

Opening the Door to Scientific Knowledge

—

A Parliamentary approach: the experience of the
Assembleia da República

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DIREÇÃO
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PARLAMENTAR



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Structure of the Presentation:

I - Functions and Organisation of the Portuguese Parliament;

II - The Legislative Procedure;

III - Constraints and Opportunities for Inclusion of Scientific Knowledge;

IV - Case Studies;

V - Conclusions.



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I- Functions and Organisation of the Portuguese Parliament



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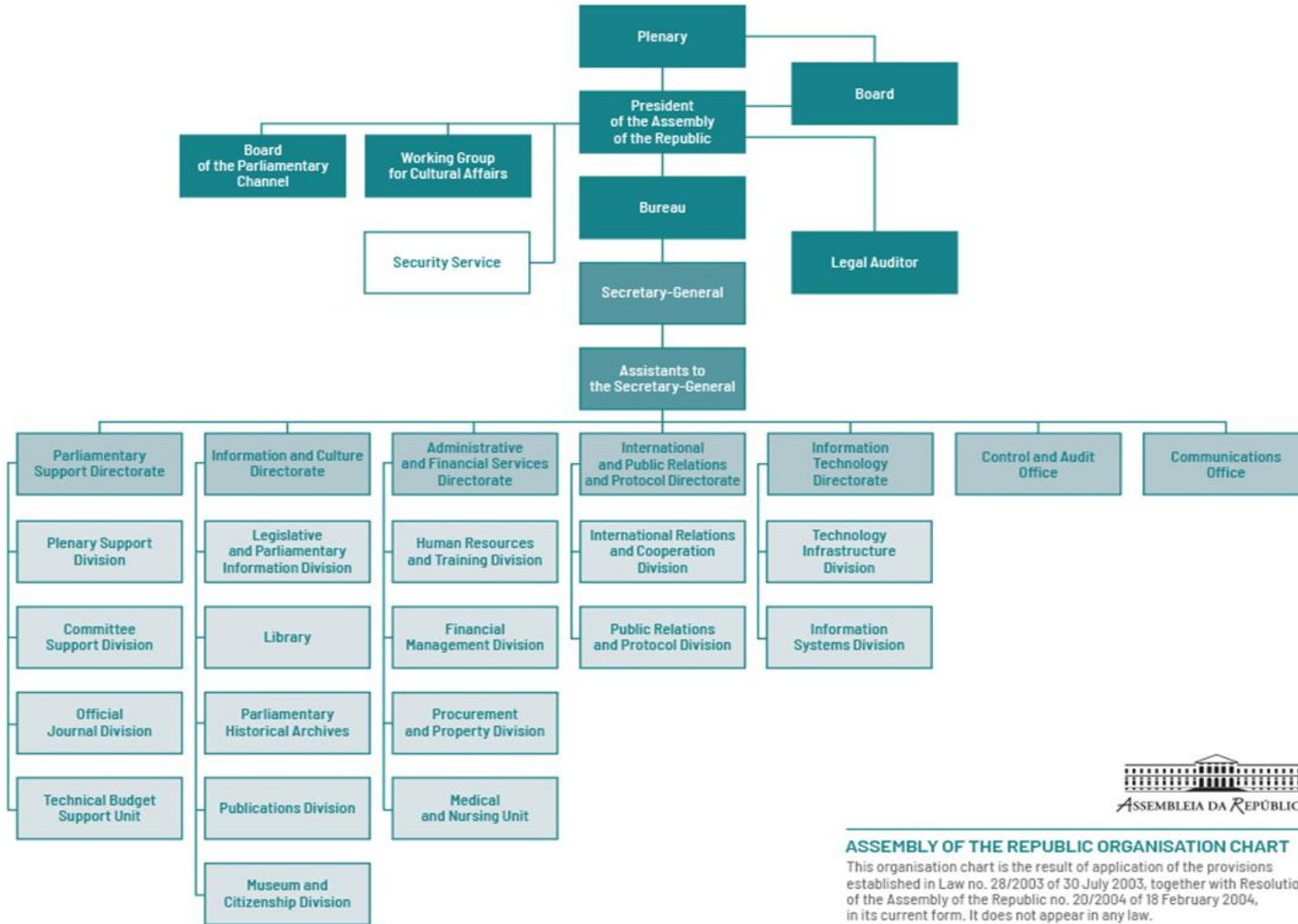
Main Functions of the Parliament

