usually provide any evidence willingly. Should they decline to do so, committees then have the power to order a witness to attend, though this would be exceptional. Committees also often employ experts as specialist advisers.

Committees may also summon actors involved in an issue that the committee is investigating. Examples include the examination of press barons in the context of the Leveson Inquiry into phone hacking by journalists, of the entrepreneur Philip Green regarding the pension deficit of the BHS department store chain, and of Cambridge Analytica executives during the Information Commissioner's investigation into the propagation of misinformation during the Brexit referendum campaign. Such hearings invariably attract extensive media coverage.

## United States

Score 10

The invitation of outside experts to testify at committee hearings is an established, highly routine practice in the legislative process. Hearing transcripts are published, and testimony from a variety of qualified witnesses is expected in a competent committee process. Although congressional norms call for permitting both parties to select witnesses, some committee chairs in the current era severely limit the minority-party witnesses, resulting in a selection of witnesses strongly biased in favor of the majority-party position.

## Belgium

Score 9

Experts are regularly invited and questioned in parliamentary committees. The rights of committees do not appear to be restricted. Experts are often called upon, for instance when committees are addressing so-called ethical laws (involving issues of euthanasia, adoption rights for same-sex couples, religious-related disputes, and so on) or institutional reforms. There are some de facto restrictions as to the range of experts invited, as the decision in principle to query expert advice must be validated by an absolute majority of committee members. This gives a de facto veto power to the majority parties.

## Chile

Score 9

Congressional committees may summon any civil servant to interview as a subject-area expert. Private experts can also be invited, but the National Congress lacks the

financial funds to pay for the assistance of prominent private experts. However, there is a group of 50 to 60 specialists from a variety of subject areas affiliated with the Library of the National Congress whose task it is to offer professional support to the members of Congress in their lawmaking, representative, diplomatic and oversight tasks.

Citation:  
<https://www.bcn.cl/>

## Denmark

### Score 9

Normal committee meetings take place behind closed doors. However, committees can decide to hold open meetings – including ones without the minister present – and invite experts from outside, as well as civil servants and representatives from interest organizations to explore and discuss issues. Such meetings are also open to the press.

Committees may also decide to conduct larger hearings, sometimes in cooperation with the Danish Board of Technology or other organizations. Such hearings normally take place in the room in which the former second chamber of the Danish parliament, the Landsting, met until it was abolished by the new constitution in 1953. To learn more about the issues they legislate, members of parliament also go on study trips and take part in conferences.

Citation:  
 Folketinget, Håndbog i Folketingsarbejdet. October 2015.  
[http://www.ft.dk/Dokumenter/Publikationer/Folketinget/~/\\_media/Pdf\\_materiale/Pdf\\_publikationer/Folketinget/H%C3%A5ndbog%20i%20folketingsarbejdet\\_web\\_7%20MB.pdf.ashx](http://www.ft.dk/Dokumenter/Publikationer/Folketinget/~/_media/Pdf_materiale/Pdf_publikationer/Folketinget/H%C3%A5ndbog%20i%20folketingsarbejdet_web_7%20MB.pdf.ashx) (accessed 24 April 2013).

## Greece

### Score 9

Regular committees summon experts from ministries, universities, NGOs and professional associations. Examples include high-ranking EC officials who have briefed the European Affairs Committee and university professors who have briefed the Committee on Cultural and Educational Affairs on university reforms.

Typically, government and the opposition tend to disagree on everything, even if there is consensus among experts that policy choices are very limited (e.g., the consensus on the obvious unsustainability of the pension system and on the destructive impact of party-led politicization on Greek universities). Recurring disagreements in parliamentary committees reflect the long-term polarization in the Greek party system and the wider mistrust and limited social capital available in Greece. However, in the period under review, parliamentary committees summoned many different experts, including technocrats, activists and academics.

Citation:  
 Summoning experts to regular committees is regulated by article 38 of the Standing Orders of the Greek parliament.

## Hungary

Score 9

According to the standing orders of the Hungarian parliament, all parliamentary party groups can invite experts, and the sessions of the committees are open to the public. In practice, however, Fidesz's overwhelming majority and the hectic pace of legislation have reduced the involvement of experts to a mere formality. The real policy discussions, if any, usually take place not in the parliamentary committees but in the media or at conferences organized by opposition expert groups or NGOs.

## Israel

Score 9

Parliamentary committees are entitled to invite experts or any interested civilian to meetings, as described in Section 6 of the Knesset regulations. However, these figures are not obligated to attend, unlike civil servants or representatives of the executive. In addition, independent experts are not compelled to answer committee members' questions. Their testimony cannot serve as evidence, and has no official status. A bill presented in 2016 by parliamentarian Yoav Kish (Likud party) proposed an expansion of committee authority, including the ability to punish civilians who failed to appear after being summoned. At the time of writing, the bill is still waiting for its preliminary reading in the plenum and the committees have not yet been delegated an authority to sanction. Despite these issues, citizens who appear before Knesset committees are generally interested in voicing their opinions in order to reinforce their viewpoints in the eyes of decision-makers and the public.

Citation:

Blander, Dana. "Opinion regarding Corrections to Base Law: the Knesset, Base Law: the Government and the Knesset Act concerning the Authorities of Parliamentary Inquiry Committee." The Israeli Democracy Institute. July 4th, 2017. Retrieved from <https://www.idi.org.il/ministerial-committee/16190> (Hebrew).

Freidberg, Chen and Atmor, Nir, "How to improve the Knesset's position as a legislator and a supervisory body?" The Israel Democracy Institute 2013: <http://www.idi.org.il/media/2438022/00321913.pdf> (Hebrew).

Shapira, Asaf, "Citizens in the Parliamentary Committees," The Israel Democracy Institute, (September 2010). (Hebrew).

"The authority of the legislature to inquire information, and the obligation to provide true information," Knesset Research and Information Center (December 2002). (Hebrew).

