



THE IMPACT OF THE COVID-19 PANDEMIC ON PARLIAMENTARY WORK (COMPARATIVE ANALYSIS)

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ABSTRACT

Following World War II, it is difficult to identify any single event that has influenced the global community as profoundly as the outbreak of the COVID-19 pandemic. The pandemic, caused by the coronavirus designated as COVID-19 (also known as SARS-CoV-2), has fundamentally shaped our daily lives since its global emergence in 2020. As a result, hardly any country in the world has escaped the rise of constitutional law challenges triggered by the pandemic – issues that had not been previously addressed. One of the key constitutional concerns in democratic states worldwide was how to ensure the continued functioning of legislative bodies, i.e., parliaments. This study provides an overview of parliamentary operations across Europe during the pandemic.

KEYWORDS Covid-19, pandemic, parliament, administration, legislative work

1. Introduction

In European legal systems, two main models were observed in response to the COVID-19 pandemic as a public health emergency ([Office of the National Assembly, 2021](#)). One model is based on a constitutional or constitutionally entrenched legal framework regulating various forms of special legal orders (e.g., state of war, state of siege, state of emergency, state of necessity, state of danger, state of alert, etc.). The other model allows the executive branch (i.e., the government or its agencies and authorities) to exercise extraordinary powers, particularly in the field of legislative activity. These delegations of power are temporary, time-limited, and subject to parliamentary oversight. Additionally, adequate legal remedies are provided, primarily through the courts or constitutional courts².

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² Several countries have specific chapters or standalone pandemic laws embedded within their civil, defence, or health legislation to address such situations.

Regardless of whether the state of danger or other pandemic-related measures were introduced at the constitutional or statutory level, they were required to comply with common objectives and safeguards ([Office of the National Assembly, 2021](#))³.

2. National Legal Responses to the COVID-19 Pandemic

On January 30, 2020, the World Health Organization (hereinafter: WHO) declared a global public health emergency due to the novel coronavirus pandemic (COVID-19). Among EU countries, Italy was the first to respond by declaring a six-month state of emergency through a resolution of the Italian Council of Ministers. The rapid response was prompted by the particularly severe spread of the pandemic in Italy, followed by Spain. In other Member States, states of emergency or danger were declared between March 11 and 19, 2020 and were lifted between May 13 and June 24, 2020.

In several Member States, although the state of emergency or danger was lifted, a public health or epidemiological emergency remained in effect. At the beginning of the year, Romania faced a political crisis, while several other countries were preparing for regular or interim parliamentary elections, local elections (e.g., France), or even presidential elections (e.g., Poland) during the first half of the year. The holding or postponement of these elections often became a subject of political negotiation. Among European countries, Croatia, Germany, Poland, and Slovenia did not declare a state of emergency ([Office of the National Assembly, 2021](#))⁴.

The role of the legislature in managing the pandemic varied among Member States due to differences in their constitutional frameworks and legal structures. In every Member State where a state of emergency or danger was introduced – except for Slovakia and Estonia – the national parliament participated either in its declaration or in extending its duration⁵. Several Member States granted special legislative powers to designated bodies or institutions, with parliaments assuming a supervisory role⁶. During the second wave of the pandemic, many Member States reintroduced states of emergency or danger and once again enacted special legal regimes ([Office of the National Assembly, 2021](#)).

³ Common objectives include ensuring a return to the original constitutional or lawful state once the emergency is over. A widely accepted requirement is that the legislature should maintain oversight over all temporary measures.

⁴ Out of all the Member States, seven did not introduce a state of emergency. In addition to those already mentioned, these include Lithuania, Malta, and the Netherlands.

⁵ The parliament may permit the proclamation of a state of emergency (e.g., in Romania), annul it (e.g., in the Czech Republic), or be required to authorize its extension (e.g., in Spain).

⁶ For example, in Italy, Romania, and Spain, retroactive approval is required, whereas in Belgium, both prior and subsequent approval are necessary.

In the following sections, I will provide examples of pandemic-related measures in selected neighbouring countries and analyse the legislative responses from a parliamentary perspective.