(230 MPs/ XIV Legislature: 108 PS; 79 PSD; 19 BE; 10 PCP; 5CDS-PP; 4PAN; 2 PEV; 1CH; 1 IL;1 L)

- Political;
- Legislative;
- Control and monitoring of the Government.



Organisation Chart

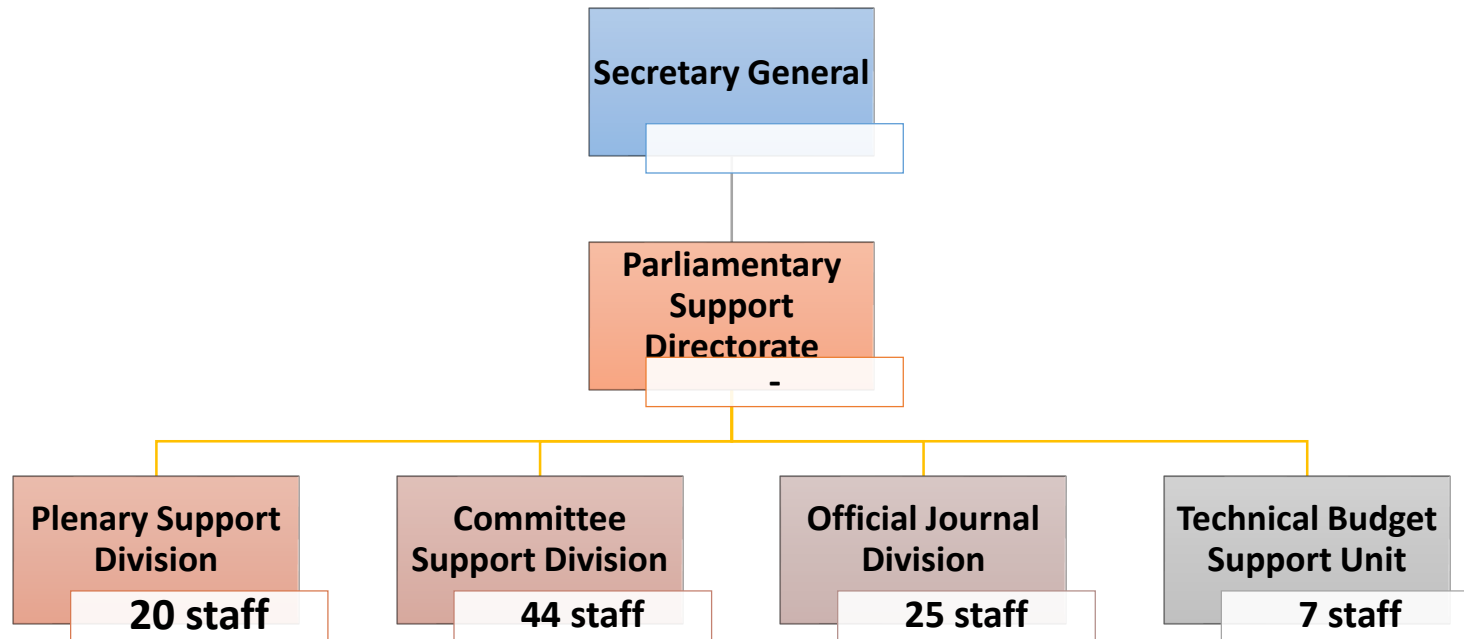


ASSEMBLY OF THE REPUBLIC ORGANISATION CHART

This organisation chart is the result of application of the provisions established in Law no. 28/2003 of 30 July 2003, together with Resolution of the Assembly of the Republic no. 20/2004 of 18 February 2004, in its current form. It does not appear in any law.



