

The Hellenic Parliament's Response to the COVID-19 Pandemic

A Balancing Act between Necessity and Realism

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Introduction

Legislatures face political crises constantly; they navigate through them using an institutional weaponry made out of constitutional and standing order provisions, often accompanied by informal regulations, so-called 'soft law'. By soft law, one describes regulations or guidelines, so-called 'rules of conduct', which produce legal and practical effects without having legally binding force.¹ Nevertheless, the COVID-19 pandemic took whole societies by surprise.² Pandemics are primarily health crises with certain signature characteristics. They develop in multiple waves,³ with different intensity and duration. Constitutions and standing orders do not contain dedicated provisions for such crises. In the absence of similar precedents, parliaments needed to improvise, often adopting expansive interpretation of existing provisions. To complicate things further, countries have used various approaches to combat the pandemic, a fact that affected the behavior of parliaments as well.⁴ As the pandemic evolved, it became clear that parliaments faced disruptions that affected their operation over a longer period and tested their ability to adapt.

The novel situation posed several dilemmas for parliamentary institutions.⁵ On the practical level, social distancing and other measures of protection needed to be adopted.⁶ For instance, parliamentary personnel needed to wear protective masks and regularly clean premises and workbenches. Protective barriers were installed. On the political level, as each parliament has a dedicated tradition and a line of conduct, legislatures have chosen different ways of doing business. In general, parliamentary operation declined (Table 1). According to recent data,⁷ when in plenary, only 14% of the parliaments continued conducting their business as usual, whereas 20% suspended operation completely. The majority of parliaments (53%) limited the number of plenary sessions or held remote and hybrid meetings. Interestingly, the relevant figure for committee meetings is much lower. Compared to plenaries, committees have a lower number of MPs and need less administrative personnel to operate, while the framework of operation according to standing orders or other internal regulations is generally less strict. This implies that committees may alter or adjust their operation to changing circumstances swiftly.

¹ Oana Stefan, 'COVID-19 Soft Law: Voluminous, Effective, Legitimate? A Research Agenda' (2020) 5 *European Papers* 663.

² See Solomon Hsiang/Daniel Allen/Sébastien Annan-Phan/Kendon Bell/Ian Bolliger/Trinetta Chong/Hannah Druckenmiller/Luna Yue Huang/Andrew Hultgren/Emma Krasovich/Peiley Lau/Jaecheol Lee/Esther Rolf/Jeanette Tseng/Tiffany Wu, 'The effect of large-scale anti-contagion policies on the COVID-19 pandemic' (2020) 584 *Nature* 262.

³ Terminology-wise, this is not to be confused with the phases of a pandemic, as defined by the World Health Organization (WHO), which constitute an alert system. See Tom Jefferson/Carl Heneghan, 'Covid 19 – Epidemic 'Waves'' (30 April 2020) Center for Evidence Based Medicine University of Oxford <<https://www.cebm.net/covid-19/covid-19-epidemic-waves/>> accessed 22 December 2020.

⁴ For more information see: Erica Rayment/Jason VandenBeukel, 'Pandemic Parliaments: Canadian Legislatures in a Time of Crisis' (2020) 53 *Canadian Journal of Political Science* 379; Felix Uhlmann/Eva Scheifele, 'Legislative response to Coronavirus (Switzerland)' (2020) 8 *The Theory and Practice of Legislation* 115; Patricia Popelier, 'COVID-19 legislation in Belgium at the crossroads of a political and a health crisis' (2020) 8 *The Theory and Practice of Legislation* 131; Jan Petrov, 'The COVID-19 emergency in the age of executive aggrandizement: what role for legislative and judicial checks?' (2020) 8 *The Theory and Practice of Legislation* 71.

