



Legislative Modernization Experiences in Latin America

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Legislative Modernization Experiences in Latin America was a series of two virtual sessions organized by ParlAmericas and the National Democratic Institute in Central America (NDI Central America). The series was designed for legislators and legislative staff from Northern Central America, namely: El Salvador, Guatemala, and Honduras. The objective of the meetings was to provide practical knowledge on legislative modernization to parliamentarians and parliamentary staff from these three countries through the exchange of experiences with other legislators in Latin America to establish an interparliamentary agenda that advances these topics.

TOPIC

Legislative modernization, innovation, citizen participation

VENUE

Virtual meetings

DATE

November 13, 2020, and January 29, 2021

PARTICIPANTS

More than 50 parliamentarians and parliamentary staff from 7 countries



This activity aligns with the SDG 16

Summary of Session 1: Strengthening Parliamentary Function

The first session of the series was held on November 13, 2020. It introduced the topic of legislative modernization, keeping in mind approaches to strengthen parliament, initiatives undertaken to move towards virtual sessions, and open parliament efforts in relation to transparency, open data, and public integrity. The meeting was inaugurated by Member of the National Assembly **Elizabeth Cabezas** (Ecuador), President of ParlAmericas, and featured opening remarks by **Eduardo Nuñez Vargas**, Director of NDI's Regional Program for Central America.

The modernization and strengthening of parliamentary work is fundamental because it allows us to improve and continue fulfilling our legislative, representation, and oversight duties. In complicated contexts such as those we are currently facing as a result of the COVID-19 pandemic, the role played by legislators is crucial to achieving an economic recovery that meets the Sustainable Development Goals of the 2030 Agenda.



Member of the National Assembly **Elizabeth Cabezas** (Ecuador), President of ParlAmericas (2019–2020)

Eduardo Núñez Vargas,
Director of NDI's Regional
Program for Central America



The pandemic has made innovation imperative for parliaments to continue to play their strategic roles. This situation should be seen as an opportunity to align the demands of our current context with medium- and long-term approaches to parliamentary reform and modernization as a tool for adapting to change, and as a way to establish new foundations for relationships between citizens and parliaments.

The panel on reforms for institutional strengthening in this meeting included **Pamela Lozano**, specialist in legislative openness; **César Solórzano** (Ecuador), Vice-President of the National Assembly and member of the Open Parliament Group; and Member of the Chamber of Deputies **Daniela Vilar** (Argentina), President of the Special Committee on the Modernization of Parliamentary Functioning. The session also featured presentations on the progress of legislative modernization in the Northern Triangle countries by Member of Congress **Cornelio García** (Guatemala), Vice-President of the Committee on Technical Support; Member of the Legislative Assembly **Anabel Belloso** (El Salvador), member of the Committee on Electoral and Constitutional Reform; and Member of Congress **Enrique Yllescas** (Honduras), Vice-President of the National Congress.

After an interparliamentary dialogue where participants had the opportunity to share and discuss additional reflections, the meeting concluded with closing remarks by Member of the National Assembly **Elizabeth Cabezas** (Ecuador) and **Alejandro Urizar**, Director of NDI in Honduras.

Panellists

Pamela Lozano opened the panel of the first session of this series. Her presentation discussed the findings of her comparative study on legislative modernization in Latin America which was prepared for NDI. It highlighted the challenges of adaptation faced by the parliaments in the region given the context of the COVID-19 pandemic ([presentation](#)). The presentation included an overview of the existing regulatory frameworks and programs in favour of modernization in the region. It highlighted that the trend of these advances has been focused on organizational strengthening through the creation of committees or work units and concluded that the next steps in this agenda should be focused on strengthening the institutional dimension of the parliaments.

Member of the National Assembly **César Solórzano** (Ecuador), presented the National Assembly's efforts in the transition to remote work in response to the pandemic ([presentation](#)). Among the modernization initiatives, he also highlighted the recent reform of the [Organic Law of the Legislative Function](#), which states that by exception, meetings may be held anywhere in the national territory or using information and communication technologies (ICTs). In addition, the law aims at strengthening ethic principles through the establishment of a Parliamentary Ethics Committee, promoting accountability and transparency, and guaranteeing gender parity and alternation in the leadership roles of specialized standing committees.

In a similar way, Member of the Chamber of Deputies **Daniela Vilar** (Argentina), explained the Special Committee's work on the modernization of parliamentary functioning and the actions taken to establish and approve the [Protocol for Remote Parliamentary Work of the Chamber of Deputies](#) through a participatory process to enable virtual parliamentary sessions within the framework of the pandemic. Furthermore, she commented on the most recent co-creation process of the [open parliament action plan](#): an additional focus of the work to strengthen parliamentary functions.