Organisation Chart of the Parliamentary Support Directorate



Support to parliamentary work: **64** staff members + **7** for budget and financial matters + **17** staff members (**10** advisers) from the Legislative and Parliamentary Information Division and **15** from the Library - Information and Culture Directorate.



Staffing the Committees

Plenary Support Directorate

Plenary
Support
Division

Official
Journal
Division

**Committee
Support
Division**

Technical
Budget
Support
Unit

- We provide technical support during all the phases of the **Legislative Process**
- We facilitate the **Petition** process
- We support **Parliamentary Inquiries**
- We do **event planning**
- We manage **international delegations**
- We handle the **information flow**
- ***And we organize the committees meetings...***



14 Standing Committees (XIV Legislature)

- Committee on Constitutional Affairs, Rights, Freedoms and Guarantees
- Committee on Foreign Affairs and the Portuguese Communities
- National Defence Committee
- European Affairs Committee
- Budget and Finance Committee
- Committee on Economics, Innovation, Public Works and Housing
- Committee on Agriculture and the Sea
- Committee on Education, Science, Youth and Sport
- Health Committee
- Committee on Labour and Social Security
- Committee on the Environment, Energy and Territorial Planning
- Committee on Culture and Media
- Committee on Public Administration, Administrative Modernisation, Decentralization and Local Government
- Committee on Transparency and the Statute of Members



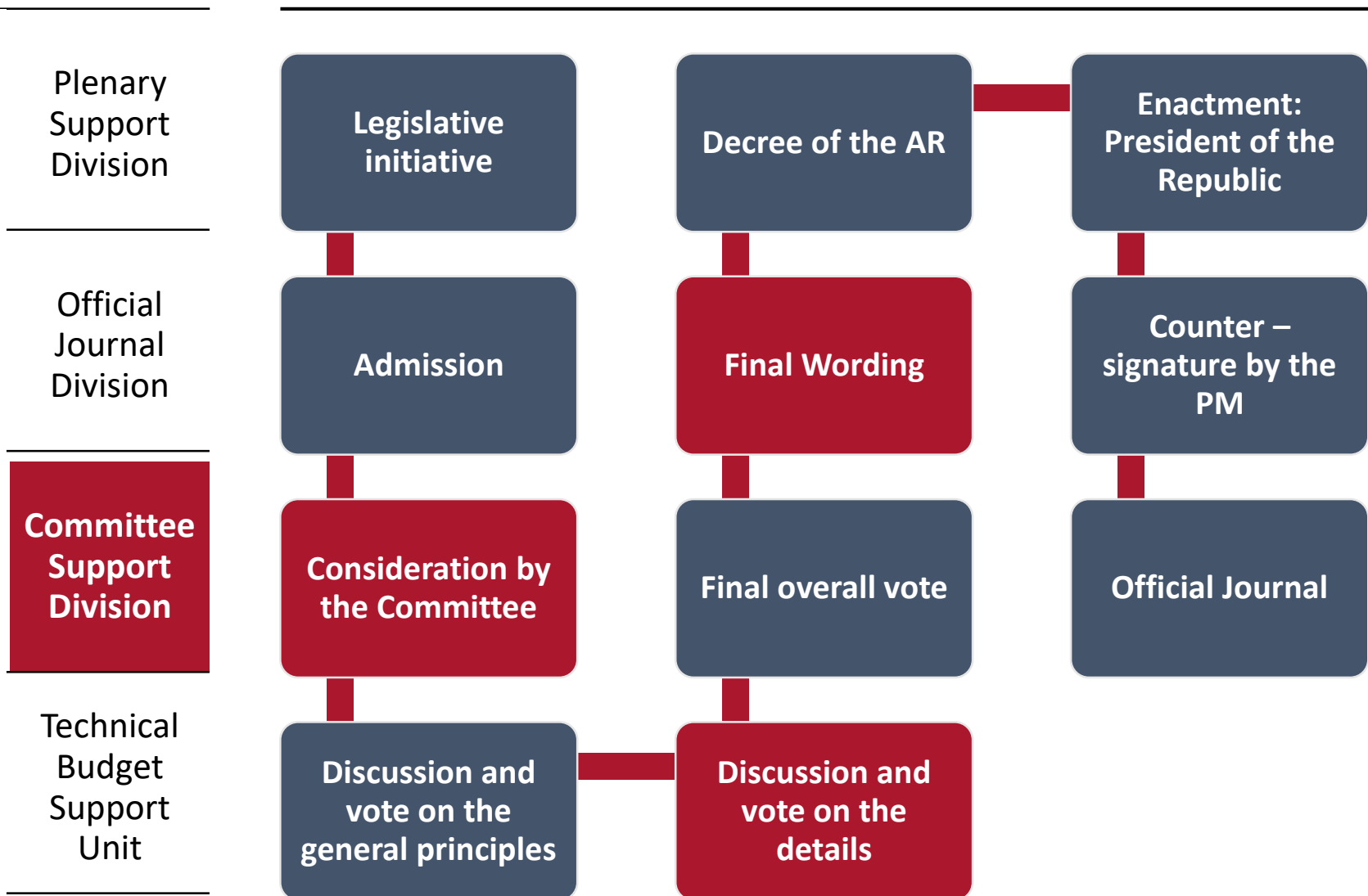
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II- The legislative Procedure