⁵ See Ittai Bar-Siman-Tov, 'Covid-19 meets politics: the novel coronavirus as a novel challenge for legislatures' (2020) 8 *The Theory and Practice of Legislation* 11

⁶ Detailed protection measures and relevant guidelines are to be found in: World Health Organisation, 'Pandemic Influenza Preparedness and Response: A WHO Guidance Document' (2009) <<https://www.ncbi.nlm.nih.gov/books/NBK143061/>> accessed 24 October 2020; World Health Organisation, 'Keeping Safe from COVID-19: Precautions at your workplace' (2020) <<https://www.who.int/southeastasia/outbreaks-and-emergencies/novel-coronavirus-2019/protective-measures/workplace-precautions>> accessed 20 December 2020.

⁷ The Inter-parliamentary Union (IPU), a global organization of national parliaments with 179 member parliaments, constitutes the largest organization of representative institutions in the world. It closely follows developments in the COVID-19 front and maintains a country compilation of parliamentary responses to the pandemic. In late July 2020, it provided aggregated data based on surveys, which described in more detail some of the principal decisions that relate to parliamentary operation during the pandemic. For more, see IPU (n 7).

State	Plenary (%)	Committees (%)
Parliament not in session	20	6
No meetings taking place	14	15
Meetings taking place as normal	14	11
Limited meetings	36	21
Remote/hybrid meetings	17	47

Table 1. Survey data showing the response of parliaments, plenary and committees, to the pandemic⁸

Exactly this seems to have happened, as committees in roughly half of the parliaments (47%) have conducted fully remote or hybrid meetings. On several occasions, committee meetings were completely disrupted and inquiry sessions were postponed for an uncertain time. The passing of legislation through parliaments has been hindered and a rise in authoritarian leadership and 'pandemic populism' could be observed.⁹ What probably constitutes one of the most significant facets is the fact that parliamentary control could hardly be conducted.¹⁰

It is probably too early to say what the implications of the operational decline of parliaments to the democratic system are. One can argue that there might be a connection between declined parliamentary activity and concerns for democratic malfunctions. Less parliamentary work probably means less control over the executive, what in some cases could possibly lead to misuses of delegated power, as the executive acts without or with limited checks and balances. Extended recesses of the plenary inevitably hold back necessary legislation that needs to be passed to combat health, economic and other societal effects of the pandemic. Moreover, one can expect a limited interaction between MPs, such as traditional lobbying between and during sessions, or limited political discourse during debates. In general, one could argue that throughout the COVID-19 crisis, parliamentary and governmental procedures become less accessible to the electorate and vice versa, MPs have fewer channels to reach their electorate, which would also explain issues of misinformation and miscommunication.

As the situation is complex and still developing, safe sources of data are necessary for researchers to evaluate local, regional or even global parliamentary response. Early in the pandemic, significant parliamentary organizations and stakeholders such as the Inter Pares, the Inter-Parliamentary Union (IPU), the Westminster Foundation for Democracy (WFD) and the ParlAmericas, have started to compile relevant surveys and collect data.¹¹ Apart from such independent sources of information, there

⁸ Inter-Parliamentary Union [IPU], 'Country compilation of parliamentary responses to the pandemic' (2020) <<https://www.ipu.org/country-compilation-parliamentary-responses-pandemic>> accessed 21 December 2020; IPU data from a presentation by Andy Williamson at the digital conference 'Conversation about Parliaments in the face of the COVID-19 Pandemic - The accelerating phenomenon of the e-Parliament', Austral Universidad Argentina, 27 July 2020. Through a rounding mistake, percentages for plenary add up to 101.

⁹ See e.g. Klaus Dodds/Vanesa Castan Broto/Klaus Detterbeck/Martin Jones/Virginie Mamadouh/Maano Ramutsindela/Monica Varsanyi/David Wachsmuth/Chih Yuan Woon, 'The COVID-19 pandemic: territorial, political and governance dimensions of the crisis' (2020) 8 *Territory Politics Governance* 289.