2.1. Austria

During the COVID-19 pandemic, Austria did not declare a state of emergency. The National Council continued its sessions, and the federal state did not resort to extraordinary legislative measures. However, parliamentary procedures were expedited to ensure that voting could take place as quickly as possible. The federal government engaged in consultations with all party leaders before introducing specific measures.

On March 21, 2020, the “COVID-19 Measures Act” ([Republic of Austria, 2020](#)) was enacted, along with several procedural regulations adapted to the circumstances (e.g., extension of procedural deadlines, federal government decision-making via video conference, or resolution circulation).

Regarding parliamentary operations, it is notable that the Austrian Constitution did not allow for remote sessions. As a result, the Austrian legislature had to implement various public health and hygiene measures. The participation of Members of Parliament (MPs) was limited in proportion to their parliamentary factions, based on an agreement between parliamentary groups. This ensured proper social distancing, with some MPs assigned seating in the gallery.

MPs voted verbally, one by one, at the end of the session to avoid overcrowding in the plenary chamber ([IPU, 2020](#)). Even during the second wave of the pandemic, no state of emergency was declared. On February 8, 2021, the Austrian government introduced further restrictive measures to curb the pandemic, but these did not affect the constitutional order ([Office of the National Assembly, 2021](#)).

2.2. Croatia

Croatia declared an epidemic on March 11, 2020. Despite the pandemic and a severe earthquake on March 22, no state of emergency was proclaimed. According to Article 17 of the Constitution of the Republic of Croatia, a state of emergency may be declared in the event of a natural disaster with the support of two-thirds of the members of Parliament. If Parliament is incapacitated, the President of the Republic may declare a state of emergency upon the government’s proposal.

Additionally, Article 88 of the Constitution allows Parliament to authorize the government to legislate by decree for up to one year, within strict limits. This option was considered in March, during the early stages of the pandemic, but

faced strong opposition from opposition parties. Since the government did not declare a state of emergency, the management of the pandemic was placed under the jurisdiction of the Civil Protection Authority as of March 18, 2020, following an amendment to the Law on the Civil Protection System (Selanec, 2020).

The Croatian Parliament limited the number of in-person sessions. Special measures were adopted to facilitate committee work without physical presence, while voting was conducted via email or SMS – an exceptionally rare procedural solution. Health and safety measures such as hand sanitization, social distancing, and regulated seating arrangements were introduced. In addition, a dedicated internal parliamentary software system was developed to support remote meetings (IPU, 2020).

2.3. Romania

According to Article 93 of the Romanian Constitution, if the President declares a state of emergency or martial law, parliamentary approval must be obtained within a maximum of five days from the enforcement of the measure. Under the provisions of the Constitution and Government Emergency Ordinance No. 21/2004 on the management of states of emergency, the President declared a 30-day state of emergency on March 16, 2020, by Decree No. 95/2020. Parliament approved the decree through a remote voting procedure on March 18, 2020. The decree introduced immediate and phased measures, assigning specific powers to various institutions responsible for crisis management. Additional powers were granted to the Interministerial National Emergency Committee, led by the Minister of Internal Affairs.

In Romania, both plenary and committee parliamentary sessions were held remotely at the onset of the pandemic. The Senate's Rules of Procedure were amended to allow for remote sessions in exceptional cases, including pandemics. The adopted amendments stipulated that, in such circumstances – when parliamentary representatives could not be physically present in the Senate – plenary sessions, meetings of parliamentary group leaders, and standing committees could be conducted electronically. Remote sessions were broadcast via the Senate's official website, while plenary voting was conducted by telephone using a roll-call system (IPU, 2020).

2.4. Slovakia

In Slovakia, under Article 102(1)(m) of the Constitution of the Slovak Republic, the President, upon the government's proposal, may order the mobilization of the armed forces, declare martial law, or proclaim a state of emergency.

In response to the second wave of the pandemic, Constitutional Act No. 227/2020 on State Security in Wartime, State of Emergency, and Extraordinary Situations reintroduced the state of emergency for 45 days starting on October 1, 2020. This was extended for another 45 days from November 14 and further prolonged on December 29 under a new constitutional act. On February 6, 2021, the state of emergency was extended for a third time, lasting an additional 40 days. The state of emergency initially declared on March 12 remained in force throughout the second wave (FRA, 2020).