Virtual sessions are a major technical and operational challenge for parliaments, but above all an opportunity for modernization and adaptation to the digital ecosystem.



Member of the National Assembly
César Solórzano Vice-President of the
National Assembly (Ecuador) and
Member of the Open Parliament Group

We know that tools to help us exist, but they are only a means to an end. In this case, the end is to provide solutions to our citizens, by implementing public policies that achieve welfare for all.

Member of the Chamber of Deputies
Daniela Vilar (Argentina), Chair of the
Special Committee on Modernization of
Parliamentary Functioning



Progress by country

In his presentation on the progress of the legislative modernization at the Congress of the Republic of Guatemala, Member of Congress **Cornelio García** (Guatemala) commented on a digital innovation project to monitor the attendance of legislators and to broadcast select sessions in real time, such as the plenary sessions or some commissions. Moreover, he emphasized that the necessary steps for increased digitization of legislative processes must come with approval by citizens to ensure that the process is trusted.

In addition, Member of the Legislative Assembly **Anabel Belloso** (El Salvador) spoke about the modernization program in the Legislative Assembly. This program has included a live broadcast of the committees' work and plenary sessions, the parliament's presence on social media, and the work of Legislative Assembly offices in the country's 14 departments to promote greater relations between the population and the parliamentarians in their respective constituencies. Furthermore, Member of Congress **Enrique Yllescas** (Honduras) highlighted the progress in the National Congress of the Republic of Honduras and the importance of sharing knowledge, as well as political challenges involved with the transition to remote parliamentary sessions, when a consensus is needed amongst different political parties.

In the face of the new normal, we are forced to responsibly study these initiatives, to learn about the experiences of other countries, to be able to move forward and identify (...) the mechanisms or other laws of the Legislative Assembly that need to be strengthened or created if they do not yet exist to support virtual work.



Member of the Legislative Assembly **Anabel Belloso** (El Salvador), Member of the Committee on Electoral and Constitutional Reform

It is possible that [fully virtual parliamentary work] may lead the population to distrust the process. Therefore, I believe that a hybrid work environment should be put in place... We would need to create a digital platform that would allow the members working remotely to participate, and at the same time, connects them with those who are physically present in the parliamentary chamber.



Member of Congress **Cornelio García** (Guatemala), Vice-President of the Committee on Technical Support

The National Congress of Honduras has implemented and invested in advanced technological systems which have radically simplified virtual sessions... We have been continuously searching for systems that can neither be attacked nor manipulated by any hacker.

Member of Congress **Enrique Yllescas** (Honduras), Vice-President of the Committee on Citizen's Security and Prevention



Summary of Session 2: Innovation and citizen participation in parliamentary processes

The second session of the series was held on January 29, 2021 and focused on innovation and citizen participation within the framework of the processes of legislative modernization, including the ability of parliaments to adapt when faced with changing political contexts. This meeting convened legislators and parliamentary staff from El Salvador, Guatemala, and Honduras, as well as representatives from the Canadian Embassy in Guatemala, including Ambassador **Rita Rudaitis-Renaud**. Member of the Legislative Assembly **Cristina Cornejo** (El Salvador), ParlAmericas Board Member, launched the meeting and shared her reflections on El Salvador's progress on the subject matter.

The panel on Latin American experiences included Member of the Legislative Assembly **Ana Lucía Delgado** (Costa Rica), First Secretary of the Legislative Board of the Assembly, and Member of the Chamber of Deputies **Vlado Mirosevic** (Chile), Member of the Bicameral Transparency Group of the National Congress. The session also featured presentations on the advances of countries in the sub-region from Member of Congress **Víctor Martínez** (Honduras), Member of the Committee on Open Parliament, and Member of Congress **Sofía Hernández** (Guatemala), First Vice-President of the Congress of the Republic of Guatemala.

Following these presentations, the participants discussed the possibility of an interparliamentary agenda for legislative modernization in the northern countries of Central America, moderated by **Eduardo Núñez Vargas** and **Josseline Matute**, NDI Senior Program Officer. The meeting ended with closing remarks from **Alejandro Urizar** and **Natalí Casanova**, Senior Program Officer for Open Parliament at ParlAmericas.

The ability for parliaments to adapt in the face of changing political scenarios is essential in ensuring that both citizens' demands, and political stability are taken into account, especially in adverse times such as those we are currently facing as a result of the COVID-19 pandemic.



