Indicator 1.7 – Oversight

Parliamentary oversight is one of the three core functions of parliament and an essential element of the exercise of democracy. Directly-elected houses of a legislature are mandated to hold governments accountable on behalf of the people, and to ensure that there are checks and balances on the executive. The fundamental objectives of parliamentary oversight are to promote the freedoms of the people, as well as to contribute to improving the quality of governance, law-making and representation.

Parliamentary oversight becomes increasingly relevant when public trust in representative democracy decreases. The people call for effective action by their elected representatives to ensure that governments perform at the best of their abilities. Societies wish to see their parliaments hold governments to account, identify legislative measures to remedy their concerns, make well-justified budget allocations and find effective policy solutions. The oversight process includes conducting enquiries, obtaining information from the executive, summoning officials, organizing hearings, holding debates and conducting inquiries.

Parliamentary oversight should be rigorous, systematic, constructive, and evidence-based. Legislatures are authorized to scrutinize policies of the executive, including military, security and intelligence services. Parliaments are mandated to monitor secondary, delegated or subordinate legislation, as well as scrutinize appointments to executive posts. Oversight is a transparent and open process that involves the participation of relevant stakeholders and the general public.

The assessment of the oversight indicator comprises the following dimensions:

- 1.7.1 Election, confidence, no-confidence, censure or impeachment of the head of state or government and/or ministries
- 1.7.2 Parliamentary access to information from government
- 1.7.3 Summoning ministers and other government representatives in committees
- 1.7.4 Summoning officials in chamber (interpellations)
- 1.7.5 Questions
- 1.7.6 Hearings
- 1.7.7 Committees of inquiry

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Dimension 1.7.1 Election, confidence, no-confidence, censure or impeachment of the head of state or government and/or ministers

Indicator: 1.7 Oversight
Sub-target: 1 Effective parliament
Target: 16.6 Effective, accountable and transparent parliament

About the dimension

This dimension outlines the provisions by which parliament has the power to elect a head of state/government, to vote for confidence or no confidence in the executive, to censure or impeach a head of state or government and/or ministers. As the system of checks and balances in democratic societies ensures that no one enjoys absolute power, parliaments have a constitutional mandate to hold governments to account and, in some systems, also to confirm executive appointments. While various constitutional systems provide for different mandates enabling parliaments to elect head of states/governments, and to vote on confidence motions, all democratic legislatures have the power to remove heads of state or government through a constitutionally-established process of impeachment for the breach of constitutional duty or in the event of serious misconduct.

The parliamentary authority to hold a vote of confidence or no confidence in the executive is outlined in constitutional law. The vote of confidence represents the right of directly-elected parliamentarians to express their support for a person or a group. The notion of a vote of confidence in the executive varies across systems. For the purposes of this dimension, a ‘vote of confidence’ refers to parliament’s power to establish a cabinet, typically immediately after parliamentary elections. Parliament is authorized to withdraw confidence if it considers that the government or some of its members are failing to carry out their duties. A successful vote of no confidence has the potential to replace all or part of the government. In parliamentary systems, government tenure usually depends on the continued support of the legislature and, therefore, parliament has the power to dissolve the government by a vote of no confidence where necessary.

In presidential systems, where heads of state or government are directly elected, they are still accountable to citizens between presidential elections. Even in systems where a legislature has no power to exercise a vote of confidence in the executive, it still has mechanisms to impeach heads of state or government officials/ministers for breaches of their constitutional mandate or in cases of unlawful action. The removal of the highest executive officials from office is a drastic measure and, in some cases, may lead to the dissolution of parliament, triggering early elections.

On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of election, confidence, no confidence, censure or impeachment of the head of state or government and/or ministers would encompass the following:

There is a clear separation of powers established in a country's constitution or legal precedent that codifies the mandate of the parliament for the election of, vote of confidence or no confidence in, or censure or impeachment of a head of state or government and/or ministers. The procedure for applying these powers is clearly established in legislation and in practice.
Heads of state and government/ministers are accountable to the people through the parliament. Parliament has mechanisms to censure and/or impeach the head of state or leader of government or government officials/ministers for breaches of their constitutional mandate or in cases of unlawful action.