The number of MPs and the required quorum were not reduced despite the pandemic. Both plenary and committee meetings were held without media or press access. MPs were required to wear masks covering their mouth and nose, as well as gloves, and were encouraged to disinfect their hands frequently to reduce the risk of infection. Entry to the parliamentary building was strictly limited to employees and authorized personnel. Plenary sessions were broadcast online, while press conferences were held outside the parliamentary building (IPU, 2020).

2.5. Slovenia

The Slovenian Constitution recognizes both martial law and a state of emergency under Article 92 as special legal regimes. A state of emergency is declared by the legislature upon the government's proposal if the state faces a significant and general threat to its existence. If the legislature is incapacitated, the President of the Republic declares a state of emergency (or martial law), which must be approved by the legislature at its next session.

On March 12, 2020, the government declared an epidemic, thereby activating the national emergency response plan. The epidemic status remained in effect until the end of May 2020. On April 16, the Slovenian Constitutional Court ordered the government to review the necessity, proportionality, and effectiveness of the restrictive measures every seven days. This obligation remained in place during both the first and second waves of the pandemic.

Due to rising case numbers, the government declared an epidemic again on October 19, 2020. On January 17, 2021, the epidemic status was extended for an additional 60 days (Office of the National Assembly, 2021).

3. Ensuring Parliamentary Work During the Pandemic

The primary challenge faced by EU Member State parliaments at the height of the pandemic was maintaining the continuity of institutional activities. While the COVID-19 pandemic did not constitute an armed conflict that would have entirely halted legislative work, public health measures discouraging or

prohibiting gatherings – along with social distancing requirements – resulted in staffing shortages and operational difficulties. These circumstances posed significant challenges to institutional frameworks and standard parliamentary procedures (Crego & Mańko, 2020).

All EU Member State parliaments adopted precautionary measures to contain and prevent the spread of the virus within their premises. These measures included the cancellation or strict limitation of visits and travel, the widespread adoption of remote work, enhanced cleaning and disinfection of facilities, and the provision of personal protective equipment (e.g., gloves, masks). Many parliaments required entrants to sign health declarations (e.g., confirming they had not recently travelled or had not been in contact with infected individuals) or to undergo medical screening (e.g., temperature checks) (Steidle, 2020).

In addition to hygiene measures, EU Member State parliaments implemented organizational strategies to ensure parliamentary continuity while safeguarding the health of MPs and staff. At the onset of the pandemic, some national parliaments (e.g., Spain, Latvia, Lithuania) decided to postpone their sessions and resume parliamentary activity after a few weeks. However, the majority of EU national parliaments opted to continue holding parliamentary sessions, even during the most severe phases of the crisis. Although the number of sessions was occasionally reduced, parliamentary activities remained focused on essential legislative tasks and pandemic-related matters (Steidle, 2020).

In some cases, parliaments relocated their sessions to larger venues (e.g., Luxembourg) or ensured that MPs did not gather in the same room by implementing remote voting mechanisms and maintaining safe physical distancing (e.g., Denmark) (Crego & Mańko, 2020).

Certain parliaments adopted digital transition strategies to maintain legislative efficiency. This involved conducting parliamentary sessions either entirely (both deliberations and voting) or partially (either deliberations or voting) in a remote format. Before the pandemic, only the two chambers of the Spanish Parliament allowed MPs to vote remotely under specific circumstances. Some other national parliaments permitted absentee voting through alternative means, such as written ballots (e.g., Greece) (Crego & Mańko, 2020).

However, the COVID-19 pandemic significantly increased the number of national parliaments that enabled MPs to participate in deliberations and vote remotely via electronic means (e.g., Belgium, Poland, Romania, Slovenia). In some cases, this option was limited to committee meetings and was not extended to plenary sessions (e.g., Greece, Lithuania) (Crego & Mańko, 2020).

These measures were essential for maintaining parliamentary activities while adhering to basic public health protocols. Although not ideal in all

circumstances, they ensured that national parliaments could continue exercising their legislative, budgetary, and supervisory functions even during the crisis.