The Legislative Procedure

Plenary Support Directorate



The Legislative Procedure – CSD Input

Plenary
Support
Division

Official
Journal
Division

**Committee
Support
Division**

Technical
Budget
Support
Unit

- Together with other units, we produce a **technical note** for every legislative initiative
- We suggest the **collecting of contributions** from civil society, stakeholders and **scientific community**
- We prepare supporting documents, such as **comparative tables** and **voting guides**
- We draft the final **text** according to the voting result and the write up a **voting report**



Task example: The Technical Note

«*The Assembly's departments and services shall draw up a technical note for each bill.*»

Rules of Procedure of the Assembly of the Republic, Article 131

The Technical Note is an essential document for the legislator. Its **purpose** is to scrutinize the proposed Bill by providing the necessary context to the issue at hand and **assessing** the potential **impact** once it becomes law.

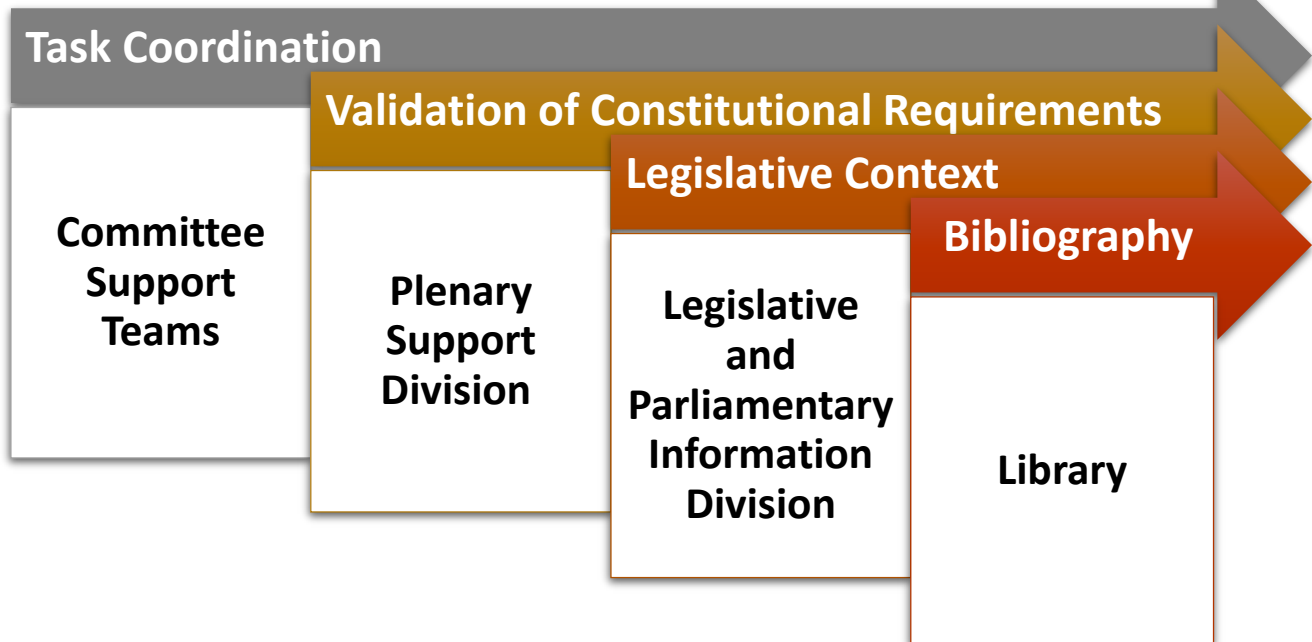
Plenary Support Directorate

Plenary Support Division

Official Journal Division

Committee Support Division

Technical Budget Support Unit



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III- Constraints and Opportunities For Inclusion of Scientific Knowledge



Constraints for Inclusion of Scientific Knowledge in Parliamentary Work

- The **imbalance in relations between the Parliaments and the Governments**, with the latter predominating, fostered by the increase in government structures, which tend to marginalise Parliaments as institutions regularly committed to policy making;
- The **demands of an increasingly differentiated society**, which have become too complex and numerous to be processed by large deliberative bodies, composed of non-specialized members such as Parliaments;



Constraints for Inclusion of Scientific Knowledge in Parliamentary Work

- The **strict discipline of political parties** in which the majority that supports the Governments echoes their proposals, leaving the role of brake and counterweight to the opposition (more visible in cases of absolute majority);



Constraints for Inclusion of Scientific Knowledge in Parliamentary Work

- The need to **acomodate different political views** in order to reach a consensus, when there is no absolute majority (case of the current and former legislatures);