¹⁰ In this regard, it has also been argued that during the pandemic new digital oversight practices have been developed to counterbalance governmental superiority; see Elena Griglio, 'Parliamentary oversight under the Covid-19 emergency: striving against executive dominance' (2020) 8 *The Theory and Practice of Legislation* 1.

¹¹ Jonathan Murphy, 'Parliaments and Crisis: Challenges and Innovations (Parliamentary Primer No. 1)' (2020) Inter Pares <<https://www.inter-pares.eu/sites/interpares/files/2020-05/Parliaments%20and%20Crisis%20Challenges%20and%20Innovations%20Primer.pdf>> last accessed 24 October 2020; IPU (no 7); Westminster Foundation for Democracy, 'Pandemic Democracy Tracker' (2020) <<https://tracker.wfd.org/>> accessed 24 October 2020; ParlAmericas, 'COVID-19 and Parliaments Role During a Pandemic' (2020) <http://parlAmericas.org/uploads/documents/COVID19_and_Role_of_Parliaments_ENG.pdf> last accessed 23 October 2020.

are also relevant reports from parliamentary research services.¹² However, one should be particularly careful while evaluating such information, as the above surveys seem to exclusively record and report on the parliamentary response during the first wave of the pandemic. As organizational change in parliaments is an evolutionary and dynamic process, parliaments are expected to further react to forthcoming local - maybe also to regional - pandemic surges.

The present article seeks to approach the response of parliaments to the COVID-19 pandemic, with a special focus on the Hellenic Parliament case. The study captures the events from the first institutional response to the pandemic in March 2020 until August 2020, when a second pandemic wave in Greece seemed to be *ante portas*. The Hellenic Parliament, after an initial shock period, focused on the continuation of its operation, while protecting the health of its members, officials and personnel. At this point, the authors underline the necessity to study the current pandemic in a holistic way, both from an institutional and academic point of view, in order to understand what has occurred and to learn valuable lessons for future conduct with similar disruptive events.¹³ The article moves forth with a presentation of the steps taken by the Hellenic Parliament to remain operational, despite restrictions imposed by the necessity to efficiently combat the pandemic. A protocol of the different measures is presented and discussed. Special attention is vested on the digital dimension of the measures, followed by a primary evaluation of parameters such as level of urgency and potential for permanent use. The article concludes with recommendations on the handling of a lasting pandemic situation.

Determinants of parliamentary responses throughout the COVID-19 pandemic

Parliamentarians during the pandemic faced an unprecedented situation. Lack of knowledge and information in such cases can inevitably lead to overestimation or underestimation of reality.¹⁴ In fact, recent research shows that often parliaments have taken action without a real estimation of the dangers posed by the pandemic, driven more from general institutional determinants.¹⁵ At the same time, parliamentarians had to deal with the very nature of the parliamentary systems, full of regulations and procedures that do not favour easy and quick adaptation.¹⁶ In cases like these, the personal initiative shown by key personalities has probably been the key to the continuation of the parliamentary life.

Organizations in periods of crisis seek to adapt to the emerging environment, to secure their efficiency and protect themselves from a potential organizational decline.¹⁷ There is no reason to assume that parliaments would act in a different way. Therefore, one expects that an important concern of parliaments throughout the pandemic would be to secure the effective continuation of operation for the efficient fulfillment of their function. Parliaments have an undisputed role in the institutional system, with their function being multifaceted.¹⁸ Policymaking belongs to the core parliamentary roles.¹⁹ However, power over the control of policies does not simply stem from the power to vote for or against a proposed agenda. The very position of parliaments in the democratic chain of delegation and accountability as the ones directly elected by the ultimate principal, the electorate, obliges parliaments to serve the

¹² Indicatively, see the reports: María Díaz Crego/Rafael Maño, 'Parliaments in emergency mode: How Member States' parliaments are continuing with business during the pandemic' (2020) European Parliamentary Research Service <[https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/649396/EPRS_BR\(2020\)649396_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/649396/EPRS_BR(2020)649396_EN.pdf)> last accessed 24 October 2020; Michaela Del Monte, 'Remote voting in the European Parliament and national parliaments' (2020) European Parliament Research Service <[https://www.europarl.europa.eu/RegData/etudes/ATAG/2020/649348/EPRS_ATA\(2020\)649348_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2020/649348/EPRS_ATA(2020)649348_EN.pdf)> accessed 24 October 2020.