**Assessment**

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:
- Specific articles of the constitution or laws that regulate the processes of the election of, confidence or no confidence in, and censure or impeachment of a head of state or government and/or ministers
- Specific articles of the rules of procedure that regulate the procedures for the election of, confidence or no confidence in, and censure or impeachment of a head of state or government and/or ministers
- Examples of a decision of the parliament or its committees on confidence or no confidence in, censure or impeachment of a head of state or government and or minister

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports) can be provided.

**Assessment criterion No. 1: Election of a head of state**

The constitution and law set clear criteria and rules for the election of a head of state. In systems where heads of state are elected by the parliament, the law clearly defines the methods for nominating and electing a candidate (secret or open ballot), as well as the minimal quorum for electing a head of state.

In systems where heads of state are elected through popular elections, there is evidence of the constitutional provisions and law regarding the election, mandate and roles of the head of state.

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**Evidence for this assessment criterion:**

**Assessment criterion No. 2: Vote of confidence/approval of ministers**

In systems where the government is established by a parliamentary vote of confidence, the constitution and the law provide for clear rules and criteria for such a vote. The constitution sets out rules on the nomination of the candidate for a head of government and members of cabinet, proceedings for the debate of a proposed governmental programme, deadlines and the minimum quorum necessary for gaining parliamentary confidence in the new cabinet.

In systems where the establishment of a government does not require a vote of confidence, parliament approves ministers and cabinet members individually. There is evidence of constitutional and legal provisions that set out
clear rules for the submission of candidates for approval, hearing procedures and a minimal quorum for final decision.

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Evidence for this assessment criterion:

**Assessment criterion No. 3: Dissolving government (vote of no confidence and censure)**

There are constitutional or legal provisions by which only a popularly elected house has the power to bring down a government. The law enables parliament to hold a vote of no confidence or to file a motion of censure as a procedure to remove the government from office (except in presidential and semi-presidential types of government). In order to succeed, such a procedure requires at least a majority of legislators. A vote of no confidence or a motion of censure is debated transparently and the public has an opportunity to observe the entire process.

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Evidence for this assessment criterion:

**Assessment criterion No. 4: Legal framework on impeachment**

There is evidence of clear constitutional or legal provisions by which the legislature has mechanisms to address serious misconduct by a head of state and government/ministers, and to impeach a head of state or government or ministers for breaches of their constitutional mandate or for unlawful conduct. The constitution and law clearly establish the grounds and a clear procedure for an inquiry/investigation into the misconduct. The law sets the minimum votes needed for the initiation of the impeachment motion, as well as the number of votes necessary for the final decision on impeachment.

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Evidence for this assessment criterion:

**Assessment criterion No. 5: Implementation in practice**
The application of the procedure for casting a vote of confidence/no confidence in, or impeaching or censuring a head of state or government or government officials in practice is clear and consistent. In cases where such mechanisms have been applied by parliament, their implementation was in strict compliance with the relevant constitutional or legal provisions.

Evidence for this assessment criterion:

Recommendations for change
**Dimension 1.7.2 Parliamentary access to information from government**

Indicator: 1.7 Oversight  
Sub-target: 1 Effective parliament  
Target: 16.6 Effective, accountable and transparent parliament

**About the dimension**

This dimension outlines the provisions by which parliament has the authority to exercise its oversight mandate by obtaining documents and information from the executive. This mandate is usually exercised by individual MPs, political groups and committees, depending on the oversight tool that parliament chooses to apply.

Many legislatures are legally empowered to access any information, including classified information, held by the executive. MPs have the right to submit questions to the government, prime minister and ministers, as well as the right to have their questions answered in a complete and timely manner either orally in plenaries or in writing. Parliamentary committees also have the right to visit government institutions and other sites to examine details of the implementation of various programmes.

In many systems, parliamentary committees are key units that have significant responsibility for oversight. In parallel to the rights of individual MPs, committees are granted additional powers to obtain any information from the executive either for the purpose of accountability or for law-making.

The rules of procedure of parliament establish clear and effective procedures for obtaining information from the executive and submitting questions or letters to the government, including specific timelines for responding to such questions/letters. The law may also prescribe rules that limit access to classified information, such as state secrets (requests for information from military, security and intelligence services). In these cases, requests for classified information may be limited to a special committee or to individual members of parliament having the necessary security clearances or authority to oversee these areas. Any limitation on access to classified information, such as state secrets (requesting information from military, security and intelligence services) should be precisely defined by law.