Kam, Zeev, "Refused to show up in a Knesset committee after summoning? A punishment will follow" NRG 19.4.2016 <http://www.nrg.co.il/online/1/ART2/770/601.html> (Hebrew)

## Italy

Score 9

Parliamentary regulations provide for the right of committees to invite any person able to provide important information (art. 143, 144 Regolamento Camera dei deputati). They can also ask the government to command special studies from the National Statistical Office (ISTAT) (art. 145). The rights of committees are not

limited, and committees frequently use this opportunity to summon experts. This also reflects the fact that the Italian committee system plays a more prominent role in the legislative process than do committees in other European parliamentary regimes. Special parliamentary commissions may be established to investigate particular topics. These parliamentary commissions can also summon experts to give evidence. Recently, a joint parliamentary commission of inquiry on the banking system was established and senior officials from the Banca d'Italia were summoned

## Lithuania

Score 9

When considering draft legislation, parliamentary committees can receive and consider comments from experts. Committees can also invite experts to participate in special hearings focusing on draft legislation or engage in a parliamentary oversight function. Committees can establish preparatory working groups whose membership can involve experts or scientists. The extent to which experts are involved in the activities of parliamentary committees varies by specific committee and policy issue.

## Luxembourg

Score 9

Consultations with experts and representatives of interest groups take place regularly in the course of various ongoing commission work. Domestic and foreign experts, as well as lobbyists and concerned civil society groups, may be invited to participate in commission meetings. Under particular circumstances of public interest, experts are invited to parliament to introduce subjects and to offer professional opinions.

In the case of important policy reform projects, the government usually asks for advice from reputable foreign institutes, being aware of the limited knowledge within the country. For example, a German and a Swiss institute were consulted over psychiatry reforms in health care. A similar consultation approach was used for reforming environmental legislation. Such policy projects are implemented by a specific parliamentary commission and a budget allowance was made available to support outsourced inquiries. Innovation is often driven by foreign expertise and reports, which overcomes domestic resistance.

Citation:

"Mémorial A n° 227 de 2014," Journal officiel du Grand-Duché de Luxembourg, 11 Dec. 2014, [legilux.public.lu/eli/etat/leg/memorial/2014/227](http://legilux.public.lu/eli/etat/leg/memorial/2014/227). Accessed 24 Oct. 2018.

## Malta

Score 9

Parliamentary committees may summon experts to make presentations or help committees evaluate policies under discussion or shed light on issues under investigation. In January 2018, the opposition called for the full publication of the contract between the government and VGH, a controversial deal that saw government sign a 30-year contract with Vitals global health care to run three state



hospitals, instead of the heavily redacted version presented in parliament. There was also a call for stakeholders in the deal to testify before the parliamentary Health Committee. However, full disclosure has as of the time of writing been precluded by the data protection commissioner.

Citation:

Let MPs summon Vitals deal stakeholders. PN tells government, Times of Malta 06/01/1

Standing Orders of the House of Representatives Subsidiary Legislation Constit.02 Article 164

Financial scrutiny of Vitals to remain secret: Request to publish due diligence exercise denied by Data Protection Commissioner, Times of Malta 03/10/18

## Mexico

Score 9

Congressional committees frequently summon experts, including international ones, and often take their input seriously. Indeed, there is evidence that experts play a considerable role in the legislative process. This aspect of governance mostly works well, because it provides a source of independent scrutiny.

## Netherlands

Score 9

Parliamentary committees can and often do invite experts to answer questions, or to facilitate the parliamentary committee members in asking questions and interpreting the answers. Limited finances are usually the only real constraint on the number of experts summoned.

Citation:

R.B. Andeweg & G.A. Irwin (2014), Governance and Politics of the Netherlands. Houndmills, Basingstoke: 163-174.

## New Zealand

Score 9

Select committees may summon experts. The only restriction is with regard to public servants who need the approval of their minister to attend committee meetings.

Citation:

Officials and Select Committees – Guidelines (Wellington: States Services Commission 2007).

## Portugal

Score 9

Parliamentary committees are generally free to request the attendance of experts at committee meetings.

## Romania

- Score 9** According to Article 55(2) of the Chamber of Deputies Regulations, “committees may invite interested persons, representatives of non-governmental organizations and experts from public authorities or from other specialized institutions to attend their meetings. The representatives of non-governmental organizations and the experts may present their opinions on the matters that are under discussion in the Committee, or may hand over documents regarding the matters under discussion to the Committee President.” The frequency with which experts are invited has differed among committees.

## Slovenia

- Score 9** Parliamentary committees in Slovenia may invite experts or form expert groups in charge of helping to draft legislative proposals. Under the Cerar government, the number of experts invited has increased. Parliamentary committees have launched several public expert discussions on important pieces of legislation and invited experts to the sessions of investigation committees.

## Slovakia

- Score 8** In Slovakia, parliamentary committees may invite experts. However, this is not a very common practice.

## South Korea

- Score 8** Parliamentary committees are legally able to, and frequently do, invite experts to parliamentary hearings. Following the Choi Sun-sil scandal, some big-business (chaebol) representatives were summoned multiple times. There have been several cases where civilian experts have refused to attend these hearings. However, the public parliamentary hearings on the Park Geun-hye and Choi Soon-sil scandals served to change the old informal rules, and many figures who refused to attend the hearings or repeatedly gave false testimony have been punished by law. All relevant institutions started to apply existing rules more strictly after the lawsuit related to the Park and Choi scandals.

## Spain

- Score 8** The standing orders of the Congress of Deputies and the Senate state that parliamentary committees may request, through their respective speakers, “the attendance of persons competent in the subject-matter for the purposes of reporting to and advising the committee.” The rights of parliamentary committees to send

invitations to independent experts are not limited by any legal constraint. Requests to summon experts have increased in number in recent years, particularly at the beginning of the legislative process or in specialized subcommittees, but this is still a rare practice. The limited nature of the parliament's staffing and financial resources prevents systematic involvement in the lawmaking process by university scholars, think tank analysts and other experts. During the period under review, the parliamentary committee tasked with studying Spain's current territorial model organized numerous hearings with experts; however, the large number of experts summoned by the parliamentary groups made hearings very time consuming.