¹³ Ideally, such an interdisciplinary study needs to be conducted post-pandemic.

¹⁴ See Ittai Bar-Siman-Tov (n 5).

¹⁵ Israel Waismel-Manor et al., 'COVID-19 and Legislative Activity: A Cross-National Study' (2020) 20-12 Bar Ilan University Faculty of Law Research Paper.

¹⁶ See Ittai Bar-Siman-Tov (n 5);

¹⁷ Marleen Dieleman, 'Shock-imprinting: External shocks and ethnic Chinese business groups in Indonesia' (2010) 27 Asia Pac J Manag 481.

¹⁸ Ulrich Sieberer, 'The Institutional Power of Western European Parliaments: A Multidimensional Analysis' (2011) 34 West European Politics 731.

¹⁹ Kaare Strøm, 'Delegation and accountability in parliamentary democracies' (2000) 37 European Journal of Political Research 261.

interests of the principal and at the same time awards parliaments a series of powers.²⁰ In this sense, parliaments' elective power directly controls the executive and the judiciary by selecting some of its members, such as officers, presidents, court members and others.²¹ By electing, parliaments delegate further the mandate they have received from the ultimate principal. Parliaments' control function secures the reverse effect of the democratic chain.²² The mentioned agents are not only obliged to serve the electorate but through parliament, they are also accountable to the electorate for their actions. Hence, parliaments are also powerful tools of control. The continuation of regular parliamentary operation is in fact the ultimate means a democratic institutional system possesses to secure democratic function and control of the executive in unprecedented times, when the latter forces emergency measures and concentrates powers on the expense of the legislature.²³ Parliaments have the potential to prevent authoritarian governments from gaining excessive power, to protect rights and secure transition to political normality after the end of the pandemic.²⁴ Pandemics do not last forever, emergency measures are not there to stay and parliaments are the ones to ensure that whatever power delegated to the executive within the framework of crisis management should return immediately to the legislature, where it ultimately belongs.

Presumably, the greatest puzzle for parliaments has been to secure operational efficiency and at the same time to protect the health of their personnel and members.²⁵ Realistically, one may assume that throughout the pandemic, healthcare concerns have been the major driver of the behavior of parliaments. Parliaments constitute places of concentration of large numbers of people – and can therefore facilitate the spread of the virus.²⁶ The majority of parliamentarians are themselves part of the population at risk, due to age, gender and health condition.²⁷ What is even more important, parliamentarians are constantly in contact with their electorate and other society's stakeholders. Thus, in case of infection, they pose a danger for the community.²⁸ In this reality, on-site meetings and normal operation seem far from a rational behaviour, both for parliamentarians individually and for parliaments as collective bodies.

With the above in mind, most parliaments have managed to react swiftly and implement a series of innovations, probably unthinkable in a normal period. After an initial shock-period, the majority of parliaments resumed operation, while hybrid and virtual sessions experienced a sharp rise. Parliaments worldwide entered a giant digital transformation exercise. Technological innovations have always been a means to institute changes,²⁹ especially in times of crisis, in which institutions face external pressures and are forced up to a point to adapt. The very existence and quick deployment of new technologies practically made a swift institutional COVID-19 response feasible. Software and hardware solutions, along with the expansion of all kinds of networks, have secured the ability of parliaments to respond adequately to the pandemic. Hence, overall, the digitization of parliamentary procedures during the pandemic has probably been one of the major wins for parliaments. While in several sectors of human conduct the effect of the virus has been devastating, in parliaments it has evidently left an overall positive (digital) footprint. This development, should it persist, has the potential to thoroughly transform the function of parliaments in the future.