Member of the Legislative Assembly
Cristina Cornejo (El Salvador),
ParlAmericas Board Member

Panellists

In the second session of the series, Member of the Legislative Assembly **Ana Lucía Delgado** (Costa Rica) presented the Legislative Assembly's ongoing efforts towards legislative openness over the years ([presentation](#)). In this framework, she emphasized the contribution of the Department of Citizen Participation in promoting training, cooperation, and co-creation initiatives with citizens to achieve a more effective citizen participation. An example is the "parlamentos cívicos" (civic parliaments) initiative which includes community and civil society leaders from different economic and social sectors. Through this initiative, the [National Agricultural Parliament](#) was established as a permanent advisory body to the Legislative Assembly's Committee on Agriculture. In addition, she emphasized the approval of the [Institutional Policy on Open Parliament](#) in 2019 as a key milestone that, on top of fulfilling the commitment of the [Third Open Government National Action Plan](#), establishes the creation of an Institutional Committee on Open Parliament, which will include civil society representatives, members of the Legislative Assembly, and parliamentary officials.

Member of the Chamber of Deputies **Vlado Mirosevic** (Chile) offered his reflections on the urgent need to address citizens' demands in the context of democratic tensions that are evident both in the region and around the world. He highlighted three strategies and significant advances in the Chilean context: The [Citizen Participation Regulation](#), drafted in conjunction with 100 civil society organizations, which establishes specific procedures for citizen participation in the legislative process; [Virtual Congress](#), a digital tool that facilitates and displays citizen contributions to debates on bills; and the co-creation of open parliament action plans with civil society. Additionally, he emphasized the value of having a multi-party parliamentary group that can ensure the continuity of the agenda of legislative opening within the National Congress beyond electoral circles.

Member of the Chamber of Deputies **Vlado Mirosevic** (Chile), Member of the Bicameral Transparency Group of the National Congress



Every day, the process of adaptation, innovation, and citizen participation in the legislative process in Costa Rica is taking steps towards guaranteeing an open parliament. However, we still have a long way to go and many adjustments to be made to achieve full citizen participation.

Member of the Legislative Assembly **Ana Lucía Delgado** (Costa Rica), First Secretary of the Legislative Board of the Assembly and Member of the Institutional Committee on Open Parliament



There are two things that those of us in parliaments must oversee. The first is the legitimacy of democracy. If there is a social majority that thinks that we govern under other motives and not for the majority of the population, then we have a problem. The second is the usefulness of politics... If the people feel that our debates do not relate to their needs, that causes a serious problem for democracy.

Progress by country

Soon, we will begin the co-creation process for our new open parliament plan, which will be more consistent than the previous one because it will be formulated by us, the Honduran people. The Honduran Congress is advancing slowly but firmly in this process of open parliament with the sole purpose of achieving effective results.



Member of Congress **Víctor Martínez** (Honduras), Member of the Committee on Open Parliament

We are aware that we have been making gradual progress. Three or four years ago we did not have a television channel or a radio station, and many actions by civil society were not taken into account to generate proposals for initiatives. However, we have a work plan and we want to create an open parliament forum like those seen in other countries.



Member of Congress **Sofía Hernández** (Guatemala), First Vice-President of the Congress of Guatemala

In his presentation on the progress of legislative modernization in the National Congress of Honduras, Member of Congress **Víctor Martínez** (Honduras) shared reflections on the Committee on Open Parliament, which has undertaken training on tools for openness, citizen participation, and co-creation processes for both the members of the committee and the technical team in charge of the different parliamentary departments. He also commented on other initiatives under review to expand outreach efforts with the population, including the creation of a citizen services office to promote greater transparency and feedback.

Member of Congress **Sofía Hernández** (Guatemala) presented the implementation of initiatives in the Congress of the Republic of Guatemala that take advantage of ICTs to expand the dissemination of information and opportunities for interaction with the Guatemalan population, including social networks, a television channel, and a mobile application. Along these lines, she commented on projects under consideration in parliament that would use ICTs to increase productivity—for example, the creation of digital platforms to optimize administrative procedures in the government and facilitate remote work. She also highlighted the contribution of the Access to Public Information Unit, which provides information and data requested by citizens.

Interparliamentary Dialogue

The two sessions of the series included a dialogue to share reflections and identify issues that could be linked to a sub-regional agenda to foster continued learning through opportunities for inter-parliamentary collaboration.