The process of obtaining information from the executive shall be rigorous and systematic. Parliament shall have effective procedures for the reception of timely responses from the executive and a designated parliamentary body (mostly a committee on rules and procedures) may be authorized to monitor compliance of the executive with relevant provisions of the law. Such a body or similar unit should keep records of the number of submissions, the number or timeliness of responses, the number of delayed responses, justifications for delays, and the percentage of questions answered within the statutory deadline. The collection of such data is useful for monitoring the overall accountability of the executive and individual ministries. In certain legal systems, the failure of a minister to provide requested information to the parliament might serve as grounds for the censure or impeachment of a minister or a government official or the determination of a breach of privilege.

In many countries, the authority and powers of the parliament to obtain access to information from the government is supported by provisions for citizens to make freedom of information (FOI) requests to the government. Such FOI arrangements should cover the information held by the government, any exceptions (for example, for national security) should be narrowly defined, and failure to provide information should be subject to appeal to an independent body.
On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of parliamentary access to information from government would encompass the following:

There is a clear constitutional or legal mandate of the parliament, parliamentary committees and of individual MPs to obtain information (including classified information, in line with the law) from the executive, and ministers/ministries are legally obliged to provide information in a full and timely manner.

The law or rules of procedure provide for a specific timeline and procedures obliging the executive to provide the parliament with information. These procedures could include question time in the plenary, and the provision of information to parliamentary committees or of written responses to individual MPs.

FOI provisions support access to information by the parliament.

A relevant parliamentary body is mandated to monitor governmental responses to parliamentary requests for information, and keeps track of matters such as delays, failures to submit information and justifications for delays.

Systematic failure of a minister or other government representative to submit requested information to the parliament might serve as grounds for the censure or impeachment of the minister or government representative, or the taking of other parliamentary action.

Assessment

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:

- Specific articles of the constitution or laws that regulate parliamentary access to information from government
- Specific articles of the rules of procedure that regulate procedures for the submission of information requests to the executive, as well as timelines and procedures by which government agencies should respond to such requests
- Specific articles of law that regulate the legal or political responsibility of a minister or an official for systematically failing to provide information to parliament
- Parliamentary or committee reports on parliamentary access to information from government, which might include the number of requests submitted, the number of timely and full responses, the number of delayed responses and justifications for delays.

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports) can be provided.

Assessment criterion No. 1: Legal framework on the authority of the parliament to obtain information from the executive

There is evidence of constitutional or legal provisions by which parliament, its committees and individual MPs are authorized to obtain information from the executive through the submission of written requests. These include
provisions on freedom of information that ensure open access to citizens (including MPs) to government information.

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Evidence for this assessment criterion:

Assessment criterion No. 2: Legal framework on the authority of the parliament to visit government institutions

There are constitutional or legal provisions by which parliament, its committees and individual MPs are authorized to visit government institutions and other sites to examine in detail the implementation of various programmes or for other oversight purposes.

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Evidence for this assessment criterion:

Assessment criterion No. 3: Obligation of the executive to provide information to parliament

There is evidence of constitutional or legal provisions by which the executive is obliged to provide requested information to parliament or to individual MPs in a full and timely manner, in writing or during the oral question time in the plenary.

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Evidence for this assessment criterion:

Assessment criterion No. 4: Responsibility for limiting parliament’s access to information

There is evidence of constitutional or legal provisions by which a minister or other government representative might be held responsible for systematically failing to provide information to the parliament or to MPs. Such a failure might serve as grounds for the censure or impeachment of a minister or other government representative, or for taking other parliamentary action established in legal provisions, in line with the type of political system in place.
Indicators for democratic parliaments, based on SDG targets 16.6 and 16.7

Assessment criterion No. 5: Consistency of implementation

There is evidence of a rigorous and systematic process for the collection of information from the executive by parliament, committees or individual MPs. Parliament keeps record of the percentage of timely and full responses, monitors justification for delays and follows up on failures to provide information.