Citation:

December 2017, El País: "La comisión sobre el Estado autonómico aleja de la primera fase a los expresidentes del Gobierno"

[https://elpais.com/politica/2017/12/13/actualidad/1513189380\\_651547.html](https://elpais.com/politica/2017/12/13/actualidad/1513189380_651547.html)

## Cyprus

Score 7

Parliamentary committees summon officials or private persons to provide documents or data; this happens despite the absence of any invitee's legal or constitutional obligation to attend a meeting. Under the law, if one chooses to attend, she/he has the obligation to provide genuine data and tell the truth.

In practice, committees invite interested parties and stakeholders to present their views, but inviting independent experts or seeking their views is very rare.

Citation:

1. Law on the Deposition of Data and Information to the House of Representatives and to Parliamentary Committees, L.21(I)/1985, [http://www.cylaw.org/nomoi/enop/non-ind/1985\\_1\\_21/full.html](http://www.cylaw.org/nomoi/enop/non-ind/1985_1_21/full.html) (in Greek)

## Japan

Score 7

Under Article 62 of the constitution, the Diet and its committees can summon witnesses, including experts. Summoned witnesses have the duty to appear before parliament. The opposition can also ask for witnesses to be called, and under normal circumstances such requests are granted by the government. However, the use of expert testimony in parliamentary committees is not widespread; experts, academic and otherwise, are relied upon more frequently within the context of government advisory committees, in particular at the ministry level.

## Latvia

Score 7

Parliamentary committees are able to invite experts to committee meetings but have no power to make attendance mandatory. The parliament largely relies on the pro bono participation of experts to compensate for its own lack of substantive capacities and resources. However, committee chairs do have some discretion to pay modest honorariums to external experts.

## Poland

### Score 7

Parliamentary committees have the right to invite experts to give statements on hearings on particular issues or to take part in normal committee proceedings. However, if bills are introduced by individual members of parliament (as has often been the case under the PiS government), the summoning of experts must be supported by a majority of members of parliament. The PiS majority in the Sejm has used this procedural rule to limit the invitation of experts close to the parliamentary opposition. Given the maneuvering of the PiS in the Sejm, some experts have refrained from participating in what they consider political manipulation.

## Turkey

### Score 7

Parliamentary rules of procedure, committees are legally able to summon experts from non-governmental organizations, universities or the bureaucracy to provide testimony without limitation (Rules of Procedure, Article 29 and 30). There is no detailed information about the use of experts' opinions by the parliament.

#### Citation:

Rules of Procedure of the Grand National Assembly of Turkey, <https://www.tbmm.gov.tr/docs/ictuzuk.pdf> (accessed 1 November 2018)

26. Dönem, 1, 2 ve 3. Yasama Yılı, [https://www.tbmm.gov.tr/komisyon/insanhaklari/faaliyet\\_raporlari\\_26.htm](https://www.tbmm.gov.tr/komisyon/insanhaklari/faaliyet_raporlari_26.htm) (accessed 1 November 2018)

## Indicator

## Task Area Congruence

## Question

Are the task areas and structures of parliamentary committees suited to monitor ministries effectively?

41 OECD and EU countries are sorted according to their performance on a scale from 10 (best) to 1 (lowest). This scale is tied to four qualitative evaluation levels.

- 10-9 = The match between the task areas of parliamentary committees and ministries as well as other relevant committee structures are well-suited to the effective monitoring of ministries.
- 8-6 = The match/mismatch between the task areas of parliamentary committees and ministries as well as other relevant committee structures are largely suited to the monitoring of ministries.
- 5-3 = The match/mismatch between the task areas of parliamentary committees and ministries as well as other relevant committee structures are partially suited to the monitoring of ministries.
- 2-1 = The match/mismatch between the task areas of parliamentary committees and ministries as well as other relevant committee structures are not at all suited to the monitoring of ministries.

## Finland

## Score 10

A total of 15 permanent special parliamentary committees along with the Grand Committee (which focuses mainly on EU issues) prepare government bills, legislative initiatives, government reports and other matters for plenary sessions. Reforms of the committee system in the early 1990s aimed to improve parliamentary committees' alignment with ministry responsibilities. These reforms have been highly successful and committees are now thematically bound within the scope of a corresponding ministry. The Grand Committee is in practice a committee for the handling of EU-related matters. In May 2017, an earlier merger of two ministerial chairs (work and livelihood as well as justice) was found to be less functional and was dissolved. To cope with the workload, each government party added one minister, enlarging the cabinet from 14 to 17 ministers.

## Australia

## Score 9

The number of parliamentary committees exceeds the number of government departments (ministries). This is because there are a number of committees concerned with internal matters of parliament, such as parliamentary privileges, procedure and publications. In general, the task area of each "externally oriented" parliamentary committee is confined to one government department, but some government departments have more than one committee monitoring their activities. Usually, the demarcation between task areas of committees that oversee the same department is clear and does not lead to incohesive action by parliament.

Citation:

[https://www.aph.gov.au/Parliamentary\\_Business/Committees/House\\_of\\_Representatives\\_Committees?url=comm\\_list.htm#joint](https://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=comm_list.htm#joint)

## Bulgaria

Score 9

For the last several parliamentary terms, Bulgaria has maintained standing parliamentary committees that closely follow the structure of the Council of Ministers. Whenever a parliamentary committee covers areas under the competencies of more than one ministry, these areas are typically closely related – for instance, foreign affairs and defense, youth and sports, or economy and tourism. As of 2018, 16 parliamentary committees oversee the same areas as 17 ministries, with the ministries of economy and tourism overseen by one standing committee.

## Czechia

Score 9

The parliamentary rules of procedure do not prescribe a particular distribution of subject areas among committees. Instead, distribution is based on custom, tradition and ad hoc decisions by the Chamber of Deputies and its organizing committee. In the current term, there are 14 ministries and 18 parliamentary committees. Fourteen of the 18 parliamentary committees “shadow” governmental ministries. Four additional committees fulfill specific parliamentary roles (organization, mandate and immunity, petitions, control and European affairs). However, there is not an exact match between the task areas of parliamentary committees and ministries. The Economic Committee covers the agendas of two ministries, the Ministry of Industry and Trade and the Ministry of Transportation. The Committee for European Affairs is dedicated to EU affairs and to the oversight of EU legislation, part of the agenda of the Ministry of Foreign Affairs and of the Legislative Council, and cooperates with the European Parliament and the parliaments of other EU member states. The fact that there is not an exact match between the portfolio of ministries and parliamentary committees has not infringed on parliamentary oversight. If necessary, parliamentary committees may establish subcommittees and their number is not limited. In the period under review, there were 60 subcommittees in the Chamber of Deputies. The number of subcommittees per committee varied from zero to seven; the average number was 3.33.

