

# **Transparency and Accountability in the Parliaments of Greece and Southeast Europe (or the Gap between Institutional Rules and Democratic Practices)<sup>1</sup>**

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## **RÉSUMÉ**

Au cours des deux dernières années une vague de réformes parlementaires a balayé les pays d'Europe du Sud affectant la nature et la légitimité de la démocratie. Cet article examine le degré d'ouverture et de transparence des Parlements nationaux en Grèce et dans les autres pays ex-communistes de la région. En passant en revue les dispositions qui ont trait à l'accès du public à l'information et à la participation au processus législatif, ce texte analyse la façon dont fonctionne en pratique le cadre juridique dans la promotion de l'efficacité, de la transparence et de la responsabilité. Les auteurs soulignent que si le Parlement reste, aux yeux de l'électorat, l'établissement central et souverain dans une démocratie représentative, les Parlements à travers l'Europe du Sud souffrent de graves lacunes dans l'application de la loi et d'une importante perte de puissance dans la pratique. Un haut degré d'impartialité, la domination de l'exécutif, le faible niveau de transparence et de manque d'information sont les principaux éléments identifiés comme les causes profondes du problème. En outre le processus d'eupéanisation apparaît également dans la diffusion des processus de décision et d'autonomisation des acteurs au niveau exécutif et administratif au détriment des Parlements nationaux.

## **ABSTRACT**

In the past couple of years a wave of parliamentary reforms has swept through the countries of Southeast Europe affecting the nature and legitimacy of democracy. This article examines the degree of openness and transparency of national parliaments in Greece and in the other ex-communist countries of the region. By reviewing provisions that pertain to the public's access to information and participation in the legislative process, it analyzes how the legal frame functions in practice in promoting effectiveness, transparency

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and accountability. The authors argue that while the Parliament remains, in the eyes of the electorates, the central and sovereign institution in a representative democracy, parliaments across southeast Europe are suffering from serious gaps in the application of the law and from a serious loss of power in practice. High degrees of partisanship, dominance of the executive, low levels of transparency and lack of information are the main elements identified as the root-causes of the problem. In addition, the process of Europeanization also appears to diffuse the decision-making process and empower the executive and administrative actors at the expense of national legislatures.

In the past couple of years a wave of parliamentary reforms has swept through the countries of Southeast Europe affecting the nature and legitimacy of democracy. Besides changes in electoral systems and the type of cabinet, an important set of reforms pertain to changes in access to information rules and in the parliaments' Rules of Standing Order (RSOP) that affect the transparency and accountability of parliamentary institutions. In most cases, these reforms have been taking place in the context of a post-transitional status of democratization and European integration, as aspiring candidate states or as long-standing EU members like Greece. Popularly elected and representative parliaments epitomize both in symbol and substance the restoration of democracy. At the same time, they seem to be suffering from a serious crisis of legitimacy in the eyes of the electorates, registering record-low levels of trust and loss of public confidence in their ability to represent society. Such a sharp decline in their legitimacy was expressed in Greece in May 2010 when the slogan "let the Parliament burn" became the flag-moto of an especially heated demonstration. While the grievances were not specifically centered on parliament, the slogan captured the widespread public discontent with the workings of the democratic political system as a whole.

To be sure, the evident decline of parliament as a preeminent institution of political representation and government control is far from a novel or uniquely south European development. Instead, it has been a much-analyzed phenomenon that variably besets contemporary systems of various degrees of openness and democratic quality. For a long time now, the study of parliamentary institutions has recognized that the increased regulatory functions of social welfare state have shifted the balance of power from parliament to the government, resulting in a corresponding decline in the

power of the former to control and hold accountable the latter. Governments and state administrations issue a very large number of regulatory decisions and administrative acts that escape parliamentary deliberation and control. This has been even more pronounced in the context of the European Union (EU), in which national administrations and governments are assigned primary responsibility to implement EU laws and policies. In so far as this has been taking place, the authority of parliament as the preeminent institution of popular representation, with the power to endorse, or conversely control and reconfigure government policies, is constrained. An additional challenge in the relatively recent democracies with an authoritarian legacy like those of Southeast Europe is the fact that their young parliamentary institutions never managed after the end of communist rule to thoroughly re-claim actual decision-making power in drafting and passing laws.

When important aspects of decision-making and legislating functions shift or remain outside of parliament, this raises fundamental issues about transparency and accountability in contemporary parliamentary democracy. How can transparency and accountability of parliament's political and legislative decision-making be ensured if they are largely determined outside of parliament? Transparency and accountability are cornerstones of contemporary democracy. Bearing upon all governing and public bodies carrying official functions, including parliament, it refers to their essential obligation to be open to the public about their activities and conduct. Only through transparent procedures and practices can citizens and various societal groups verify whether the parliamentarians, whom they vote to power, perform effectively their role of providing support to, but also of exercising control over government policies and actions.

Transparency was not always such a widely and unquestionably accepted obligation placed upon government or parliament as it is today under modern democratic governance. In non-democratic or semi-democratic systems, public and government bodies have often treated the information that they held as though it were for the exclusive use of their officials and applied to public documents various degrees of classification.<sup>2</sup> Giving regular and unrestricted publicity to the workings and actions of parliamentarians enables citizens to exercise control and hold them accountable by making an informed decision each time they vote to elect their representatives.

A central means whereby transparency and accountability are ensured is through robust constitutional and legislative guarantees for accessing information. By contrast, limits to accessing information are a serious

impediment to effective civic involvement in the legislative process.<sup>3</sup> They are also a source of citizens' disillusionment and apathy towards the legislative process, and towards democratic representation more broadly. Access to information is a means of ensuring accountability of parliamentary representatives as it allows citizens to be informed about and monitor their conduct and activities. Both transparency and accountability are also prerequisites for a more open and representative legislature. Unhindered access to information and knowledge about its workings enable individuals and civil society actors to follow more easily and seek to participate and engage in the legislative processes.<sup>4</sup> In turn, through their lobbying activities or advocacy campaigns, civil society actors such as NGOs, trade unions, business associations or the media instill pressures for greater access to information and transparency more broadly.