Recommendations for change
**Dimension 1.7.3 Summoning ministers and other government representatives in committees**

Indicator: 1.7 Oversight  
Sub-target: 1 Effective parliament  
Target: 16.6 Effective, accountable and transparent parliament

**About the dimension**

This dimension outlines the authority of parliament to summon government representatives, including members of cabinet in committees (the summoning of ministers and other government representatives in chamber or plenary, or ‘interpellation’, is covered in dimension 1.7.4.). Scrutinizing the effectiveness and efficiency of the executive, as well as verifying the compliance of its actions with relevant policies and laws is a core responsibility of the legislature. To assist the parliament in fulfilling this responsibility, it needs certain powers to obtain information from the executive. In addition to the authority to obtain information from the executive and to conduct inquiries and investigations, parliaments have the power to summon ministers and other representatives of the executive, including members of the cabinet and senior officials of the military, law enforcement and intelligence services.

Summoning powers rest with the legislature and are usually delegated by law to parliamentary committees. According to the National Democratic Institute, “committees shall have the power to summon persons, papers and records, and this power shall extend to witnesses and evidence from the executive branch, including officials”\(^2\). If this power is not enjoyed by permanent committees, it shall be enjoyed by temporary committees at a minimum.\(^3\)

The necessary procedures for summoning ministers or other government representatives should be defined in the rules of procedure. These rules should include detailed regulations ensuring transparency, stakeholder participation and the rights of the parliamentary minority. Committees should have available staff with the expertise necessary to provide quality support in the process of summoning government representatives.

It should be recognized that effective parliamentary oversight is the result of the joint efforts of MPs, civil society and other oversight institutions, with the support of the general public.\(^4\) The collection of a wide range of relevant evidence contributes to the effectiveness of oversight and the questioning of ministers or other government representatives when summoned. Therefore, the engagement of the audit/oversight institutions, civil society and other external actors constitutes added value for the overall process. The law may envisage different procedures for the summoning of military, law enforcement and intelligence officials or requests for classified information.

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**On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of summoning ministers and other government representatives in committees would encompass the following:**

- There is a clearly defined legal framework permitting parliament and its committees to summon government representatives, including cabinet members and those in charge of military, law enforcement and intelligence services.

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\(^3\) National Democratic Institute (NDI), *Toward the Development of International Standards for Democratic Legislatures* (NDI, 2007).

Parliamentary rules provide detailed regulations for summoning ministers or other government representatives, and for ensuring transparency, stakeholder engagement and the rights of the opposition.

Established practice entails the collection of a wide range of evidence and information from relevant sources/stakeholders prior to the summoning of ministers or other government representatives to ensure the high quality and effectiveness of oversight and questioning.

Committees are equipped with qualified staff to support the process of effectively summoning and questioning government representatives.

Assessment

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:
- Specific articles of the constitution or laws that regulate the mandate of parliament to summon government officials, including cabinet members
- Specific articles of the rules of procedure that regulate all aspects of the summoning of government officials
- Committee records/reports on the summoning of government officials
- Committee records on preparation materials for summoning government officials (information/evidence)
- The percentage of committee meetings that address the summoning of officials per year

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports) can be provided.

Assessment criterion No. 1: Legislative framework

The law provides for a clearly defined framework mandating parliament and its committees to summon government representatives, including cabinet members and those in charge of military, law enforcement and intelligence services.

Assessment criterion No. 2: Summoning process

Parliamentary rules of procedure provide detailed regulations to ensure transparency, stakeholder participation and the rights of the opposition when exercising the process of summoning ministers or other government representatives. Access to a wide range of evidence and information from relevant stakeholders prior to summoning is guaranteed by the law.
### Indicators for democratic parliaments, based on SDG targets 16.6 and 16.7

#### Assessment criterion No. 3: Established practice for summoning government representatives

Parliament has an established and consistent practice for summoning ministers and other government representatives. Ministers and other officials appear before the parliamentary committees when invited. They are obliged to appear personally and cannot be substituted by staff members.

#### Assessment criterion No. 4: Established practice of collecting information/evidences

There is evidence of an established practice of collecting a wide range of evidence and information from relevant stakeholders prior to the summoning of government officials to ensure high quality of oversight and questioning.