## Estonia

Score 9

The 11 standing committees of the parliament by and large match the structure of the government, which is composed of 11 ministries. In addition to task areas that correspond to ministries, there is also a European Union Affairs Committee that monitors the country's EU policy. Legal affairs are split between two permanent

committees, the Constitutional Committee and the Legal Affairs Committee. Cultural and educational affairs both fall under the purview of the Cultural Affairs Committee. This may imply a work overload, as education and cultural policies have been subject to regular and complex reforms.

All members of parliament belong to one or more standing committees, which means each committee has about 10 members. The working schedule of the standing committees is established by the Riigikogu Rules of Procedure and Internal Rules Act; committees' work sessions are scheduled for three days per week, for a total of 12 hours.

In addition to the standing committees, there are currently three investigative committees. Considering that the members of these investigative committees are also full members of standing committees, the workload of several members of parliament is considerable and concerns have been voiced about unreasonable fragmentation under scarce resources.

## Germany

### Score 9

In general, the task areas of parliamentary committees and ministries coincide. However, this is not always the case since the Basic Law provides for the establishment of several committees that do not have a ministerial counterpart (including the Committee on the European Union; the Petitions Committee; the Parliamentary Control Panel). Furthermore, several committees sometimes deal with matters that are within the responsibility of a single ministry (e.g., the Committee on Internal Affairs and the Sports Committee both monitor activities performed by the Federal Ministry of the Interior), and a single committee sometimes deals with matters that are not clearly assigned to a single ministry. Nonetheless, parliamentary committees' most important policy areas fully coincide with those of the ministries, enabling effective monitoring.

## Japan

### Score 9

The Diet's standing committees (17 in both chambers) closely correspond to the sectoral responsibility of the government's major ministries. The portfolios of the ministers of state cover special task areas and are in some cases mirrored by special committees (e.g., consumer affairs). Special committees can and have been set up to deal with current (or recurring) issues. In the Lower House, there are currently nine such committees, for example on the issue of regional revitalization.

Citation:

The House of Representatives, Japan, Types of Committees, n.d.  
[http://www.shugiin.go.jp/internet/itdb\\_english.nsf/html/statics/guide/committees.html](http://www.shugiin.go.jp/internet/itdb_english.nsf/html/statics/guide/committees.html)

## Netherlands

### Score 9

Under the present government, there are 11 ministries and 12 (fixed) parliamentary committees (vaste kamercommissies). Only the prime minister's Department of General Affairs lacks an analogous dedicated parliamentary committee. There are also fixed committees for interdepartmental policymaking on aggregate government expenditure, European affairs and foreign trade, and development aid. Parliamentary committees usually have 25 members, representing all political parties with seats in the States General; they specialize in the policy issues of their dedicated departments and inform their peers (i.e., tell them how to vote as part of the party voting-discipline system). There are approximately 1,700 public and non-public committee meetings per year.

Citation:

Commissies (tweedekamer.nl, consulted 6 November 2014)

## Norway

### Score 9

There is considerable overlap between the organization of the parliament and the government. Though this arrangement is not perfect, it is broad enough to enable parliamentarians to hold ministers to account. Cross-cutting issues regarding EU and European Economic Area concerns have historically posed some challenges.

## Portugal

### Score 9

The Assembly of the Republic has 12 permanent committees, each with a policy focus.

All ministries are covered by at least one committee, although some committees cover areas of more than one ministry. While these committees by-and-large reflect the portfolios of ministries, there is not an exact correlation, as the number of ministries (17) exceeds the number of committees (12).

The 12 permanent committees are:

- Committee on Constitutional Affairs, Rights, Freedoms and Guarantees
- Committee on Foreign Affairs and the Portuguese Communities
- National Defense Committee
- European Affairs Committee
- Committee on Budget, Finance and Administrative Modernization
- Committee on Economics, Innovation and Public Works
- Committee on Agriculture and the Sea
- Committee on Education and Science
- Health Committee
- Committee on Labor and Social Security



- Committee on the Environment, Territorial Planning, Decentralization, Local Government and Housing
- Committee on Culture, Communication, Youth and Sport

Each committee can create sub-committees to work on a specific area or project. Creating a sub-committee requires the prior authorization of the president of the Assembly of the Republic, after consultation with the Conference of Parliamentary Committee Presidents. Further, each committee can also create working groups for even more specialized tasks.

In addition, and of greater importance for monitoring government ministries, the Assembly of the Republic can create ad hoc parliamentary committees of inquiry. Their specific purpose is, according to the parliamentary rules of procedure, to “assess compliance with the Constitution and the laws and consider the acts of the Government and the Administration.” These ad hoc committees of inquiry have investigative power and judicial authority

Citation:

Rules of Procedure of the Assembly of the Republic, available online at: [http://www.parlamento.pt/sites/EN/Parliament/Documents/Rules\\_of\\_Procedure.pdf](http://www.parlamento.pt/sites/EN/Parliament/Documents/Rules_of_Procedure.pdf)

## Slovakia

### Score 9

In the current term, the Slovak National Council has more parliamentary committees than there are ministries (by a ratio of 19 to 13). Two committees (the European Affairs Committee and the Committee for Human Rights and Minorities) have several ministerial counterparts and three committees enjoy the status of a special committee, that is, as supervising intelligence services. However, committees cover all ministerial task areas and thus, the allocation of subject areas among committees does not hamper parliamentary oversight of ministries.