²⁰ *ibid.*

²¹ See Sieberer (n 18).

²² *ibid.*

²³ On the need for parliamentary control over the executive to prevent panic measures and abuse or appropriation of excessive power, to protect the rights of minorities and secure transition to normality once the emergency is over, see Jan Petrov, 'The COVID-19 emergency in the age of executive aggrandizement: what role for legislative and judicial checks?' (2020) 8 *The Theory and Practice of Legislation* 71.

²⁴ *ibid.*

²⁵ See Griglio (n 10).

²⁶ See Ittai Bar-Siman-Tov (n 5).

²⁷ *ibid.*

²⁸ *ibid.*

²⁹ Timothy Hargrave/Andrew H. Van De Ven, 'A Collective Action Model for Institutional Innovation' (2006) 31 *The Academy of Management Review* 864.

The Hellenic Parliament Case

'We have kept our parliament open and did not succumb to the voices that wanted it closed',³⁰ declared Konstantinos Tasoulas, the Speaker of the Hellenic Parliament in July 2020. But while this is generally true, the Hellenic Parliament was indeed found largely unprepared in front of a crisis of the magnitude of the COVID-19 pandemic. In the following, the article outlines the parliamentary response during the period from March to August 2020.³¹ The general response is timely divided into two groups of actions. Furthermore, these actions are classified into two distinct dimensions, health and safety, and digital transformation. Health and safety actions are directly related to combating the pandemic, whereas digital actions are linked to enabling the functional capability of parliament.

Action Group A (March - June 2020)

On 25 February 2020, the Greek government issued its first executive order 'Urgent measures to avoid and limit the spread of the coronavirus'. Several others followed. According to art. 44 of the Constitution, such orders need to be ratified by parliament by law within 40 days. For the first one, this happened on 2 April 2020.³² Moreover, on 12 March 2020, the Conference of Parliamentary Chairmen convened to decide on the safety measures for personnel, officials and Members of Parliament (MPs), as well as on the adjustment of parliamentary procedures in the light of the developing pandemic situation.

General measures included the implementation of social distancing measures, both for MPs and parliamentary personnel. This had a profound effect on parliamentary work.³³ For instance, in the plenary, the presence of MPs was limited to one per parliamentary group while the speaking time was halved. Later, in May, up to 60 MPs were allowed to enter the plenary. Under these conditions, standing committees continued to operate. On the contrary, the work of special permanent committees was suspended³⁴ and parliamentary control was reduced to once a week, whereas administration operated with safety personnel with the rest switching to home office. In addition, by the end of May 2020, in the context of community screening within the parliamentary environment, more than 1000 tests were conducted for molecular identification of the new coronavirus SARS CoV 2 (pcr).

The pandemic also seems to have significantly sped up digital transformation in parliament. Teleconferencing facilities have been installed to enable remote/hybrid meetings for standing committees.³⁵ At the same time, a range of new services and digital facilities have been planned or introduced, such as speech recognition for semi-automatic minute generation, digital signatures for MPs, enhanced cyber security and collaboration infrastructure. Interestingly, there was little to no disruption in the operations of the Scientific Service, since it had long adopted a distributed and project-based working culture based on electronic collaboration.

Action Group B (July - August 2020)

On 1 July 2020, Greece fully opened its borders and allowed, with some restrictions, inbound flights. This 'official' opening of the summer season allowed for a further spreading of the virus that became

³⁰ Hellenic Parliament, 'Ο ιός δεν έπληξε τον ναό της δημοκρατίας [Our temple of democracy did not suffer from the virus]' (27 July 2020) 1 Βουλή επί του περιστευλίου [Official Journal of the Hellenic Parliament] 6.

³¹ This period roughly corresponds to the first pandemic wave in Greece, though there are expert opinions according to which the first wave has not ended yet.

³² Act 4682/2020 (April 2020) ΦΕΚ [Official Gazette] 76/A/3.