As the countries of Southeast Europe moved from dictatorships to democracy, have they managed to ensure transparency and accountability of their parliaments? To what extent have they established themselves as legitimate and effective institutions, and what are the consequences for the workings of democracy? This article addresses these questions, first by examining the case of Greece. Furthermore, it comparatively analyzes the implications of the Greek experience with parliamentary institutions for the other Balkan countries in the post-1989 period. Drawing from the Greek case, the analysis considers the developments and conditions affecting the transparency and accountability of parliament in the broader South European context. Given the fact that Greece did not have a state socialist system, it is not directly comparable to the other Balkan countries.<sup>5</sup> At the same time though, Greece shares with the other Balkan countries a legacy of parliamentary failures that resulted in political upheavals and authoritarianism in the course of the twentieth century. Such failures came to end with transition to democratic regimes in the mid-1970s in Greece and in the other countries of the region in the late 1980s and 1990s and the establishment of functional and representative parliamentary institutions. In both sets of cases, democratization has been followed by a process of accession and membership to the European Community/Union (EC/EU).<sup>6</sup>

On the basis of primary legal material and secondary literature, this article examines the degree of openness and transparency of national parliaments. In particular, it reviews provisions that pertain to the public's access to information regarding the functions of parliament and the actions of its representatives, as well as provisions regarding participation in the legislative

process. It also analyzes how the legal frame functions in practice in so far as its effectiveness in ensuring transparency and accountability is concerned. The last part discusses further the findings in reference to the parliament's changing role and declining authority today, and provides a set of recommendations towards improving the parliament's transparency and accountability. We argue that while the Parliament remains, in the eyes of the electorates, the central and sovereign institution in a representative democracy, parliaments across southeast Europe are suffering from serious gaps in the application of the law and from a serious loss of power in practice. High degrees of partisanship, dominance of the executive, low levels of transparency and lack of information are the main elements identified as the root-causes of the problem. In addition, the process of Europeanization also appears to diffuse the decision-making process and empower the executive and administrative actors at the expense of national legislatures.

#### **A. Transparency and accountability in the Greek Parliament: constitutional-legal frame and practice**

After seven years of military dictatorship, Greece underwent a transition to a democratic regime in 1974, which shed away the vestiges of the deficient democracy that had been established after World War II. The transition involved the adoption of a new constitution and the abolition of monarchy, which had regularly interfered with electoral and parliamentary processes throughout the 20<sup>th</sup> century. On the basis of an unusually broad political consensus, a system of presidential parliamentary democracy (*proedrevomeni koinovoulefiki dimokrateia*) was established.<sup>7</sup> Following the advent to power of the centre-left Socialist government of PASOK in the 1980s, the balance of power between the President of the Republic on the one hand, and the Parliament and the Government on the other, permanently shifted in favour of the latter. The reinforced prerogatives and emergency powers that had remained with the President of the Republic, albeit not used after 1974, were permanently removed with the first constitutional revision of 1985. In this way, the 1985 constitutional revision strengthened the parliamentary over the presidential characteristics of contemporary Greek democracy. While the parliament appointed the Prime Minister and the other members of the government cabinet, its ability to exercise effective control over the executive was not equally reinforced. The 1985 constitutional revision dismantled presidential powers, and it also reinforced the predominance of the governing party and the Prime Minister.<sup>8</sup>

The Greek Parliament (*Vouli ton Ellinon*, or *Vouli*) is directly elected for a term of four years. The votes of the electorate are translated into parliamentary representation through an electoral system that for most part after World War II has been based on reinforced proportional representation.<sup>9</sup> Regarding its main competences, the Greek *Vouli* elects the President of the Republic and forms the government, it legislates and votes the annual state budget, and it exercises oversight and control over the government. The Parliament also appoints the Prime Minister (PM) who enjoys the ‘express confidence’ (principle of *dedilomeni*) of the majority of representatives, and who is usually the head of the political party, to which the parliamentary majority belongs. The parliamentary majority gives a vote of confidence to the government cabinet, whose members are appointed by the PM.<sup>10</sup>

By far the most important competence of the Parliament is its legislative function.<sup>11</sup> It votes the bills submitted by the government, the opposition or by individual representatives.<sup>12</sup> The elaboration of the bills is taken on by the relevant parliamentary committee<sup>13</sup> together with the rest of the representatives. They can be voted either in plenary session or by the competent parliamentary committee.<sup>14</sup> The 2001 constitutional revision empowered the permanent parliamentary committees with autonomous legislative competences according to article 70 of the Greek Constitution.

If the 1974 constitution laid the foundations for the democratic nature of Greece’s political system, its second revision in 2001 (the first one, as already mentioned had taken place in 1985), gave constitutional recognition to rule of law (*kratos dikaion*)<sup>15</sup>. Among other things, it did so by guaranteeing with the new Article 5A of the 2001 constitution a general right to information and the participation of individuals in the information society (parag. 2).<sup>16</sup> The latter implied a direct obligation for the state *to facilitate citizens’ access to information*. While this constitutional provision does not specifically refer to Parliament, it entrenched more firmly the need and obligation of the latter to guarantee transparency. At the same time, the constitution also recognizes certain limitations to the right to information. Restrictions can be justified for reasons of national security, such as a serious external threat, fight against crime, and the protection of the rights of third parties,<sup>17</sup> which, however, must be interpreted restrictively. The workings of the Greek Parliament, including in relation to issues of access to information and publicity, are regulated by the already mentioned Rules of Standing Order (RSOP), a set of internal rules that is decided by the chamber of deputies.

Whether they meet in plenary session or in the context of committees, parliamentary representatives (or MPs) must do so openly and in public, regardless of the subject matter on which they are deliberating.<sup>18</sup> Closed to the public, however, are meetings of permanent committees holding hearings with individuals outside from parliament during discussion of government bills or draft laws.<sup>19</sup> It must be noted though that since 1993, when the relevant provision was adopted, a closed hearing with non-parliamentarians has never been requested. The presence of extra-parliamentary individuals is a form of public deliberation and aims at providing clarifications with regard to issues that are legislated. Those who are invited usually come from the leadership ranks of trade union organizations.

Publicity and transparency of the Greek parliament's workings and activities are also ensured through *open and televised meetings*, most of which are broadcast and immediately reach the media through a variety of means. Since the early 2000s, the *Vouli* has its own TV station. All meetings of the Plenary Session and most meetings of the permanent committees are also recorded and televised through an internal transmission system inside the parliament building, as well as broadcast live or recorded through the TV station of the *Vouli*, the radio station and the website. Publicity and transparency are furthermore guaranteed through the constant presence of journalists from print and electronic media with special permits (*diapistevmenoï*), who attend all parliamentary meetings.