The Hungarian National Assembly, after reviewing several international examples, uniquely continued to hold regular plenary and committee sessions even during the declared state of emergency (Stumpf, 2021). Under the extraordinary legal regime, the government was authorized – based on the Fundamental Law and legislation enacted by Parliament – to introduce necessary measures for managing the pandemic and its consequences through decrees for the duration of the emergency period⁷.

The Hungarian National Assembly and its Office were unique in continuing to hold in-person plenary and committee sessions on a regular basis during the state of emergency, maintaining legislative procedures without interruption. In comparison with international examples, this approach can be regarded as a notably effective model of legislative functioning during a crisis.

The government submitted its proposal on defence measures against the coronavirus to Parliament on March 20, 2020, before the expiration of the initial 15-day period. Bill T/9790 was intended to be voted on immediately, deviating from Resolution 10/2014 (III. 24.) OGY on certain provisions of the Rules of Procedure (hereinafter: Rules of Procedure). However, under Section 65(1) of the Rules of Procedure, this would have required the support of four-fifths of MPs, which was not achieved⁸. Consequently, the bill was debated under an expedited procedure but was not passed immediately on March 23, 2020. Instead, Parliament voted on it a week later, on March 30, 2020 – four days after the first declaration of the state of danger had expired. This resulted in the enactment of Act XII of 2020 on the Containment of Coronavirus.

It is important to note that although the Hungarian Parliament is unicameral, it has two chambers available for plenary sessions. Given the pandemic situation and the need for social distancing, plenary sessions were held in the Upper House Chamber, which has 400 seats, rather than in the Lower House Chamber, which had been restructured with fewer seats following a reduction in the number of MPs.

⁷ On October 28, 2022, the Government of Hungary declared a state of emergency in response to the armed conflict and humanitarian disaster in Ukraine. The state of emergency, introduced to address the consequences of the conflict in Hungary, was lifted on November 1 and simultaneously re-declared and extended. The government deemed it necessary to maintain the state of emergency, which continued to permit governance by decree.

⁸ Section 65 (1) Exceptionally, on the proposal of the House Committee, the National Assembly may decide without debate, with the votes of at least the four-fifth of the Members present, to derogate from the provisions of the Rules of Procedure laid down in a resolution in the course of the discussion of and/or decision making on specific matters.

This arrangement, which maintained identical technical conditions, allowed for a smooth and safe legislative process. As in other high-risk environments, strict public health measures were enforced, including social distancing, mandatory mask-wearing, and enhanced hygiene protocols such as frequent hand sanitization and regular handwashing. MPs were advised to remain in the chamber only during speeches and voting.

Most parliamentary staff transitioned to remote work, with appropriate technical support provided. While the electronic submission of legislative proposals, amendments, and inquiries had been possible for years, remote voting was not implemented (IPU, 2020). Plenary sessions were made fully accessible to the public through live broadcasts on www.parlament.hu and television channels. Committee sessions were available to journalists via closed-circuit television from the Parliament's press room.

Despite the state of emergency, the National Assembly continued its legislative work – including on matters unrelated to the pandemic – according to the approved agenda of plenary sessions. Its oversight role was reinforced: the Government provided weekly reports on measures taken to contain the pandemic, and MPs were given extended time each week to pose immediate questions to government members. Notably, remote voting was not introduced, partly due to the effective implementation of these operational measures (Bill T/9790, Section 4).

4. Conclusion

The COVID-19 pandemic compelled national parliaments to adopt diverse strategies to maintain both safety and efficiency. Continuous operation and regular sessions are constitutional requirements in most democratic states. During a state of emergency, parliamentary oversight of the executive – whose powers are significantly expanded – remains essential, as it is one of the legislature's most fundamental functions. The first wave of the pandemic necessitated extraordinary solutions, as no widely available vaccine was yet in place.

Overall, the pandemic posed a significant challenge, underscoring the need for strong parliaments and well-supported legislative institutions to uphold democracy. To remain effective and relevant, parliamentary administrations must be forward-thinking and adaptable, capable of responding to unexpected and complex crises.

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