³³ Also at this point, it is underlined that the imminent response covered the first pandemic wave, while it was still unclear how long it would last and whether it would be a second or multiple follow-up waves. A general presentation of these measures was made by Speaker Konstantinos Tasoulas on 24 June 2020; see Hellenic Parliament, 'Speech of the President of the Hellenic Parliament regarding the Greek Presidency of the Council of Europe' (24 June 2020) Press Release <<https://www.hellenicparliament.gr/Enimerosi/Grafeo-Typou/Deltia-Typou/?press=6fb0b542-a8a6-444f-a7cd-abe401560ba4>> last accessed 22 December 2020.

³⁴ An informal virtual meeting did take place on 8 April 2020 upon personal initiative by the President of the Special Permanent Committee of Environmental Protection; see Inter Pares, 'Responding to COVID-19: The Hellenic Parliament holds virtual meetings' (2020) <<https://www.inter-pares.eu/news/responding-covid-19-hellenic-parliament-holds-virtual-meetings>> last accessed 21 December 2020.

³⁵ Standing Orders of the Hellenic Parliament, Art. 38.

visible in the increase of the detected cases. On 28 July 2020, the government responded by issuing a Joint Ministerial Decision related to the mandatory use of masks in closed spaces.³⁶ The Hellenic Parliament immediately reacted by issuing a 'particularly strong recommendation' for mask use in all common areas, such as corridors, canteens, meeting rooms and offices.³⁷ On the same day, by decision of the Speaker and following recommendation by the Infectious Diseases Commission, the mandatory use of masks in the plenary was announced, but only when there are more than 100 MPs in session.³⁸ As of July 1, up to 120 MPs were permitted to be in the same space, allowing the plenary to resume – more or less – its regular operation.³⁹ Moreover, some premises (exhibition spaces) have been reconstructed for the operation of various committees. It also needs to be noted that the parliament donated 50 fully equipped intensive care beds to the health care system to help combat the pandemic.⁴⁰

After the summer recess, and in view of the increasing COVID-19 cases, the parliament activated new special health precautionary measures against the pandemic. At first, by decision of the Speaker, parliamentary operation under safety personnel continued.⁴¹ At the same time, mask use has become mandatory in all closed areas of the parliament and a new series of tests for employees and MPs was announced to be carried out by the National Organization of Public Health.⁴² Furthermore, by decision of the Speaker on 24 August 2020, the above measures were immediately followed by additional ones, such as a further limitation of the number of MPs in sessions to 60, special markings for seating and a general prohibition of visits to the parliament as well as to MPs' offices.⁴³

What becomes apparent in the above handling of the situation through multiple decisions and regulations, particularly in the second action group, is an overall anxiety to avoid any transmission and spreading of the virus within the parliamentary environment. As the parliament enjoys a major institutional status and needs to display leadership and integrity at all times, specifically during the ongoing pandemic, such an event could prove disastrous. The authors recognize the urgency and hence the necessity of these decisions. In the case of the special permanent committees, the decision was made to suspend their operation. However, as demonstrated by the Special Permanent Committee of Environmental Protection, the parliament could opt for a full virtual operation, in order not to have to suspend operation on practical grounds, such as lack of suitable meeting rooms or procedural shortcomings. What also deserves a mention is the fact that during the first pandemic wave, the parliament introduced a series of digital tools and services, while also planning for additional ones in the near future. Even though such services are not to be immediately linked to support operational changes during the pandemic, this may prove that the pandemic did have an overall positive impact on digital transformation.

³⁶ ΚΥΑ Αριθμ ΔΙα/ΓΠ οικ 48002/2020 – ΦΕΚ 3131/Β/28 Ιουλίου 2020' [Ministerial Decision No ΔΙα/ΓΠ οικ 48002/2020 Official Gazette 3131/Β/28.07.2020]. It was later replaced by the Ministerial Decision No ΔΙα/ΓΠ οικ 48967/2020 – Official Gazette 3162/Β/31.07.2020.