## South Korea

### Score 9

The task areas of parliamentary committees and ministries mostly correspond. As of November 2018, there were 18 standing committees and eight ad-hoc committees tasked with examining bills and petitions falling under their respective jurisdictions and with performing other duties as prescribed by relevant laws. With the exception of the House Steering Committee and the Legislation and Judiciary Committee, the task areas of these parliamentary committees correspond with the ministries. As a consequence of the strong majoritarian tendency of the political system, committees dominated by the governing parties tend to be softer on the monitoring of ministries, whereas committees led by opposition parliamentarians are more confrontational. However, in general, the legislature is a “committee parliament” and the committees are quite effective and efficient.

Citation:

The National Assembly of the Republic of Korea, [http://korea.na.go.kr/int/org\\_06.jsp](http://korea.na.go.kr/int/org_06.jsp)

Croissant, Aurel 2014. Das Politische System Südkoreas, in: Derichs, Claudia/Heberer, Thomas (Hrsg.), Die politischen Systeme in Ostasien, 3., überarbeitete Auflage, Wiesbaden (i.E.).

## Sweden

Score 9

There is a high degree of congruence between government departments and parliamentary committees, but no perfect overlap. This is of course no coincidence. The configuration of government departments is more flexible than that of parliamentary committees, which has undergone very few changes over the last several decades. Ensuring that the committee system matches the GO's organization in departments is essential to the efficiency of both institutions. Furthermore, the GO and the parliament (Riksdag) staff have regular meetings to ensure that the parliament and individual committees are not overloaded with government bills, but that there is a steady flow of bills across the year.

## United States

Score 9

The structure of committees in the House and Senate largely reflects the structure of the executive branch. When deviations occur, the adverse effect on the ability of the House and Senate to monitor executive activities and performance is modest. But there are also effects on the burdens of oversight for the agencies. Agencies will sometimes face hearings and investigations from several committees from both chambers that have jurisdiction over an agency or program. Indeed, committees compete for the publicity that comes with investigating a highly salient topic. Because members of Congress develop large stakes in monitoring and influencing particular programs, the structure of the congressional committee system often is a serious barrier to reorganization of the executive branch. In financial regulatory reform, for example, committee jurisdiction stood in the way of organizational reform because the proposed abolition of the Office of Thrift Supervision would have resulted in a committee losing its jurisdiction.

## Austria

Score 8

Though parliamentary committees outnumber ministries, the task areas of parliamentary committees are more or less identical to the tasks of the ministries with only minor exceptions. The National Council's General Committee enjoys a kind of overall competence, including deciding the government's position within the European Council.

## Belgium

### Score 8

The number of parliamentary committees in the Chamber of Deputies is slightly larger than the number of ministries. There are 11 permanent committees that address key policy areas largely aligned with ministerial portfolios (e.g., defense, justice, budget or external affairs), while 16 special committees focus on specific topics (e.g., committees created in the wake of the Volkswagen scandal or nuclear safety) or cross-cutting issues (e.g., cases of sexual abuse or constitutional reform). Committees are largely able to monitor ministries, but the effectiveness of this monitoring can be underwhelming, as the recent experience regarding nuclear safety and electricity supply has demonstrated.

Citation:

List and functioning of commissions:

<https://www.lachambre.be/kvvcr/showpage.cfm?section=/none&language=fr&cfm=/site/wwwcfm/comm/LstCom.cfm>

[https://www.lachambre.be/kvvcr/pdf\\_sections/pri/fiche/fr\\_12\\_02.pdf](https://www.lachambre.be/kvvcr/pdf_sections/pri/fiche/fr_12_02.pdf)

## Canada

### Score 8

There are currently 23 standing or permanent committees of the House of Commons and 18 standing committees of the Senate. Committees in the house and Senate frequently have overlapping mandates.

The current Liberal cabinet of Justin Trudeau has 33 ministers, a decrease from 39 ministers under the previous government. As such, there are more ministries than committees with considerable variation in the number of ministries over time. However, since some cabinet positions (e.g., the leaders in the House of Commons and the Senate as well as the President of The Queen's Privy Council for Canada) have no corresponding department and some ministers (e.g., the Minister for International Cooperation) are heads of agencies under the umbrella of a department run by another minister, the number of government departments is currently 19. Therefore, parliamentary committees are largely capable of monitoring departments.

## Croatia

### Score 8

In the current parliamentary term, the number of committees has substantially exceeded the number of ministries. However, this discrepancy stems largely from the existence of committees that deal with internal parliamentary affairs such as the Credentials and Privileges Committee, Interparliamentary Cooperation Committee, and Petitions and Appeals Committee. The task areas of the other parliamentary committees largely match those of the ministries, thus enabling an effective monitoring.

## Denmark

### Score 8

The committee structure largely corresponds to the structure of ministries. The Ministry of Social Affairs, for instance, corresponds to the social affairs committee in the parliament (Folketinget). The Ministry of Taxation corresponds to the fiscal affairs committee in the assembly. Other committees, for instance, deal with energy, defense, culture, environment, health care and education, and have strong ties to the applicable minister.

A few committees do not have a direct parallel, such as the European Affairs Committee. Although the Ministry of Foreign Affairs is responsible for coordinating EU policy, the European Affairs committee will have consultations (samråd) with all ministers that take part in European Council meetings, and seek a mandate for upcoming negotiations in the council. This may create internal coordination problems in the parliament, between the European Affairs committee and the committees dealing with the substance of EU legislation (fagudvalg).

Citation:  
Folketinget, Håndbog i Folketingsarbejdet. Oktober 2015.  
[http://www.ft.dk/dokumenter/publikationer/folketinget/haandbog\\_i\\_folketingsarbejdet\\_2011.aspx](http://www.ft.dk/dokumenter/publikationer/folketinget/haandbog_i_folketingsarbejdet_2011.aspx) (Accessed 22 Oktober 2014).

Finn Laursen, "The Role of National Parliamentary Committees in European Scrutiny: Reflections based on the Danish Case," in Katrin Auel and Arthur Benz, eds. *The Europeanisation of Parliamentary Democracy*. Abingdon: Routledge, 2006, pp. 110-125.

## Italy

### Score 8

The tasks of committees and ministries mostly coincide. However, there are a few cases where more than one ministry is overseen by a single committee (for instance, this happens with the Presidency of the Council and the Ministry of the Interior, for the Ministries of Cultural Affairs and Education, and for the Ministries of the Environment and Public Works). Parliamentary committees have instruments at their disposal enabling the effective monitoring of ministry activity.