Parliamentary activities are recorded through *keeping detailed proceedings* that are available to the public upon request or by downloading them from the parliament's website. Given the fact that only a small percentage of the public actually watches live broadcast of parliamentary meetings and that in practice even fewer attend those in person, keeping detailed and systematic proceedings is of utmost importance. Proceedings contain a word by word record of all speeches made by deputies, of any procedural matters that may arise, and, of course, of the results of voting. It must be noted that the process of voting by MPs can be open or secret. Article 73 of RSOP provide for secret voting on issues that concern the election of individuals, or issues, in which individuals (MPs or citizens) are explicitly named.<sup>20</sup> Through detailed, systematic and timely recording of what is said in the Chamber, anyone who is interested can get a full picture by reading the proceedings.<sup>21</sup>

Transparency is not only a matter of publicity of and wide access to information regarding the activities of parliament as an institution. It also

concerns the conduct of parliamentarians in their political activities. The latter may be revealing about their relations with various constituencies, social groups or influential individuals, as well as about their political loyalties and dependencies. In the Greek electoral system, MPs are elected not from a pre-ranked party list but on the basis of the number of votes that they are able to amass. As a result, candidates' campaigns are driven by a votes' maximization logic that makes them thoroughly depend on large amounts of funds, as well as on donations by party supporters. Those who donate large sums of money to their electoral campaigns are likely to have and often do have disproportionate influence over the views and actions of parliamentarians. Therefore, a basic parameter of transparency is to *ensure publicity of the finances of political parties and their deputies*, as much during their electoral campaign as during their term in parliament. Publicity of parliamentary work but also of the MPs activities enables citizens to exercise control over their elected representatives and hold them accountable for their views and actions.

Since its 2001 revision, the obligation of national authorities to exercise control over the electoral expenses of political parties and their candidates running for parliament is stipulated in the constitution.<sup>22</sup> This responsibility is assigned to a special body with the participation of high-level judicial officials. Political parties are obliged to keep special documents, in which they report per each category their revenues and expenses, and in which they explicitly mention the names of those who donate a sum higher than 600 euro annually. Political parties also publish their annual accounts in the Government Gazette (*Efimerida tis Kyverniseos*) and in the daily press. Parliament deputies but also a certain number of candidates running for MPs must also provide detailed accounts of their electoral revenues and expenses along with the respective invoices.<sup>23</sup> However, contrary to what is required from political parties, the accounts of deputies are rarely made public, but they are only submitted to the relevant parliamentary committee for review. The MPs are also required to declare annually their assets with detailed references to their movable and immovable property. Following their review by a parliament committee (*Epitropi Eleghou*), these declarations are subsequently published in the daily press.<sup>24</sup>

While article 9§2 in the Constitution and the abovementioned provisions contained in Law 3023/2002 seek to make transparent the finances of MPs, especially those channeled into their electoral campaign, in practice the results are far from satisfactory. Even though undeclared revenues from big donors apparently reach the coffers of political parties and their candidates, such



donations have never come to light during the review process. The fact that such a process often takes place with substantial delay, and in a place (inside parliament) that is often far removed from the local party or candidates' offices, must in part be seen to account for such a deficient and ineffective control. It is no surprise that illicit campaign financing of parliamentarians has never been exposed if we also consider the fact that those same deputies are both those who exercise control and simultaneously those who are subject to such control. The issue of establishing effective control over the finances of political parties and parliamentary representatives is of ongoing relevance and it is widely acknowledged to be a serious impediment to guaranteeing their accountability. However, fundamental reform of the existing process of control and of the respective committee that engages in it requires constitutional revision, which can not start earlier than June 2013 and it is unlikely to be completed before 2015.

It becomes evident from the previous section that a fairly robust constitutional and legal frame is in place to enable citizens to gain fairly comprehensive information about the activities and functions of the Greek Parliament. Anyone who is interested can gain access to the vast majority of documents and knowledge of the activities taking place and the decisions made by the Chamber. While this is a fundamental accomplishment of the country's post-1974 democracy, it does not in practice appear to always guarantee transparency, or to meet the public's contemporary expectations about transparency, accountability, openness and democratic participation.

While legal and constitutional rules satisfactorily guarantee publicity of parliamentary activity and citizens' access to information regarding the latter, in practice, transparency, openness and accountability of the Greek Parliament are severely compromised by a number of factors. In the first place, it is clear that control over the annual accounts of Parliament, including the expenses of MPs themselves is insufficient and defective. While there is no study that has been conducted on the subject, a series of articles that have appeared in the press recently give a glimpse to what is otherwise a well-known fact, namely, that the Greek Parliament is an excessively and unjustifiably high-cost institution. While the President of Parliament submits the annual budget to the *Vouli*, a number of expenses are arguably not sufficiently clarified and convincingly explained, as it is the case in the most recent 2010 budget.<sup>25</sup> Questions regarding the sound financial management of parliament as an institution are also compounded by the thorough lack of transparency characterizing the recruitment process of parliament employees. They are hired

without open calls for applications, and enjoy high levels of salaries and benefits. The new government has also vowed to change the process of recruitment and make it open and competitive.<sup>26</sup>

Secondly, transparency is undermined in practice through the frequent recourse of the government to provisions that allow for the urgent introduction and passing of laws without discussion. This is permitted under certain conditions, which, however, are not always in place.<sup>27</sup> The urgent procedure does not allow time for parliamentarians to scrutinize and discuss a government bill. Parliamentary discussion and debate are also undermined when they take place under tight time constraints. For instance, one of the most important functions of the Greek parliament, namely, the approval of the state budget, takes place in very tight time frame. This occurs because the government tends to submit the budget with delay, and the 40-day deadline in advance that is stipulated by the constitution in practice is rarely met, allowing limited time for discussion and deliberation.<sup>28</sup>

Knowledge about and discussion of the legislative initiatives undertaken by the government in parliament are undermined by widespread practices such as so called 'catch-all' bills. These are government bills that contain additional provisions or amendments appended to a government bill, which, however, are irrelevant to the main subject matter of the bill, contrary to what the constitution stipulates.<sup>29</sup> Such additional amendments are usually inserted by the competent minister at the last minute without previous deliberation before the appropriate committee.<sup>30</sup> Practices as these undermine transparency and escape parliamentary and public accountability. Knowledge and discussion are particularly limited when irrelevant provisions and amendments are introduced by a minister in the chamber in late night meetings, when a large number of MPs are not present.<sup>31</sup> Over the past couple of years, however, recourse to this practice of submitting so-called 'late night amendments' has been significantly reduced.