- The existence of several **different Party Programs** (at the moment: 10), originating a high number of legislative initiatives - **101** since the 25th October;



Constraints for Inclusion of Scientific Knowledge in Parliamentary Work

- The **lack of a unit or specialised staff**, with broad scientific knowledge (the support is mainly legal and economic);
- **Time restrictions**, due to the workflow of the legislative procedure (general rule: 15 days to draft the technical note; 30 days for the committee to issue an opinion; discussion and vote on the general principles shall occur until the 18th Plenary session after the Committee's opinion).



Opportunities for Inclusion of Scientific Knowledge in Parliamentary Work

- Technical note;
- Discussion and vote on the details of the draft bills;
- Public Auditions/Seminars/Events (during the discussion in details or as a kick-off initiative to put a specific item on the political agenda);
- Request for written opinions and/or proposals from universities and other scientific institutions;
- Auditions within the petition's process;



Opportunities for Inclusion of Scientific Knowledge in Parliamentary Work

- Organisation of scientific events in the Parliament's buildings;
- Total transparency of the parliamentary work, both through the Parliamentary Channel (ARTV) and the website www.parlamento.pt, allowing the scientific community, as well as the general public, to scrutinise parliamentary work.



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IV - Case Studies



Committee on Constitutional Affairs, Rights, Freedoms and Guarantees

Petition n.º 103/XIII/1.ª - Decriminalisation of assisted death. The Committee established a Working Group, that organised auditions with the justice and medical scientific community, during June and July 2016

- Professor Doutor Manuel Costa Andrade – Law Professor, Coimbra University; - Professor Doutor José Francisco de Faria Costa - Law Professor, Coimbra University; - Professora Doutora Mafalda Miranda Barbosa - Law Professor, Coimbra University; - Juiz Conselheiro Dr. José Adriano Machado Souto de Moura ; - Professora Doutora Teresa Beleza - Law Professor, Nova University, Lisbon; - Professora Luísa Neto - Law Professor, Porto University; - Professor Jorge Reis Novais - Law Professor, Lisbon University; - Conselho Nacional de Ética para as Ciências da Vida (National Ethics Council for Life Sciences).