Committees meet frequently and their members are assisted by highly qualified technical personnel. However, parliamentarians are not always interested in fully exploiting these possibilities. Often, they prefer to concentrate on issues with high media visibility or of local relevance rather than on the more important administrative processes taking place far from the spotlight.

## Lithuania

### Score 8

There is extensive congruence between the current structure of 15 parliamentary committees and the primary areas of competence of Lithuania's 14 ministries. The recent establishment of a cultural committee and the abolishment of a committee on information further increased congruence between the parliamentary committees and government ministries. However, there are a few mismatches. On the one hand, some ministries (Economy, Transport, and Communications) and other state institutions are monitored by a single Economics committee. On the other hand, there are several horizontal parliamentary committees (including committees on audit, European affairs and human rights). The parliament also has several standing commissions, some of which are related to policy areas assigned to the Lithuanian ministries (especially the energy commission, the most active of these bodies). Thus, the composition of parliamentary committees allows government policy to be monitored on both a sectoral and horizontal basis.

Committees meet on a regular basis, but the bulk of committee activities are related to the consideration of draft legislation. The workload of individual committees in the legislative process varies substantially, with the committees on legal affairs, state administration and local authorities, social affairs and labor, and budget and finance accounting for about 55% of the legislative review work delegated to the committees. The amount of attention given to exercise of the parliamentary oversight function depends on the particular committee.

#### Citation:

Alvidas Lukošaitis, "Parlamentinės kontrolės įgyvendinimas Lietuvoje: metodologinės pastabos apie trūkinėjančią "šeiminko-samdinio grandinę"//Politologija. 2007, nr. 2

## Luxembourg

### Score 8

Parliamentary committees and ministries are well coordinated and parliamentary monitoring is satisfactory. Ministers appear regularly before committees and communication is adequate. Although the number of ministries has grown over the years, reaching 20 ministries and 15 ministers, the number of parliamentarians has still not increased beyond 60 members. Each committee has up to 13 members. As such, their workload has expanded considerably in recent years, which has made running standing committees more challenging. In general, members of parliament are often members of more than one committee.

#### Citation:

Better Regulation in Europe: Luxembourg. OECD, 2010. [www.oecd.org/gov/regulatory-policy/46592016.pdf](http://www.oecd.org/gov/regulatory-policy/46592016.pdf). Accessed 24 Oct. 2018.

## Poland

- Score 8** The number of Sejm committees exceeds the number of ministries, even though the cabinet is quite large. However, some committees, such as the Deputies' Ethics Committee, deal exclusively with internal parliamentary issues. Most ministries, including the more important ones, have only a single oversight committee, a so-called branch committee. The distribution of subject areas among committees does not infringe upon parliament's ability to monitor ministries.

## Slovenia

- Score 8** The Slovenian parliament has two kinds of working bodies – 13 committees, which normally cover the work of ministries, and seven commissions, some of them standing, which deal with more specific issues such as the rules of procedure, the supervision of intelligence and security services or the national minorities. Under the Cerar and the Šarec governments, the committee structure has remained unchanged, even though the number of ministries has increased. As a result, the number of committees overseeing more than one ministries has grown. However, this has not infringed on the monitoring of ministries.

## Spain

- Score 8** The task areas of the regular parliamentary committees in the Congress of Deputies and the Senate generally correspond to the functions exercised by government ministries. After June 2018, the 17 ministries were monitored by 21 standing legislative committees in the Congress, which were even renamed to match the ministerial portfolios. The exceptions are three departments whose monitoring is split across two committees (Budget and Finance; Foreign Affairs and International Development; and Health, Consumers and Social Welfare and Disability). The Government Office, which is also responsible for equality policy, is monitored by two committees, the Constitutional and Equality committees. Thus, there is no mismatch, although other structural factors (limited committee resources) are rather more problematic with regard to effective monitoring.

Citation:

Índice de Comisiones, XII Legislatura

<http://www.congreso.es/portal/page/portal/Congreso/Congreso/Organos/Comision>

## Switzerland

- Score 8** The Swiss government has only seven ministries, and all attempts to enlarge this number has failed due to political opposition within parliament. Hence, most of the seven ministries have responsibility for many more issue areas than in other democracies. Both the first and the second parliamentary chambers have nine

committees dealing with legislation and two committees with oversight functions (e.g., the Finance Committee, which supervises the confederation's financial management). Four other committees have additional tasks (e.g., the Drafting Committee, which checks the wording of bills and legal texts before final votes). Thus, the task areas of the parliamentary committees do not correspond closely to the task areas of the ministries. Nonetheless, this does not indicate that the committees are not able to monitor the ministries.

## Chile

### Score 7

The Chilean legislature's oversight function lies mainly with the Chamber of Deputies and its (currently) 30 permanent committees (Comisiones Permanentes) and several ad hoc investigative committees (Comisiones Investigadoras). These permanent committees correlate in part with the 23 ministries, but there are various exceptions in which a single committee is responsible for the domain of various ministries or one ministry's area of responsibility is distributed across multiple committees. It should be noted that Chile is not a parliamentary but a presidential system and thus ministers are not directly accountable to the Chilean National Congress. Therefore, the degree of control exercised by the congressional committees is institutionally rather weak.

Citation:

Quantity and name of the permanent parliamentary committees:  
[https://www.camara.cl/trabajamos/comisiones\\_tipo.aspx?prmT=P](https://www.camara.cl/trabajamos/comisiones_tipo.aspx?prmT=P)  
 Quantity and name of ministers: <https://www.gob.cl/instituciones/>  
 About interpellations of ministers  
<http://www.educacion2020.cl/noticia/que-es-una-interpelacion-y-cual-es-su-objetivo>

## United Kingdom

### Score 7

Every government department is shadowed by a committee in the House of Commons (20 at the time of writing). The remit and number of committees adapts to reflect changes in the makeup of the government. House of Lords select committees focus on broader topics and are less directly matched to departmental task areas, but cover important areas. One example is the Science and Technology Select Committee, which in turn has subcommittees that cover specific topics, such as the implications of autonomous mobility or the possible meaning of the withdrawal from the European Union for universities' staff policies.