Among the topics highlighted was the importance of being able to hold virtual sessions, not only in the context of the pandemic, but also in disastrous situations. For example, Honduras mentioned challenges in traveling from the different districts to parliament after the recent Hurricane Eta. In terms of citizen participation, the importance of expanding beyond only providing information to also incorporating interaction and feedback between the parliament and citizens was highlighted.

Regarding the adoption of new technologies to advance legislative modernization in all forms, important challenges ahead were highlighted. This included achieving political consensus among different parties to adopt new methods and transparent legislative procedures that generate trust of the population as well as ensure that the tools are secure, accessible and easy to adopt for both citizens and legislators.

We believe that an app would allow us to be more aware of what society wants while laws are being drafted, thus complementing the socialization of the bill-drafting process.



Analina Montes (Honduras),
General Manager of the National
Congress of Honduras

I have submitted a proposal so that our Legislative Assembly may meet online, under certain circumstances. We have seen that with COVID and other natural disasters, sometimes it is impossible for parliaments to meet in person, so one of my proposals is that we, in El Salvador, take a step towards modernization. This is mainly because in the Committee on Economic we are looking at the universal right to the Internet and access to ICTs.



Member of Congress **Karla Hernández**
(El Salvador)

We have seen among the population and civil society organizations, an intention for more direct participation. The Congress of Guatemala has formed ... groups and associations of parliamentarians that involve different sectors to discuss deep-rooted issues in our societies. I think we need to go even further. We must achieve citizen participation and trust in order to make the best decisions.



Member of Congress **Jairo Flores**
(Guatemala)

Dialogue on an interparliamentary agenda for legislative modernization

Use of ICTs	Active mechanisms for citizen participation	Which actions are considered important?
<p>Citizen participation. Generate spaces for two-way interaction.</p> <p>Representation. Connect with other sectors in society.</p> <p>Lawmaking process. In the phases of socialization and approval (plenary vote) of the content of the law.</p> <p>Accountability. Open parliaments to the examination and analysis of legislative work.</p> <p>Transparency. Make information available to citizens on legislative activities: biographical information of parliamentarians, attendance, voting.</p> <p>Development and use of applications.</p>	<p>Co-creation of open parliament commitments. Discussion and exchanges with different sectors in society.</p> <p>Lawmaking process. In the stages of drafting, reviewing, socialization and approval (through citizen votes) of the content of the law</p>	<p>Sectorial and sub-regional agendas in relevant themes such as migration.</p> <p>Networking between legislators. Strengthen subregional relationships within existing parliamentary networks.</p>

Conclusions

In closing, the content shared during the first and second sessions, and in the more specific dialogue regarding a sub-regional interparliamentary agenda on legislative modernization in El Salvador, Guatemala and Honduras, will be used as a reference to develop work plans that will guide the programming and actions of NDI and ParlAmericas to support the modernization processes in these three countries.

Key considerations for legislative modernization identified in sessions

<p>Legislative modernization refers to a set of processes or tools that aim to improve the substantive performance of parliaments to exercise their strategic functions as well as the development of technical capacities to support this political exercise.</p>	<p>Adaptation can occur in different ways (for example, fully virtual or a hybrid model) therefore the choice of method needs to be appropriate in the context of each country.</p>
<p>Legislative modernization efforts require:</p> <ul style="list-style-type: none">• Strong bipartisan agreements• Stable and committed multi-partisan committees• A long-term outlook• Citizen participation	<p>The adoption of ICTs in the legislative processes during a pandemic presents various challenges but it also represents opportunities for modernization in terms of streamlining tools that can overcome the challenges associated with the pandemic and that can be incorporated on a permanent basis.</p>
<p>Legislative reform and modernization processes can be useful in addressing citizen distrust of democratic institutions, particularly if they involve expanding opportunities for effective citizen participation.</p>	<p>Open parliament processes and initiatives paved the way for and facilitated the transition of parliaments to virtual parliamentary sessions.</p>
<p>In the region's parliaments, legislative modernization processes focus mainly on the organizational structure (administrative processes). It is important to complement this progress by further strengthening the institutional dimension, that is, the principles, values, and rules that guide legislative work.</p>	<p>Legislative modernization is not only focused on the implementation of ICTs. It also involves betting on reforms and efforts in favour of legislative openness, thus strengthening parliamentary work in agreement with the Sustainable Development Goals.</p>

Parliaments in attendance



Argentina



Costa Rica



El Salvador



Honduras



Chile



Ecuador



Guatemala



Canada



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International Secretariat of ParlAmericas

703 - 155 Queen St., Ottawa, Ontario, K1P 6L1 Canada

Teléfono: +1 (613) 947-8999

www.parlAmericas.org | info@parlAmericas.org