The Rapporteur (MP José Manuel Pureza – BE), summarised the main controversies raised by the medical and legal community. Report and petition procedure available at:

<https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetalhePeticao.aspx?BID=12783>



Committee on Economics, Innovation, Public Works and Housing

Organisation of a **Conference** about Energy (28th March 2017):

Conferência “Energia”

- The second pannel, about the “Future of Energy” had a discussion on financial sustainability; renewable energy and optimization; energy and entrepreneurship; and energy and industry.
- The invited speakers were members from universities and/or stakeholders:
 - Vítor Santos (Professor no ISEG, ex-Presidente da ERSE);
 - António Sá da Costa (ex-Professor no IST, Presidente da EREF – European Renewable Energy Federation, Presidente da APREN – Associação Portuguesa de Energias Renováveis);
 - Rui Dias Moreira;
 - Luís Mira Amaral (Prof. Catedrático Convidado de Gestão do Instituto Superior Técnico e de Economia Portuguesa no Instituto Superior de Gestão, administrador executivo da SPI, presidente do Comité de Auditoria da NOVABASE, presidente do Fórum para a Competitividade e CEO do Banco BIC Portugal)



Committee on Agriculture and the Sea

- **PPL n.º 133/XII (2013)** – Establishes the basis for national maritime spatial planning and management

The academic community was heard and presented written opinions, including amendments/suggestions to concrete articles of the draft bill, some of them accepted by the Committee

<https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetailIniciativa.aspx?BID=37600>

- **PJL n.º 1048/XIII (PAN)** - Basic Law of the Human Right to Adequate Food and Nutrition

Several auditions were organised, namely with the professional associations of doctors and nutritionists. The draft bill was refused at the Plenary of the 19th July 2019

<https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetailIniciativa.aspx?BID=43208>



Committee on Education, Science, Youth and Sport

- **Twice a year**, the Committee organises the Science Café, an initiative that is being held since 2005;
 - **Organisation** of the Ciência Viva Agency, in collaboration with the Council of Associated Laboratories;
 - **Objective:** discussion among scientists, entrepreneurs and policy makers, in an informal environment, on topics of interest to society, with a scientific dimension.



Committee on Education, Science, Youth and Sport

- Last April, the theme discussed was Access to water: managing change.
- Participants: Scientific institutions (from Universities, including the University of Zaragoza, and Polytechnics), public institutions, secondary schools, Portuguese Environment Agency, EPAL, EUROCEAN, National Laboratory of Civil Engineering, LNEG: Unit of Geology, Hydrogeology and Coastal Geology, IPMA, Water Services from Oeiras and Amadora, several Water Associations, teachers and students of the Alcanena School Group.



Science Café



Health Committee

- The legislative process of medically assisted procreation (PMA) has been in progress in the Health Committee since 2006 (Law 32/2006)
 - ✓ Given the evolution of medically assisted procreation techniques and the demands of the medical community and even civil society, successive amendments to the initial law were introduced
 - ✓ Many resulted from concrete proposals presented by:
 - The National Council for Medically Assisted Procreation (CNPMA)
 - The National Council for Ethics in Life Sciences (CNECV)
 - The National Commission for Data Protection (CNPD)
 - ✓ The testimonials of the scientists/scholars/experts are fundamental to address the clinical and bioethical issues



Committee on the Environment, Energy and Territorial Planning

- Successful collaboration with the National Council for Sustainable Development (CNADS) and its members, through meetings, sharing of documentation and joint holding of colloquia
 - ✓ Recently, special attention was given to the conclusions of the CNADS' opinion on the National Integrated Energy and Climate Plan (PNEC).
- The Institute of Social Sciences of the University of Lisbon (ICS-UL) came to the Commission to present the document Public Consultation on Energy and Climate - The Opinion of the Portuguese
 - ✓ A global public consultation on climate and energy, which aimed, among others, to inform the decision makers about the opinions and expectations of citizens in relation to the decisions taken at COP21.