However, the capacity of committees to monitor effectively is limited due to a lack of resources and limited continuity in membership (e.g., the House of Lords rules oblige members to be rotated off a committee after four years, although from direct observation of the work of its committees this does not seem to weaken them). Also, the number of reports they issue massively exceeds the time available on the floor of

the House to debate them and, despite increased efforts by the committees to publicize them, not all reports achieve much media coverage. A new Brexit committee, with an above average membership and a careful balance of members to reflect conflicting views, was created after the 2016 referendum.

## Ireland

### Score 6

There is a considerable amount of variance in both the number and task congruence of committees across parliaments.

There are 22 regular committees serving the current Dáil, which for the most part shadow the main line ministries. In addition, there are also other types of committees, such as special committees (i.e., temporary, subject-specific committees rather than standing committees). These include special committees on the future funding of water resources, the future of health care, and housing and homelessness. The latter committee delivered its final report in June 2016 and has ceased its work. In July 2016, as part of the process of reforming the Dáil, a new standing committee was established, the Committee on Budgetary Oversight, to help parliament monitor the government's economic and financial policy decisions. The committee has 15 members representing all parliamentary parties. No member of the committee can be a government minister.

## Malta

### Score 6

There are presently 16 standing committees, several of which are fully congruent with ministerial portfolios. These include health, foreign affairs, environment, economic and financial affairs, and social affairs. The main monitoring committee is the Public Accounts Committee, which is chaired by a member of the opposition. Since 2016, committees have become more involved in monitoring ministries, though they also retain an advisory role. Ad hoc committees are also established from time to time. The Standing Committee on Foreign and EU Affairs, for example, scrutinizes pipeline aquis; because of the scale of this task, three subcommittees were created: one acting as a clearinghouse, and the other two dealing with the various policy areas in line with ministerial portfolios. This standing committee also works very closely with the other standing committees. In 2018, a new Standing Committee for Standards in Public Life was inaugurated to assist the new commissioner in this area. This figure was empowered to look into breaches of ethics committed by members of parliament and those appointed within the public service on a position-of-trust basis. A new Petitions Committee has also been created. Additionally, a number of joint committees facilitate policy development and implementation across ministries.

Citation:

<http://www.timesofmalta.com/articles/view/20160118/local/committee-wrapping-up-long-oil-procurement-debate.599271>

<http://www.timesofmalta.com/articles/view/20151024/local/zonqor-university-site-selection-to-be-discussed-during->



parliament.589443

<http://www.timesofmalta.com/articles/view/20150724/local/committee-to-consider-whether-gay-men-should-donate-blood.577877>

<http://www.parliament.mt/standing-committees?l=1>

The Parliament of Malta web page

Parliament Annual Report 2016

## New Zealand

### Score 6

The New Zealand House of Representatives is far too small to establish as many select committees as would be necessary to fully correspond to the number of ministries. In recent years, efforts have been made to restrict the number of select committees any individual member of parliament may sit on. Select committees are appointed at the start of each parliament following a general election. The number of members on a committee can vary, but normally a committee has between six and 12 members each, with parties broadly represented in proportion to party membership in the house. Areas of ministerial responsibility are reflected in 12 subject-specific committees (as of 17 October 2017). Those had to scrutinize 58 portfolios (as of November 2018), led by 19 cabinet ministers, four ministers outside cabinet, three support party ministers and three parliamentary undersecretaries, of whom two are from support parties.

Citation:

Ministerial List 14 November 2018; <https://dpmc.govt.nz/sites/default/files/2018-11/Ministerial-List-14-November-2018.pdf>

About Select Committees, 17 October 2017. <https://www.parliament.nz/en/get-involved/features/about-select-committees/>

## Romania

### Score 6

The number of committees in the Senate and the Chamber of Deputies is roughly in line with the number of ministries in the government. However, the legislature's oversight capacity is reduced by the incomplete match between the task areas of ministries and parliamentary committees.

## Turkey

### Score 6

Under the new governmental system following the April 2017 referendum on the introduction of presidentialism, the number of ministries has been reduced to 16. Advocates of the new system argue that the system would run more efficiently. However, the alignment of ministries (or rather the presidency and its new executive structure) and parliamentary committees is likely to create frictions in policymaking.

There are 18 standing committees in the Grand National Assembly of Turkey (TBMM), which are generally established in parallel with structure of the ministries. The most recent such committee, the Security and Intelligence Commission, was

established in spring 2014. Except for committees established by special laws, the jurisdiction of each committee is not expressly defined by the Rules of Procedure. Some committees have overlapping tasks. Committees do not independently monitor ministry activity but do examine draft bills. During discussions, committees may also supervise the ministry activity indirectly. The State Economic Enterprises Commission does not audit ministries but plays an important role in monitoring developments within their administration. The distribution of the workload of these committees is uneven. The Planning and Budget Commission is the most overloaded group, as every bill possesses some financial aspect. Except few, professionalization among committee members is low. Neither the Strategic Plan nor the Activity Reports of the TBMM emphasize the need to implement effective ministerial monitoring. These committees recently stated their intent to recruit more qualified personnel in certain areas.

Citation:

Rules of Procedure of the Grand National Assembly of Turkey, <https://www.tbmm.gov.tr/docs/ictuzuk.pdf> (accessed 1 November 2018)

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26. Dönem, 1, 2 ve 3. Yasama Yılı, [https://www.tbmm.gov.tr/komisyon/insanhaklari/faaliyet\\_raporlari\\_26.htm](https://www.tbmm.gov.tr/komisyon/insanhaklari/faaliyet_raporlari_26.htm) (accessed 1 November 2018)

## Cyprus

### Score 5

In the present House of Representatives there are 56 deputies and 16 committees. The latter corresponds to one committee for each of the 11 ministries, while five are dealing with cross-ministerial matters. According to the latest available activity report of the House, during the 2016/2017 session, committees held 676 meetings (compared to 650 in the 2015/2016 session). The Human Rights and Gender Equal Opportunities Committee held 33 and the Finance and Budget Committee held 60 meetings.