The established legal and constitutional frame allows the public to be informed about the government bills discussed inside parliament. These, however, are already crystallized and largely formed outputs of ministerial processes, possible consultations and deliberations with particular (and most likely influential) interest groups, which have already taken place in a manner that is informal and unknown to the public and most likely to many among parliamentarians themselves. Unlike in countries, such as Germany, in Greece the pre-parliamentary law drafting processes are informal and invisible and

fall outside the provisions contained in the RSOP or the constitution. The few existing rules that pertain to it merely regulate the composition and functions of the bodies (i.e. ministerial committees, or the Legal Office of the PM) that are involved in this process.<sup>32</sup> Yet, they do not clarify or regulate the role of actors such as interest groups, political parties, trade unions, administrative officials, or individuals, who participate in this crucial process of legislation drafting.<sup>33</sup>

The pre-parliamentary legislative drafting process that is set in by the government and the competent ministries lacks transparency. The interactions and meetings between ministry officials, interest groups and external experts who can provide specialized knowledge and advice are informal; they lack publicity and escape parliamentary scrutiny. So are the interactions between political parties and the governing party on the one hand, and social and interest groups on the other.<sup>34</sup> Once the competent law-drafting committee inside a ministry, which is dominated by government officials and members of the governing party, submits its draft to the minister, s/he can invite at his or her discretion members from particular interest and social groups, and ask them for their views and position on the subject matter of the draft law. This process ends with the preparation of the explanatory report by the competent minister, which accompanies a bill throughout its subsequent stages before and after its submission to the Speaker of the Parliament. Before it goes to parliament, a government bill is also sent to the parliamentary group of the governing party, so that its MPs are not later caught by surprise when they are asked to vote for it.<sup>35</sup>

The predominant and formative weight that the pre-parliamentary law-drafting process has on the government bills that are submitted to parliament for discussion and vote is in part a reflection of the executive's dominance over the Greek political system. The dominance of the government over parliament is further reinforced by the dominance of the governing party in parliament and the strong partisan lines and discipline that characterize its activities. The strengthened position of the executive and the administration and the corresponding decline of parliamentary institutions in decision-making and policy-making is not only a Greek phenomenon. Instead, it is a generalized one that has been linked with the development and evolution of modern welfare state, as it is already mentioned earlier in this study. It has also been arguably reinforced by the enhanced powers that governments and public administration gain in the context of EU membership. National administrations are responsible for implementing a large body of EU legislation in a growing range of sectors,

in which the EU now shapes policies and legislates. The lack of transparency and publicity at the pre-parliamentary stages of law-drafting raise another issue of openness: the far-reaching disparities in the degree of access and influence that different social and interest groups have in the legislative processes.

As a result of the informal nature and opaqueness of the executive-dominated legislative drafting process before a bill reaches parliament, MPs have deficient information and knowledge about it. This undermines the basis for engaging in substantive dialogue inside the chamber and exercising a constructive kind of control over the government.<sup>36</sup> The discussions and debates taking place in Parliament for most part do not disclose its underlying basis of support and opposition, and are unable to provide to the public reasoned arguments beyond party lines. This is a substantive (as opposed to procedural) parameter of transparency in the legislative process, in which there is a critical gap. It is no surprise that public opinion surveys (such as the one referred to in the previous section) mention the need for more substantive dialogue as shortcoming of parliamentary deliberations. It could arguably in part be addressed by standardizing and clarifying the pre-parliamentary drafting process, as well as by providing in the explanatory reports that accompany the draft laws more detailed information about the different views and positions of actors who were involved.<sup>37</sup>

The gap in citizens' access to information about Parliament in practice and their trust towards it clearly surfaces in a survey commissioned by the Greek Parliament in May 2008, in which 80% of individuals expressed the view that the *Vouli must be* the centre of the country's political life (emphasis added).<sup>38</sup> The majority of respondents expressed the view that greater and more substantive dialogue should take place in the Chamber. There is an underlying and diffused impression shared by large segments of the public that the legislative and decision-making processes that take place in Parliament are not sufficiently open or transparent. The speeches, discussions and debates that take place in the Greek Parliament are seen to be largely shaped by partisan lines, while the substantive content of the government bills discussed has already been determined by officials inside the competent ministries or party leaders through a process that is not accessible to public knowledge. It is indicative that the vast majority of respondents in the abovementioned survey believe that ministers must announce and present in Parliament the measures that they propose in their area of responsibility, if this institution is to become upgraded and a forum of substantive dialogue. This sounds like a plea to a more open and transparent process, through which government bills are put together.

## **B. Do the new democracies in the Balkans guarantee transparency and accountability in national parliament? Theory and practice**

Similarly to Greece, Albanian, Serbian, (FYR) Macedonian, Bulgarian and Romanian Parliaments function according to Constitutional Provisions and Internal Rules of Procedure voted and internally controlled by the respective Parliaments. As described in the respective Constitutions, Parliaments are the highest sovereign authorities mandated to exercise scrutiny over Governments and act as the main legislative body.<sup>39</sup> The right of access to information is a Constitutional guarantee, either on its own accord, or it is derived from constitutional provisions guaranteeing freedom of expression in all countries in the region. Relevant legal provisions require from all state bodies, including Parliament, to take a proactive stance in sharing information to all interested citizens.

Access to information is in principle unlimited; any interested individual can access information without having to prove his or her vested interest. Serbia's Law on Publication of the Information Bulletin on the Work of Public Authorities creates such an obligation for all state institutions, including Parliament. This is also the case in Bulgaria and Albania where constitutional and legal provisions guarantee the transparency of institutions providing that any person has the right to request information which the State is obliged to provide, unless the information is subject to specific restrictions.<sup>40</sup> Existing restrictions only justify the refusal to provide information on grounds of threat of life, confidential state information or the protection of personal data. As a rule, in cases of denial to grant access to information, the refusal has to be accompanied by an explanatory note while citizens in all cases have the right to appeal. The case of Serbia, however, is an exception in this regard: an individual does not have the right to appeal to the Commissioner for Free Access to information of Public Importance, an independent authority monitoring the free access to information, and administrative litigation is the only available alternative.<sup>41</sup>

Due to the turbulent past of the region, as well as due to the relatively recent democratization process, the rules in place are often characterized by especially high standards based on the provisions of international organisations like the OECD. In countries like Albania and Macedonia(FYR) such organizations retain a monitoring role of the political process. Such high standards, for instance, are evidenced in the fact that citizens have the right to scrutinize state bodies and directly participate in public affairs, besides having the right of

access to public information. Citizens in Serbia, Macedonia(FYR), Albania, Romania have the right to introduce a legislative initiative if they manage to collect a certain number of signatures, which is required by law. The historical experience of the countries with authoritarian rule and one-party systems arguably necessitated the incorporation of stronger checks and balances in the respective Constitutions. In Bulgaria, the right to enact legislation directly by citizens has been introduced but only in the context of initiating a referendum. In Greece on the other hand, a similar provision is completely absent.