#### Assessment criterion No. 5: Resources and qualified staff

The parliamentary committees are equipped with the resources and qualified staff necessary to support the effective process of summoning and questioning government representatives.
Recommendations for change
**Dimension 1.7.4 Summoning officials in chamber (interpellations)**

Indicator: 1.7 Oversight  
Sub-target: 1 Effective parliament  
Target: 16.6 Effective, accountable and transparent parliament

**About the dimension**

This dimension outlines the provisions by which the legislature has the power to summon government officials, including the prime minister, ministers and other officials in the chamber. Different mechanisms are used in different systems for defining the mandate of parliament to summon officials in plenary.

Summoning officials in chamber (interpellation) is a valuable instrument to enable parliament and MPs to publicly express their opinions and conduct effective oversight. Interpellations are written requests for information from the executive by a group of MPs or a political group, with the intention of launching a debate. After submitting a motion on interpellation, government officials, including the prime minister and ministers, are required to respond to the request or question in person in the plenary. In contrast to ordinary questions, interpellations address matters of national rather than local importance. Interpellation is distinguished from ‘question time’ (see dimension 1.7.5) and a ‘no-confidence vote’ (see dimension 1.7.1), as it involves separate procedures. The number of MPs required to launch an interpellation procedure varies from one country to another. Some parliaments also have established regular periods for interpellation, for example, once a week or once a month, while others use other instruments, such as a ‘topical hour’ that can be placed on the agenda by any parliamentary (party) group.

As a result of interpellation or debate, parliament can issue a censure motion, or a resolution expressing parliament’s opinion on the subject of the debate. Such debates may even result in a no-confidence motion seeking a political sanction. Motions rarely result in the collapse of a government, nevertheless they are still an important tool for attracting public attention to issues of concern. Some legislatures do not have an interpellation procedure. It may be covered in other ways such as requests for written or oral questions of the government or motions of censure or no confidence of the government or individual ministers.

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**On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of summoning officials in chamber (interpellations) would encompass the following:**

There is a constitutional framework authorizing parliament to summon government representatives in chamber/the plenary. MPs, political groups or parliamentary committees are mandated to initiate debates on matters of concern and to question executive officials.

Parliament can launch debates on issues of its own choice by using interpellation (or alternatives) or questions for a debate. Parliamentary rules define the procedure for holding such debates and the law obliges executive officials to respond to interpellation in person in the plenary.

The law defines clear procedures for interpellation, including initiation, timeframe, guaranteed speaking time for the opposition and the possibility to resume a debate on a motion or a resolution. Debates can be held on issues or questions that the government failed to answer or to which it did not respond fully within the established deadline.
The summoning of government officials in the plenary is a significant part of parliamentary work and takes place on a regular basis.

Assessment

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:

- Specific articles of the constitution or laws that regulate the summoning of officials in chamber (interpellations)
- The ratio of the time devoted in the parliamentary plenary to carrying out oversight through debate to that devoted to law-making
- Example of motions on the initiation of interpellation
- The number of appearances of cabinet members in parliamentary chamber for interpellation or summons during the year

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports) can be provided.

Assessment criterion No. 1: Constitutional framework

There is a constitutional framework authorizing MPs, political groups and parliamentary committees to summon government representatives in chamber (interpellations) on matters of concern. Parliament can launch debates on issues of its own choice by using interpellation (or other instruments) or questions for a debate. Parliamentary rules define procedures for holding such debates and the law obliges executive officials to respond to interpellation in person in the plenary.

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Evidence for this assessment criterion:

Assessment criterion No. 2: Legislative framework

There is a legal framework secured in the parliamentary rules providing clear procedures for summoning officials in chamber, including initiation, timeframe, guaranteed speaking time for the opposition and the possibility to resume debate on a motion or a resolution. MPs can participate in debates as members of a political group or as independent MPs. Debates can be held on issues or questions that the government has failed to answer or to which it has failed to provide a full response within the established deadline.

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Indicators for democratic parliaments, based on SDG targets 16.6 and 16.7
**Evidence for this assessment criterion:**

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**Assessment criterion No. 3: Established practice**

Parliament summons government officials in chamber regularly and consistently. The procedure for interpellation (or similar instruments) is rigorously used and members of the cabinet or the other government representative appear before the chamber upon the request of MPs.