The proper monitoring of the work of ministries is hindered by three factors: the small number of deputies (56), high membership in most committees (nine) and very broad scope of each line ministry's competences. Each deputy must participate in at least three committees and, given their workload and constraints of resources, all face difficulties to properly prepare. Insufficient study and knowledge of issues makes deputies susceptible to being influenced by lobbying activities.

Citation:

1. Activity Report for 2016-2017 season, House of Representatives, 2017, <http://www.parliament.cy/images/media/assetfile/APOLOGISMOS%202016-2017.pdf> (in Greek).

## Greece

### Score 5

After the most recent reshuffle within the Syriza-ANEL coalition government in August 2018, the number of ministries increased to 19. By contrast, the number of parliamentary committees remained the same: six “standing committees.” This

discrepancy (19 ministries versus six committees) creates a task mismatch, but parliamentary scrutiny is jointly carried out. For instance, there is a Standing Committee on Cultural and Educational Affairs and a Standing Committee on National Defense and Foreign Affairs. However, there are also several “Special Standing Committees” and “Special Permanent Committees” with more specific agendas (e.g., one on European affairs and another on armament programs and contracts).

The problem with monitoring ministries is owed to the sometimes decorative participation of members of parliament in committee meetings. Even though competences have been transferred from the plenary of the Greek parliament to the regular committees (which examine new legislation), this has not considerably improved the quality of legislation and parliamentary control.

Citation:

Information on the number, competences and tasks of regular committees of the Greek parliament in English is available at <http://www.hellenicparliament.gr>

## Iceland

### Score 5

When the Gunnlaugsson and later Jóhannsson cabinet (2013 – 2016) came to office in 2013, only four of the eight standing parliamentary committees fully coincided with ministry responsibilities: the Economic Affairs and Trade Committee (Efnahags- og viðskiptanefnd) coincides with the Ministry of Finance and Economic Affairs (Fjármála – og efnahagsráðuneytið); the Industrial Affairs Committee (Atvinnuveganefnd) coincides with the Ministry of Industries and Innovation (Atvinnuvega – og nýsköpunarráðuneytið); the Foreign Affairs Committee (Utanríkismálanefnd) coincides with the Ministry of Foreign Affairs (Utanríkisráðuneytið); and the Welfare Committee (Velferðarnefnd) coincides with the Ministry of Welfare (Velferðarráðuneytið). Others do not coincide. The Ministry of Welfare was then split between two ministers in 2013 and later the Ministry of Interior was split between two ministers in 2017. In autumn 2018, two separate ministries – the Ministry of Health and Ministry of Social Affairs – were established following the abolition of the Ministry of Welfare

Two of the standing parliamentary committees have a special role vis-à-vis the government. The committee responsible for financial issues and budget preparation has the authority to request information from institutions and companies that ask for budgetary funding. The Committee on Foreign Affairs has advisory status vis-à-vis the government regarding all major international policies and the government is obliged to discuss all major decisions concerning international affairs with the committee.

Parliamentary committees rarely oppose the ministries, as party affiliation of committee members reflects the parliamentary dominance of the governing parties.

Thus, even if the task areas of parliamentary committees and ministries nearly coincide, that does not guarantee effective monitoring. Minority members from the opposition benches can, however, use the committees as a venue to voice their opinions.

## Hungary

**Score 4** The reshuffling of ministries since 2010 has not been accompanied by a reorganization of parliamentary committees. The result has been a strong mismatch between the task areas of ministries and committees. The fact that ministries have been covered by several committees has complicated the monitoring of ministries. Moreover, the real decision-making centers, the PMO and the Cabinet Office are not covered by any parliamentary committee at all.

## Latvia

**Score 4** The task areas of the parliamentary committees poorly match the task areas of the ministries. Only the Ministry of Finance, the Ministry of Foreign Affairs and the Department of Justice have an equivalent parliamentary committee. These committees being the Budget and Finance Committee, the Foreign Affairs Committee and the Committee of Justice. While the Ministry of Agriculture reports to only a single committee, this committee oversees three other ministries. In all other cases, ministries report to multiple committees and committees oversee multiple ministries' task areas.

Citation:

1. List of Parliamentary Committees: [https://titania.saeima.lv/Personal/Deputati/Saeima13\\_DepWeb\\_Public.nsf/structureview?readform&type=3&lang=L](https://titania.saeima.lv/Personal/Deputati/Saeima13_DepWeb_Public.nsf/structureview?readform&type=3&lang=L)
2. Composition of the Cabinet of Ministers: <https://www.mk.gov.lv/en/amatpersonas>

## Mexico

**Score 4** There are far more committees than members of the cabinet. This is negative from the point of view of effective monitoring. Yet there are more significant obstacles to the effectiveness of congressional committees than their official scope. The most notable limitation has been the one-term limit for legislators, which has now been changed. However, it is too early to assess the effect of this change.

## France

**Score 3** There is no congruence between the structures of ministries and those of parliamentary committees. The number of parliamentary committees is limited to eight (up from six in 2008) while there are 25 to 30 ministries or state secretaries. This rule set up in 1958 was meant as, and resulted in, a limitation of deputies'

power to follow and control closely and precisely each ministry's activity. The 2007 to 2008 constitutional reform permitted a slight increase of committees and allowed the possibility to set up committees dealing with European affairs.

## Israel

### Score 3

Knesset committees are currently not well structured for efficient government monitoring. The structure of the ministries and the parliament's committees diverges significantly: The Knesset has 12 permanent committees, while the number of ministries shifts according to political agreements, totaling 30 at the time of writing (headed by 22 ministers, including the prime minister). Since parliamentary committees are divided by themes and not by ministerial responsibilities, they often struggle to gather and coordinate information. High turnover rates among representatives also makes it difficult to control professional and bureaucratic information. Although the number of committees is average by global standards, the combination of a small number of parliamentarians (120) and the usually broad coalitions results in only two-thirds of all members being available to sit on committees regularly. Some members of the Knesset sit on as many as five or six committees, inevitably impairing their committees' supervisory capabilities.

#### Citation:

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