Media coverage is another very important means of ensuring access to information and transparency of Parliaments and as such it is regulated to a greater or smaller extent in all countries. As in the case of Freedom of Information Acts, media coverage of Parliamentary activities is covered by provisions in the respective Parliaments' Rules of Procedure (RoP). They usually grant accredited Representatives of the Press privileged access to the Parliamentary sessions. All Parliaments have open and televised meetings either on national television or broadcasting via their own channel as in the case of Greece. Accredited journalists appear to enjoy a privileged and almost unconditional access to information in comparison to the ordinary citizens. Characteristically, in Romania, Article 8 of the Freedom of Information Act guarantees privileged access to information for journalists determining a short deadline of 24 hours, within which parliamentary authorities must respond to requests of media representatives. By contrast, a ten day rule applies to ordinary citizens. According to the RoP, representatives of the press generally enjoy privileged access to the parliamentary sessions.

All Parliaments have their own websites that provide information on the Parliament's agenda, the legislative process, and pending legislation and texts of proposals.<sup>42</sup> They also contain general information on the Parliament, the country's Constitution and the Parliaments' Rules of Procedure. In principle all the websites include updated archives of the proceedings of the Plenary and Committee sessions, as well as audiovisual material when this is available. With the exception of the Hellenic Parliament and the Romanian Senate House, all Parliaments appear to have functioning websites in English and in other languages outside their national language.

Parliaments are the dominant actors engaging in the legislative process. Nevertheless, they do not exclusively possess the right to initiate legislation, which in most cases is exercised by the executive. The legislative process is fairly similar in all countries under consideration and broadly follows three steps: 1)

legal initiative (either in the form of draft-law coming from the government, law proposal from MPs or rarely citizens' initiative); 2) debate and approval of the law; and 3) publication in the Official Gazette, after which the law takes effect. As it is stipulated in the constitutions, voting is open and MPs preferences should be made publicly. Secret voting may take place but it is limited. Before reaching the plenary session a draft law is always processed by the relevant Legislative Committee.

Public debate and consultation may take place in some cases usually after the first reading of the draft law. For instance, during the second reading in the FYROM a relevant working body can be formed including all interested parties from the civil society.<sup>43</sup> Public debate does not take place, however, if a law is adopted through the use of "urgent procedures", which obstructs control and accountability, as the case of Greece demonstrates above. All stages of the legislative process should in principle be open and accessible to the citizen. However, as it is analyzed below, this is hardly the case, especially when concerning the first stage, that of drafting and initiating legislation. In Albania, consultation process with the general public does take place during the pre-drafting phase in the competent Ministry, before it reaches the Parliament. Even so, any consultation largely depends on the discretion of the Minister.<sup>44</sup> The citizens remain at best 'informed observers' whereas active participation in the entire process is at the discretion of the competent Minister, the President of Parliament or of the Committee responsible. Indeed, while the law-making procedure is clearly described in the law, the pre-drafting period is rather unregulated, rendering difficult citizens' participation and control.<sup>45</sup>

While all parliaments appear, overall, to have rather robust constitutional and legal frames regulating accountability and transparency of the institutions, the application in practice reveals that serious drawbacks exist in the systems. While there are positive provisions in the laws of the countries under study that provide to citizens opportunities for active participation, like the provisions granting direct legal initiative rights to the citizens, in practice this process rarely takes place; when it does it is not always guaranteed that it shall be respected. Characteristic is the example of Romania. While the law provides to citizens the possibility to initiate legislation, provided the collection of 100,000 signatures, at the same time it penalizes the 'coercion' of a signature without specifying the terms of coercion.<sup>46</sup> This latter provision arguably functions as a deterrent to citizens' initiatives and their efforts to collect the required number of signatures.

Practical limitation upon access to information is also a real problem in all countries discussed. An important cause of the problem is the relative absence of definitions specifying in detail the cases under which information can be withheld. In the absence of such definitions, release of information is effectively left in the hands of the state officials handling the cases in question. Arbitrary interpretation of the law is a direct consequence of the absence of clear definitions. For instance, in Bulgaria the Law on Access to Information, which was adopted rather late in 2000, provides no clear definition of what constitutes a state secret, leading to frequent refusals in requests to access information.<sup>47</sup> This law was amended in 2008 to introduce a specific definition of what constitutes a “commercial secret” as well as the notion of “outweighing public interest” as a ground to justify the authorities’ refusal to allow access to public information.<sup>48</sup> Similarly, in Albania, there is no specific definition of what constitutes ‘public information’. According to the OSCE’s most recent report, there are a number of problems in regards to the implementation of the Albanian law. These are largely due to the ignorance of citizens about its existence, as well as to the administration’s lack of capacity and training in enforcing it.<sup>49</sup>

The parliamentary reforms that have taken place in the ex-communist countries of Southeast Europe have arguably been in the direction of efficacy at the expense of legitimacy. For instance, in the FYROM, the Rules of Procedure of Parliament were amended in 2009, to reduce the time available to MPs for speeches.<sup>50</sup> Absent is a robust system of checks and balances in practice, while there are no effective means of incorporating the active participation of civil society actors. As states mature, moving from the first phase of transition characterized by an ‘overparliamentarisation’ of politics,<sup>51</sup> to that of democratic consolidation, Parliaments are ‘institutionalised’. As scholars have argued, they are mandated to become more efficient and ‘manage’ greater and more complicated amounts of work, effectively placing more emphasis on stability and efficacy over legitimacy and representation.<sup>52</sup> EU accession has not made the situation any easier, as Parliaments are required to incorporate a large body of EU legislation in national law. In this process, the executive has enjoyed privileged access in the policy-making process at the EU level.<sup>53</sup> Nevertheless, it remains to be seen whether this situation will be altered following the signing of the Lisbon Treaty, which has strengthened the role of national parliaments by enhancing the subsidiarity principle.<sup>54</sup>

The process of European integration arguably strengthens the Government vis-à-vis the Parliament. This claim is to a large extent, inapplicable in



Bulgarian context, because the Constitutional design anyhow provides for executive domination over the legislative body, as it was already explained. It is clear from this brief introduction that in the specific Constitutional model of Bulgaria not the Parliament controls the government but vice versa. EU integration has not changed this existing balance of power between the legislative and the executive, if anything, it has strengthened it. The adoption of the *acquis* was indeed a Herculean process and no one could expect Bulgarian Parliament to have carefully scrutinized each and every act. Yet the main agent of the legislation-drafting process in Bulgaria is the Government: parliamentary groups bring draft laws only when they want to side-step the cumbersome process of coordination and consultation in the preparation of drafts within the executive. European integration did not change much this practice: the dominance of the Government, which, however, was already deeply entrenched, was simply confirmed.