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**Evidence for this assessment criterion:**

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**Recommendations for change**

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**Sources and further reading**

**Dimension 1.7.5 Questions**

Indicator: 1.7 Oversight
Sub-target: 1 Effective parliament
Target: 16.6 Effective, accountable and transparent parliament

**About the dimension**

This dimension outlines provisions by which members of parliament are authorized to submit oral and written questions to officials of the executive, and to receive answers. Questions are fundamental tools for exercising oversight. The practice of submitting both oral and written questions is in place across parliaments.

Oral questions allow MPs to address the prime minister, ministers or officials publicly with regard to politically acute topics, while written questions are a useful tool to directly approach an official or minister and collect more detailed information, which is not otherwise available.

Oral questions, including ‘question time’ or ‘prime minister’s hour’ or ‘ministers’ hour’ regularly take place in many parliaments. Often the parliamentary agenda sets a specific period of time for ministers to respond to questions from members. The frequency and format of the question period varies across countries. Members are allowed to ask ‘supplementary’ questions, where the response does not provide full information. The presiding officer has a substantial role during oral questions, and oral question time is often a dynamic period. Maintaining the balance among political parties, managing the floor and setting a constructive tone of debate are the responsibility of the speaker, who should be given the necessary authority by the rules of procedure to exercise this responsibility (see dimension 1.4.2 Speaker/presiding officer).

Written questions are the most used oversight tool across parliaments. They enable MPs to collect more detailed information on matters of interest from any government representative and agency, ranging from national or policy issues to matters concerning a member’s constituency. Rules of procedure establish the guidance for submitting written questions, deadlines for providing answers and possible sanctions for breaching this obligation.

The meaning of the term ‘written question’ varies across countries. It usually refers to a category of questions posed in writing that require written answers, though some parliaments allow the authors of written questions to request either written or oral answers. Parliamentarians can request the government to provide oral answers to written questions that remain unanswered. In some cases, unanswered questions become the subject of interpellations.5

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On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of questions would encompass the following:

There is a constitutional or equivalent provision authorizing members of parliament to submit both oral and written questions to the government and officials of the executive. The executive is obliged to respond to these questions in a timely manner.

Rules of procedure provide clear regulations for question time, prime minister’s hour or other forms of oral question opportunities, which allow members to put questions to government and ministers on matters of

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Indicators for democratic parliaments, based on SDG targets 16.6 and 16.7

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**Indicator 1.7 – Oversight**

**Assessment**

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:

- Specific articles of the constitution or laws that regulate the authority of members of parliament to pose oral and written questions to government, and the obligation for the executive to respond to those questions
- Specific articles of the rules of procedure that regulate the details of the holding of ‘question time’, ‘prime minister’s hour’, the timeline for responding to written questions, and sanctions for breaching these responsibilities
- The percentage of time that parliament dedicates to oral questions in comparison with other oversight activities
- Reports on the percentage of full and timely responses by executive officials to MPs’ questions
- Evidence from the parliamentary records demonstrating that the speaker fairly manages floor time in the plenary, by allocating an adequate amount of speaking time to the opposition and maintaining a constructive atmosphere during the procedure

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports) can be provided.

**Assessment criterion No. 1: Constitutional or legal framework for the right to ask questions**

A constitutional or legal framework provides for a clear right of members of parliament to pose oral or written questions to the government and ministers, who are then obliged to respond in a timely and full manner. Failure to provide answers to written questions sent by MPs can result in sanctions for ministers/executive representatives.

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Evidence for this assessment criterion:
**Assessment criterion No. 2: Detailed procedures for questions**

A legal framework establishes detailed procedures for both oral and written questions to be posed to the government. The procedures include the frequency of holding ‘question time’ or ‘prime minister’s hour’ or ‘ministerial hour’, permission for members to ask questions on any policy issue and ‘supplementary questions’, and the authority to and obligation for the speaker to manage the floor fairly during question time.

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Evidence for this assessment criterion:

**Assessment criterion No. 3: Practice regarding procedures for questions**

Posing questions, both oral and written, to executive officials/ministers is a permanent part of parliamentary life. Practice demonstrates that the procedures for asking questions are applied consistently and the speaker manages the plenary floor fairly, by allocating a fair portion of time to the opposition and maintaining a constructive atmosphere during these periods. Members of the executive respond in a timely way to both written and oral questions.