³⁷ This announcement was made by the Directorate for Human Resources and Training. Additional, more strict, measures and limitations were announced for other areas within the parliament such as the doctor's office and elevators.

³⁸ The announcement was made by the Vice-Speaker Nikitas Kaklamanis: Hellenic Parliament, Plenary Minutes (29 July 2020) <<https://www.hellenicparliament.gr/UserFiles/a08fc2dd-61a9-4a83-b09a-09f4c564609d/es20200729.pdf>> last accessed 22 December 2020.

³⁹ See Hellenic Parliament (n 30) 7.

⁴⁰ *ibid.*

⁴¹ The decision excluded the General Directorate of Parliamentary Work from this measure, in order for it to be able to support committee meetings and the plenary sessions of the parliament; Hellenic Parliament, 'Πως αντιμετώπισε η Βουλή των Ελλήνων τον νέο κορωνοϊό [How the Hellenic Parliament reacted to the novel Corona virus]' (1 December 2020) 8 Βουλή επί του περισταλίου [Official Journal of the Hellenic Parliament] 31.

⁴² Special Health Coverage Service of the parliament, Announcement on 21 August 2020. A recommendation for open spaces was also issued.

⁴³ Hellenic Parliament (no 41) 31.

Dimension	Actions	[U]rgency / [P]ermanent Use
Health and Safety	<ul style="list-style-type: none"> ● Structural adjustments due to social distancing⁴⁴ ● Use of masks⁴⁵ ● Extended testing for infected individuals ● Plenary: limited presence and speaking time ● Standing Committees: continued working ● Special Permanent Committees: suspended ● Parliamentary control sessions: limited to once a week ● Administration: safety personnel⁴⁶ 	U/P U U U U U U
Digital Transformation	<ul style="list-style-type: none"> ● Expansion of teleconferencing facilities ● Electronic submission of parliamentary control means ● VPN access to administrators ● Planning and introduction of new digital services 	U/P U/P U/P P

Table 2. The two dimensions of parliamentary change during COVID-19 pandemic

Table 2 displays a broad overview of these two dimensions of change. The table also includes an assessment of the urgency of the specific actions ('U' marks the urgent nature) as well as the possibility for permanent use (marked with a 'P'). Several of the actions mentioned above may not be one-off and are meant to be used further in the future. On the one hand, this could be true for the structural elements for social distancing, as well as for the overall health and safety planning. On the other hand, this seems to be particularly the case for most of the adopted digital transformation steps. The expansion of the teleconferencing equipment, the widened use of the electronic submission of parliamentary control means, the online access of parliamentary administrators to their workbench via secure Virtual Private Network and the use of digital signatures by MPs and staff belong to the tools and services that will continue to be used in the future.

With the above in mind, a question arises on the performance of the Hellenic Parliament vis à vis the global response as revealed by the IPU findings, above at Table 2. The Hellenic Parliament joins a larger group of parliaments (36%) with limited plenary sessions. After a short shock-period, like most parliaments (68%), it also kept organizing limited committee meetings and, on some occasions, hybrid and remote ones. These operational changes were not all made at the same time, a remark which implies that the parliamentary adaptation process is dynamic and additional changes may be necessary, should the pandemic intensify. However, it certainly needs to be mentioned here that declined or modified parliamentary operation does not automatically mean democratic deficit and the Hellenic Parliament seems to have overcome this danger by displaying an ability to adapt and evolve. It has also shown a willingness to secure transition to normality. Moreover, it has found for itself new roles, actively supporting the fight against the pandemic. More importantly, while the second wave of the pandemic is making its way to Greece, the above experience and lessons learned need to flow into a realistic 'battle plan'.

⁴⁴ E.g. special construction or markings.

⁴⁵ As mentioned previously, by the end of August 2020 the level of mask use rose from 'particularly strong recommendation' to 'mandatory'.