Whether bolstered by domestic institutional design, or as a consequence of the EU accession or association process, the strengthening of the executive has gone hand in hand with pressures and initiatives to reduce the size of Parliament. Such initiatives reflect largely disparaging views and appraisals of parliamentary assemblies, whose quality of work and contribution to democracy is not seen to match their size. In Albania, amendments to the Constitution in 2008, led to a reform of the electoral system, introducing regional proportional representation and changes in the vote of confidence procedure and the election of the President. These reforms have strengthened the position of the Prime Minister over that of the parliamentarians.<sup>55</sup> Similarly, a mixed majority electoral system was adopted in Romania. A referendum was enacted on the 22<sup>nd</sup> of November 2009 to decide whether Romania should adopt a unicameral Parliament with smaller number of representatives. According to the results, 77.78% of the voters were in favor of a unicameral Parliament, while a stunning 88.84% of voters were in favor of reducing the number of Parliamentarians. As a result Romania has now entered a process of constitutional revision in order to put the referendum result into effect.<sup>56</sup> In the context of the financial crisis in Greece, discussions about the Parliament's expenses have also led to discussions about the possibility of reducing the number of Parliamentarians to enhance efficiency; however no Constitutional amendments can take place until June 2013 according to the respective legal provisions.

States of SE Europe have been facing at different times, similar challenges and common goals: democratic consolidation and European integration. As

Serbia, Romania, Bulgaria, Albania and Macedonia (FYR) moved from command economies and state socialist regimes to market liberalization and parliamentary liberal democracy, two common trends concerning Parliaments have been observed. First, the initial enthusiasm for elections with record numbers of participation in the first years of democracy, gradually gave place to apathy and absenteeism. Second, a growing mistrust of political institutions is reflected in the fact that parliaments along with political parties are considered as the most corrupt establishments. According to Transparency International's global corruption barometer in 2009, an international civil society organization dedicated to monitoring political corruption, Romanians ranked their Parliament as the most corrupted institution together with political parties, with 4.3 points average score where 5 is the most corrupt. Similar scores gave the Bulgarians and the Serbs with the Greeks and Macedonians (FYR) falling slightly behind with scores around 3.8/5.<sup>57</sup>

### C. Concluding remarks

The countries of Southeast Europe examined in this article have on the whole robust legal and constitutional provisions of access to information, providing all the necessary tools to ensure accountability and control over parliamentarians. A comparison across the different countries shows that Greece differs from Romania, Serbia, Albania, Bulgaria and the FYROM in so far as it is characterized by a less demanding set of legal provisions pertaining to access to information and parliamentary control. This is largely attributed to the presence of strong international and direct European influences and pressures during the transition to democracy and afterwards in the ex-communist countries of the region. While present, such influences and pressures were far from comparable during Greece's democratization post-transition phase in the second half of the 1970s. While Greece was also in the process of accession with the EC during this latter period, such a process was not nearly as demanding and intrusive as it was in the late 1990s and in 2000s, when the rest of the Southeast European countries have been going through it.

Given that elections alone are imperfect tools for holding governments accountable,<sup>58</sup> the existence of such guarantees is certainly vital for enabling citizens to follow and monitor government decision-making. Yet, despite sufficient, if not robust, legal and constitutional guarantees on access to information and other forms of control, accountability and transparency in the parliaments of Southeast Europe remain problematic. The relevant problems

stem from the gap that exists between legal rules on the one hand and the practical application of the law on the other. They also stem from political and institutional parameters having to do with the strong partisan quality of parliamentary workings, as well as with institutional frame that overwhelmingly privileges the executive at the expense of Parliament.

While party control functions as a 'safe' choice for the workings of democracy,<sup>59</sup> unconditional dominance of the executive over Parliament, severely limits the scrutinizing function of Parliaments. The government-dominated nature of the legislative processes becomes even more pronounced in the Balkan countries that recently joined the EU (Romania and Bulgaria) or are currently in the process of association with the EU and seek to adjust their laws to the EU *acquis*. This was not the case when Greece made the transition to democracy. Greece was not required to transpose a large body of EU law prior to gaining membership, or even in the first decade following its entry in the EC in the 1980s.

Fundamentally owing to the strong partisan nature of the parliamentary legislative process, the speeches, discussions and debates that take place in the parliaments across the region are largely shaped by partisan lines. The dependence of individual MPs on their party takes an extreme form in Serbia where it is constitutionally sanctioned. Article 102 of the Serbian Constitution states that a deputy "irrevocably puts his/her term of office at the disposal of the political party, on the proposal of which he or she was elected as a deputy". Given the total dominance of the governing majority at the legislating stage, the earlier processes of draft preparation and deliberation with various interested social actors is of particular importance for ensuring that parliament remains an open and broadly representative institution. The substantive content of the government bills discussed has already been determined by officials inside the competent ministries or party leaders through a process that is fundamentally removed from and inaccessible to public knowledge. In this unregulated and opaque process, influence can be exerted based on informal channels and personal contacts, an element that significantly aggravates the transparency and trust deficit.

Opacity in the pre-legislative stages and limited involvement of civil society actors, lack of information and transparency as well as increased ineffectiveness in holding the executives accountable are serious challenges. Government dominance in the Parliament's legislative process, combined with the limited monitoring and information on the activities and assets of individual MPs, make parliamentary affairs obscure in the eyes of citizens. They promote elitist

models of governance, alienation of the electorate from MPs and limit the scope of civil society involvement. All of these elements function as impediments to democratic consolidation and limit the degree of public trust.<sup>60</sup>

The way in which an institution like the Parliament works depends to a very large degree on the perceptions and attitudes of parliamentarians themselves. It is these attitudes that may define their degree of participation to the enactment of legislation, the use of tools they have available for scrutiny, their activity *viva-vis* the exigencies of the Europeanization process. For this reason, it is all the more important that Parliaments institutionalize the process of public consultation with representatives from civil society. Active participation on the part of civil society organizations may drive parliamentarians' preferences towards taking a more proactive stance. Moreover, institutionalization of the consultation process and direct contact with the citizens will make parliamentarians more accountable and aware of their actions.

The reforms that have taken place or are currently in process have taken Parliaments across SE Europe towards the next stage of democratization, that of democratic consolidation, follow the path of efficiency, in some cases at the expense of transparency and representation. In cases like Greece, the economic crisis and the scandals that accompanied it have pressed towards the adoption of new rules that aim to stamp out corruption and enhance the transparency of the institutions. Similar efforts are being made in Romania and notably Bulgaria where electoral reforms aim directly towards greater control over political parties and greater emphasis on public participation.