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Evidence for this assessment criterion:

**Recommendations for change**


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Indicators for democratic parliaments, based on SDG targets 16.6 and 16.7

19
Dimension 1.7.6 Hearings

Indicator: 1.7 Oversight
Sub-target: 1 Effective parliament
Target: 16.6 Effective, accountable and transparent parliament

About the dimension

This dimension outlines the provisions in parliamentary rules and practice for parliamentary hearings to be held as an important and powerful tool for a parliamentary committee to exchange information among parliamentarians, obtain data and opinions, seek evidence from a wide range of individuals, and thus oversee the policies and actions of the executive branch. Apart from the reception of written submissions, hearings are the most important way in which committees can inform themselves on a topic and exercise both legislative and oversight roles. The active participation of the parliamentary opposition in the hearings is vital for ensuring rigorous oversight. Hearings help parliament to make informed analyses/decisions and to supplement government-supplied reports with information obtained from other sources.6

Hearings allow for broad public engagement which is fundamental for participatory parliamentary processes and which ensures the development of evidence-based, sound and relevant recommendations. Committee hearings are held on parliamentary premises, as well as outside the parliament, where appropriate and justified. There is the presumption that committee hearings are open to the public, and any exceptions (such as a valid need to hear confidential evidence) shall be clearly defined and provided for in the rules of procedure.

In order to fully exercise their oversight powers, parliamentary committees need strong administrative capacities in addition to their legal mandate.

When planning a hearing, a committee needs to ensure that the purpose of the hearing is clearly defined, committee members are well-informed, transparency is provided, the format of the hearing is in line with its objectives, all stakeholders are invited, and that an adequate agenda is published in advance.

It is also important that the results of the committee hearing are properly documented (ideally, they are published as a transcript of the hearing) and committee conclusions, including decisions, findings and recommendations that result from the hearings, are made public.

On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of hearings would encompass the following:

The parliament and its committees have a distinct legal mandate to conduct hearings, invite a wide range of individuals and experts and collect evidence in addition to that provided by the executive, and thus effectively oversee the policies and actions of the government.

The law or rules of procedure provide clear rules and procedures with regard to committee hearings, such as the notice of meetings, the preparation, approval and distribution of the agenda, quorum, chairing, recording and voting.

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Indicator 1.7 – Oversight

The law or rules of procedure provide for the openness of committee meetings to the public. Provisions allowing committees to close meetings when necessary, for example, to protect individual privacy or national security, are clearly defined.

Parliament regularly carries out hearings, and ensures that the meeting agenda is duly approved and published, the relevant stakeholders are engaged, and that the respective proceedings or conclusions are produced and published.

There are provisions for hearings to be held outside the parliamentary precinct, where appropriate and justified.

Assessment

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:

- Specific articles of the constitution or laws that regulate committee hearings
- Specific articles of rules of procedure that regulate the details of hearings, such as the notice of meetings, the preparation, approval and distribution of agenda, quorum, chairing, recording and voting.
- Committee reports of conducted hearings

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports can be provided.

Assessment criterion No. 1: Legal framework

There is evidence of constitutional or legal provisions by which a parliamentary committee carries out hearings. Parliaments thus have procedures for holding hearings and receiving submissions from the public, which are recorded as part of parliamentary proceedings.

Assessment criterion No. 2: Rules on organizing hearings

The law or rules of procedure provide clear rules and procedures with regard to committee hearings, such as the notice of meetings, the preparation, approval and distribution of the agenda, quorum, chairing, recording and voting.
**Indicator 1.7 – Oversight**

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Evidence for this assessment criterion:

**Assessment criterion No. 3: Rules on the selection of a venue for a hearing**

The law or rules of procedure provide for hearings to be held on parliamentary premises, as well as outside the parliament, where appropriate and justified.

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Evidence for this assessment criterion:

**Assessment criterion No. 4: Consistency of implementation**

There is evidence of a rigorous and regular process of conducting committee hearings with the participation of stakeholders, which ensures that hearings cover diverse perspectives. Committee hearings are open to the public, unless there is a legitimate reason to close the meeting. Committee conclusions, including decisions, findings and recommendations, are produced and published.