Committee on the Environment, Energy and Territorial Planning

- Cycle of hearings and preparatory visits for the Portuguese participation in the 8th World Water Forum
 - ✓ E.g. joint hearing of Environmental Non-Governmental Organisations (2018.02.28) and meeting with sector specialists;
 - ✓ Among others, the National Council for Sustainable Development (CNADS), the National Water Council; the Portuguese Partnership for Water; the organization Water and Sanitation for All (UN); the CCIAM/Faculty of Sciences Research Group of the University of Lisbon; Special Rapporteurs of the United Nations Leilani Fahra (Adequate Housing) and Leo Heller (Water and Sanitation).



Independent Technical Observatory

Independent Technical Observatory for Analysis, Monitoring and Evaluation of Forest and Rural Fires occurring in the National Territory, created by Law No. 56/2018 of 20 August.

- The composition of the Observatory includes two members appointed by the Council of Rectors of Portuguese Universities, Francisco Castro Rego (President) and Paulo Alexandre Fernandes; two members appointed by the Coordinating Council of Higher Polytechnic Institutes, Joaquim Sande Silva and João Carlos Azevedo; and six members appointed by the President of the Assembly of the Republic, after hearing the Parliamentary Groups, José Manuel Moura Ferreira Gomes, Emanuel Sousa de Oliveira, Rui Victor Cortes, Domingos Xavier Viegas, Duarte Nuno Caldeira and Filipe Duarte Santos.



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V- Conclusions



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- In spite of the constraints, the Portuguese Parliament has several channels to receive scientific knowledge;
- As shown, the cooperation between science and politics occurs within different political processes and functions of the Parliament: political, legislative, and control and monitoring competences;

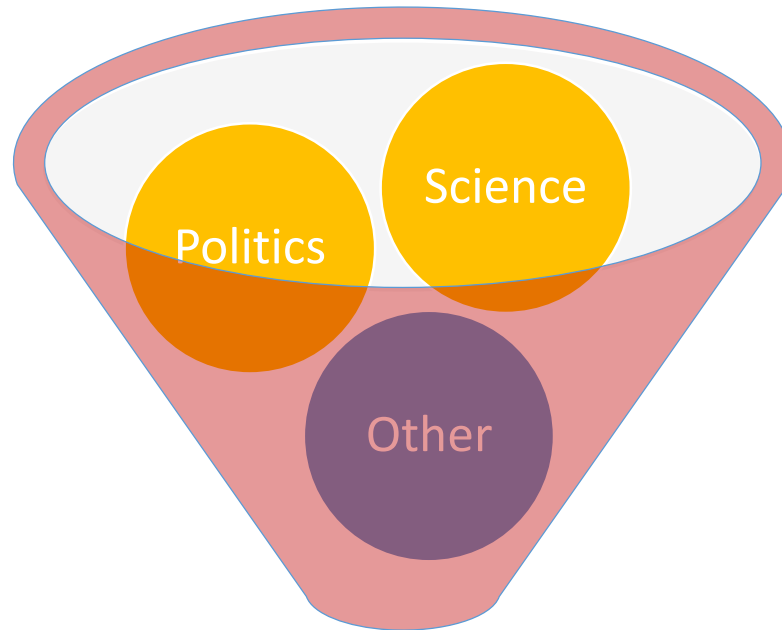


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- Scientists can participate in policy-making through auditions, written opinions, visits and direct contacts;
- All the contributions from the scientific community are available to the public, making the Portuguese Parliament accountable and close to its citizens.



Thank you



Law and Parliamentary Political
Debate

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