Still, further steps need to be taken across the region to enhance the participation of civil society in the law-making process, as well as transparency of the actors who are involved in and influence the latter. This is especially important in the stage of law-drafting and the debate in the relevant committees rendering the entire process open to the public. There is a pressing need to render more transparent and institutionalize the consultation process and to hold in check the influence exerted through interpersonal relations and informal contacts upon legislation drafting, which are widespread practices across the region. In the Balkan countries, provisions that allow citizens' initiatives to call for referendum or to initiate legislation have so far been ineffective and not easy to realize in practice. Perhaps the use of new technologies like the internet might contribute to its practical realization but the conditions for doing so are still absent. Finally, it is imperative that the already existing legal framework is applied in practice. Greater information of

citizens about their rights and training of public servants about their obligations would be two positive ways forward.

For instance, on the domain of public debate on legislation in Greece, there has been an improvement over the last ten months (following the election of a new government in October 2009) with the introduction of the obligatory open consultation process on law proposals drafted by the Ministries. Law proposals are submitted online on the site [www.opengov.gr](http://www.opengov.gr) for a specified period and are open to comments from any citizen. Citizens have, in this way, the opportunity to comment on the proposed legislation and take indirectly part in its preparation process. For instance, such a consultation attracted a great deal of participation, it received large publicity and provoked public debate over the new Greek law on migration and citizenship.<sup>61</sup> This positive development, however, does not directly affect the workings of the Parliament as such. As long as citizens' participation within the Parliament remains limited, and the role of interest groups and other actors at the pre-drafting stage non-transparent, the Parliament is unlikely to be able to effectively carry out its scrutinizing functions to control and hold accountable the Government. Parliaments need to be open, transparent and accountable to their electorates. Only if these conditions are met in practice, then Parliaments are likely to enjoy the trust they merit, which is a basic precondition for a healthy and stable democracy.

## NOTES

1. Research for this article was carried out between June and October 2009 in the frame of the project on "Open Parliaments – Transparency and Accountability in Southeast Europe", coordinated by the Centre for Liberal Studies and funded by the Friedrich Ebert Foundation in Sofia.
2. Toby Mendel, *Parliament and Access to Information: Working for Transparent Governance*, World Bank Institute Working Papers, Washington DC, 2005, p. 15.
3. *A Plea for Open Parliaments in the Black Sea Region*, Bucharest, Institute for Public Policy, 2008, p. 5.
4. Katalin Szili, "Parliaments and Civil Society – Interaction between Parliaments and Civil Society report", April 2008, available at: <http://www.europatanacs.hu/pdf/Report-dr.KatalinSzili.pdf> [accessed in September 2010], p. 3.

5. On the difficulty of comparing the South European with ex-communist countries, see the debate between Valerie Bunce, "Should Transitologists Be Grounded?", *Slavic Review*, Vol. 54, No. 1, 1996, pp. 111-127; and Philippe Schmitter and Terry Lynn Karl, "The Conceptual Travels of Transitologists and Consolidologists: How Far to the East Should They Attempt to Go?", *Slavic Review*, Vol. 53, No. 1, 1994, pp. 173-185.
6. Greece became a member of the European Economic Community (EEC) in 1981. Romania and Bulgaria joined the EU in 2007, while Albania, the FYROM and Serbia are potential candidate states.
7. Art 1§1, Greek Constitution, available at: <http://www.hri.org/docs/syntagma> [accessed in September 2010].
8. Nikos Alivizatos, "The difficulties of 'rationalization' in a polarized political system: the Greek Chamber of Deputies", in Ulrike Liebert and Maurizio Cotta (eds.), *Parliament and Democratic Consolidation in Southern Europe*, London, Pinter, 1990, pp. 134-135 and Penelope Foundethakis, "The Hellenic Parliament: The New Rules of the Game", *The Journal of Legislative Studies*, Vol. 9, No. 2, 2003, p. 87.
9. A brief exception was during the year 1989-90, when a more proportional electoral system, which had been voted, led to three rounds of general elections as a result of the inability to form parliamentary majority. The centre-right government of New Democracy that was eventually formed had only the slimmest of majorities with 151 deputies out of 300.
10. Art. 84 of the Greek Constitution, and Art. 141 of the *Rules of Standing Order of Parliament* [RSOP], available at: <http://www.hellenicparliament.gr/UserFiles/c8827c35-4399-4fbb-8ea6-aebdc768f4f7/KANONISMOS.pdf> [accessed in August 2010].
11. Art. 26, "1 Greek Constitution, *op.cit.*
12. In Greek a distinction is drawn between a law proposal [*protasi nomou*] and government bill [*nomoschedio*]; the former is submitted by opposition parties, which rarely happens in the Greek system, while the latter is submitted by the government.
13. There are 6 Standing Committees, a number of Special Permanent Committees, and 4 committees on parliament's internal affairs. The Standing Committees are: Cultural and Educational Affairs, Defense and Foreign Affairs, Economic Affairs, Social Affairs, Public Administration, Public Order and Justice, Production and Trade.
14. Art. 71, §1 of the Constitution specifies which bills are discussed by and need the vote of parliamentarians in plenary session in order to pass. For instance, these are bills that concern protection of an individual right or the electoral system.
15. *Ibid.*, Art. 25, "1.