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Evidence for this assessment criterion:

**Recommendations for change**
Dimension 1.7.7 Committees of inquiry

Indicator: 1.7 Oversight
Sub-target: 1 Effective parliament
Target: 16.6 Effective, accountable and transparent parliament

About the dimension

This dimension outlines provisions by which parliament has investigative powers enabling it to inquire into an issue independently and investigate possible maladministration or alleged misconduct by government officials through the establishment of a parliamentary committee of inquiry (PCI). Although parliamentary investigative powers often borrow tools from legal proceedings, they are political rather than legal processes. Parliamentary inquiries are fact-finding proceedings and seek to place an issue high on the political agenda. This dimension is related to dimension 1.4.4 which covers the role of committees more generally. A PCI is a specific committee process to address areas of particular government maladministration or failure.

The rules for conducting parliamentary committee inquiries vary considerably. Parliament can hold inquiries via permanent committees or establish ad hoc committees, specifically mandated to conduct a particular investigation within a pre-defined scope. Parliament shall be mandated to conduct in-depth investigations of possible misconduct by a government through PCIs. The PCIs can therefore summon officials/private individuals, obtain written and oral evidence, and assess all relevant information and documentation provided by governmental, judicial, administrative and private institutions.

A PCI is usually set up by the chamber, with the mandate to investigate a particular matter, and ceases to function upon submission of a final report. Committees of inquiry may conduct fairly intense investigations over a relatively short period of time. PCIs have the potential to reveal facts that may be uncomfortable for the government. The inquiry may result in findings regarding the responsibility of senior government officials, cabinet members, or even in impeachment. The law shall not contain excessive barriers to the launch of an inquiry, or unduly limit the mandate of parliament to investigate possible misconduct or a policy failure. Political participation in such inquiries should be proportional to political representation in the legislature, and the role of the opposition in the PCI shall be guaranteed by law.

On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of committees of inquiry would encompass the following:

There is a clearly defined legal framework to set up a parliamentary committee of inquiry (constitution, rules of procedure, laws). Parliament is thereby empowered to investigate possible misconduct and policy failures. A committee of inquiry is set up by the parliament with the mandate to investigate a particular matter, and ceases to function upon submission of a final report. PCIs ensure an inclusive process and proportional representation of political groups.

PCIs have the power to summon officials and witnesses, obtain necessary information/documentation from government and private institutions, conduct hearings and issue findings and recommendations.

Parliamentary inquiry is a transparent process, except in clearly defined exceptional circumstances (such as matters of national security, disclosure of confidential documents or private information).

Findings of the inquiry may result in findings regarding the responsibility of senior government officials, cabinet members, and even in impeachment.

Assessment

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:

- Specific articles of the constitution, rules of procedures of the parliament or laws that define responsibilities and sanctions for the unlawful refusal to appear before a PCI and provide information
- PCI reports and recommendations
- The availability of trained personnel, administrative and financial resources to carry out a parliamentary inquiry

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports) can be provided.

Assessment criterion No. 1: Legal framework

There is evidence of the existence of a legal framework (constitution, rules of procedure of parliament, laws) that defines basic rules for setting up a committee of inquiry. Parliament has powers to investigate possible misconduct and policy failures. The proportional participation of political groups in the inquiry is secured by law or rules of procedure.

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Evidence for this assessment criterion:

Assessment criterion No. 2: Powers of PCIs
PCIs have the power to summon ministers and other government representatives and witnesses, obtain necessary information/documentation from government and private institutions, conduct hearings and issue findings and recommendations.

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Evidence for this assessment criterion:

**Assessment criterion No. 3: Transparency of inquiry**

Parliamentary inquiry is a transparent process, except in clearly defined exceptional circumstances (such as matters of national security, disclosure of confidential documents or private information). The general public can observe the process in person and/or through media or other means.

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Evidence for this assessment criterion:

**Assessment criterion No. 4: Outcome of an inquiry**

An inquiry can result in findings of political responsibility for governance failings by ministers and cabinet members, or in impeachment.

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Evidence for this assessment criterion:

**Assessment criterion No. 5: Resources for conducting inquiries**

Parliamentary committees of inquiry are equipped with the trained personnel, administrative and financial resources necessary to support a parliamentary inquiry process.

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Evidence for this assessment criterion:

Recommendations for change