⁴⁶ Where necessary, exceptions are made to facilitate parliamentary operation.

Another point that needs to be clarified is the legal background of the decisions issued by the hierarchy of the administration and the political leadership, ie, the Speaker and the Secretary General. As pointed out earlier on, parliamentary rules of procedure and other types of soft law were unlikely to contain provisions for crises of this magnitude. At the same time, it was not possible to convene the plenary to proceed with possible amendments before an unknown enemy. Hence, the Hellenic Parliament has been guided through multiple oral, and therefore informal, instructions. Nevertheless, the legality of these actions has never been questioned as the Speaker of the Parliament enjoys broad authorization by the plenary, with enhanced freedoms and rights, to lead the organization.⁴⁷

Conclusions

The COVID-19 pandemic placed parliaments in an unprecedented situation; they had to change and they had to do it quickly. Parliaments as traditional organizations, or better said as organizations that rely on tradition, are not used to change. Nevertheless, in general, parliaments responded to the situation with a broad range of urgent measures to protect the health of personnel and MPs, but also to adjust parliamentary procedures to the new environment. This finding is supported by an IPU study on the global parliamentary response to COVID-19.

Within this context, the article presented and discussed in detail the actions taken by the Hellenic Parliament to combat the pandemic. Methodologically, parliamentary response has been divided into two groups of actions and these actions were classified into two distinct dimensions, health and safety and digital transformation. Apart from an extensive set of social distancing measures, the Hellenic Parliament seems to join a larger group of parliaments that used the capabilities of modern technology to further enable parliamentary operation during the pandemic. Within this unknown and dynamic crisis situation the political leadership had to display novel flexibility and a timely response. The informal nature of some landmark decisions has been discussed and was found to be in-line with the broad administrative authorization vested in the Speaker of the Hellenic Parliament.

Scholars largely agree that the pandemic distorted the institutional equilibrium in favor of the executive. Yet, what is being described above could be merely a snapshot, given that the pandemic seems far from being over and that the situation may very well shift with time. Hence, any preliminary results, also on the national level, need to be handled with care and a rigid research framework might be needed to fundamentally understand what has happened to the democratic institutions during the crisis. This article highlights the point that it is maybe wrong to evaluate existing findings in the midst of an ongoing crisis.

On the other hand, the pandemic has also presented parliaments with difficult problems and hard decisions needed (and still need) to be made. What parliaments need to ensure is a local, regional and global knowledge base and that the lessons learned are incorporated into new crisis response plans to ensure that such a disruption cannot happen again. A broad base for cooperation among all necessary stakeholders will be needed to facilitate this parliamentary transformation, an approach rigidly connected with the incorporation of new and rapidly maturing digital technologies, such as legal informatics⁴⁸ and advanced algorithms,⁴⁹ which enhance systemic robustness and enable broad interoperability. Finally, the sustainability of any agreed upon solutions needs to be ensured and, if possible, linked to the United Nations Agenda 2030 for Sustainable Development.⁵⁰

⁴⁷ In controversial cases, the Speaker may rely on the legal opinion of the Scientific Council of the Hellenic Parliament; see Fotis Fitsilis/Vasilis Bayiokos, 'Implementing structured public access to the legal reports on bills and law proposals of the Scientific Service of the Hellenic Parliament, Greece' (2017) 13 *Knowledge Management for Development Journal* 63.

⁴⁸ See Giovanni Sartor/Monica Palmirani/Enrico Francesconi/Maria Angela Biasiotti (eds.) *Legislative XML for the Semantic Web* (4 Law, Governance and Technology Series, Springer 2011).

⁴⁹ See Fotis Fitsilis, *Imposing Regulation on Advanced Algorithms* (Cham: Springer 2019).

⁵⁰ Fotis Fitsilis/Franklin De Vrieze, 'How parliaments monitor sustainable development goals – a ground for application of post legislative scrutiny' (2020) 26 *The Journal of Legislative Studies* 448.

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