16. The right to information in relation to obtaining official documents is elaborated and defined by the Code of Administrative Procedure (Law 2690/1999).
17. Greek Constitution, *op.cit.*, Art. 5A<sup>1</sup>.
18. *Ibid.*, Art. 66, <sup>1</sup> and 3.
19. Art. 38, <sup>1</sup>, Greek RSOP, *op.cit.*
20. In particular, the ballot is secret when the Speaker of Parliament is elected, when there is a vote of censure against one or more MPs, or when member(s) of the government are committed to trial. It goes without saying that when the voting is secret the preferences of MPs are not disclosed, and it is up to the individual MP, if s/he wishes, to make his or her preference publicly known through other means.
21. Art. 61, *Ibid.*
22. Art. 29, <sup>2</sup>, Greek Constitution, *op.cit.*
23. Art; 18, 20 Law 3022/2002, *op.cit.*
24. See Law 3022/2002.
25. “Kondylia tis Voulis me skoteina simeia”, *Kathimerini* [Greek daily], 5 November 2009.
26. “Meso ton diadikasion tou ASEP efeksis oi proslipseis sto Koinovoulio”, *Kathimerini* [Greek daily], 5 November 2009.
27. Art. 74 Greek Constitution, *op.cit.*, Articles 109 and 110, RSOP, *op.cit.*
28. Yorgos Kaminis, “The Greek Parliament: The Challenge of Upgrading [Βουλή: Η Πρόκληση της Αναβάθμισης], in *The Constitution – Twenty Years of Constitution [Το Σύνταγμα – Τα εικοσάχρονα του Συντάγματος]*, Athens-Komotini, Sakkoulas, 1998, pp.186-187.
29. Art. 74 <sup>5</sup>, Greek Constitution, *op.cit.*
30. Alivizatos, “The difficulties of ‘rationalization’ in a polarized political system: the Greek Chamber of Deputies”, *op.cit.*. p. 141.
31. Kaminis, “The Greek Parliament: The Challenge of Upgrading”, *op.cit.*, pp. 178-9.
32. Dimitris Melissas, “The Pre-parliamentary legislative process – the informal legislator” [Η Προκοινοβουλευτική Νομοθετική Διαδικασία – Ο Άτυπος Νομοθέτης], Athens-Komotini, Sakkoulas, 1995, p. 74.
33. Kaminis, “The Greek Parliament: The Challenge of Upgrading”, *op.cit.*, pp. 182-183.
34. Melissas, “The Pre-parliamentary legislative process – the informal legislator”, *op.cit.*, pp. 75-76.
35. For a detailed description of the process of legislation drafting by the government and its competent ministries, see Melissas, “The Pre-parliamentary legislative process – the informal legislator”, *op.cit.*, pp. 92-95.

36. Melissas, “The Pre-parliamentary legislative process – the informal legislator”, *op.cit.*, pp. 31-32.
37. Kaminis, “The Greek Parliament: The Challenge of Upgrading”, *op.cit.*, p. 184.
38. Vouli ton Ellinon, “Erevna gia tin Vouli ton Ellinon apo tin Kapa Research” [Survey for the Greek Parliament by Kapa Research], press release, Athens, 9 July 2008. It can be accessed at: [http://www.epr.gr/release-pdf.php?press\\_id=124554](http://www.epr.gr/release-pdf.php?press_id=124554) [accessed in September 2010].
39. Articles 1, 62 Constitution (Bulgaria), Law 8417/1998 (Albania), Art. 8 of the Constitution (FYROM), Art. 2, Constitution (Serbia).
40. Albanian Law on Information, 8503/1999, Article 45, Constitution of Bulgaria.
41. Serbian Law on Free Access to Public information, 54/07.
42. For the website addresses please refer to the bibliographical notes at the end of the paper.
43. Articles 132-192, Rules of Procedure of the Parliament. See Zhidas Daskalovski, “Open Parliaments: The Case of Macedonia”, *Open Parliaments – Transparency and Accountability of Parliaments in South-East Europe*, edited by Daniel Smilov, Sofia, Friedrich Ebert Foundation, 2010.
44. Elira Zaka, “Open Parliaments: The Case of Albania”, *Open Parliaments – Transparency and Accountability of Parliaments in South-East Europe*, Sofia: Friedrich Ebert Stiftung, 2010.
45. Robert Bideleux, “Post Communist Democratisation: Democratic politics as the Art of Impossible?”, *The Review of Politics*, Vol. 71, 2009, p. 308.
46. Romanian Law, no 189/1999. See Elena Iorga, “Open Parliaments: The Case of Romania”, *Open Parliaments – Transparency and Accountability of Parliaments in South-East Europe*.
47. Ruzha Smilova & Daniel Smilov, “Open Parliaments: The Case of Bulgaria”, *Open Parliaments – Transparency and Accountability of Parliaments in South-East Europe*, Sofia: Friedrich Ebert Stiftung, 2010.
48. The other two are the ‘time-limited’ legitimate aims justifying exception such as the national security, and the ‘harm-test’. Memorandum on the Albanian Law on the Right to Information on Official Documents, OSCE, London, September 2004, available at: [http://www.osce.org/documents/rfm/2004/09/3760\\_en.pdf](http://www.osce.org/documents/rfm/2004/09/3760_en.pdf) [accessed in September 2010].
49. *Ibid*, p. 2.
50. FYROM, Parliament RSOP available at: [www.sobranie.mk/WBStorage/Files/Delovnik\\_Sobranie.pdf](http://www.sobranie.mk/WBStorage/Files/Delovnik_Sobranie.pdf) [accessed in August 2010].
51. Radoslaw Zubek and Klaus H. Goetz, ‘Performing to type? How State Institutions



- Matter in East Central Europe', in *Journal of Public Policy*, Vo. 30, No. 1, 2010, pp. 1-22.
52. Philip Norton *et al*, "The impact of Democratic Practice on the Parliaments of Southern Europe", *op.cit.*, Leston-Bandeira, "The impact of Democratic Practice on the Parliaments of Southern Europe", *The Journal of Legislative Studies, op.cit.* p. 2.
  53. Katrin Auel, "Introduction: The Europeanisation of Parliamentary Democracy", *The Journal of Legislative Studies*, Vol. 11, No. 3/4, 2005, p. 306.
  54. The Lisbon Treaty has also strengthened the role of COSAC, the collective instrument of European National Parliaments.
  55. Albanian Law 9904/2008.
  56. On the results of the Romanian referendum and a background analysis of the Romanian political system refer to: <http://www.iri.org/explore-our-resources/election-watch/romania-post-election-watch-december-2009-presidential-election> and <http://mirror.undp.org/magnet/Docs/gov/cis/romania/PRODO.HTM> [accessed in September 2010].
  57. Transparency International, "2009 Global Corruption Barometer report", available at: [http://www.transparency.org/policy\\_research/surveys\\_indices/gcb/2009](http://www.transparency.org/policy_research/surveys_indices/gcb/2009) [accessed in September 2010].
  58. Timothy Hellwig and David Samuels, "Electoral accountability and the Variety of Democratic Regimes", *British Journal of Political Science*, Vol. 38, 2007, p. 68.
  59. Philip Norton and Christina Leston-Bandeira, "The impact of Democratic Practice on the Parliaments of Southern Europe", in *The Journal of Legislative Studies*, Vol. 9, 2003, p. 178.
  60. Joseph V. Julian, "Democratic Consolidation – Revisited", in Slobodan G. Markovih, Eric Becket Weaver & Vukasin Pavlovic (eds.), *Challenges to New Democracies in the Balkans*, Belgrade, Cigoja Press, 2004, p. 31.
  61. Greek Law 3838/2010.