

**CHARTER ON THE ROLE
OF PARLIAMENTS IN A
FUNCTIONING LIBERAL
DEMOCRACY**

The National Parliaments of the Member States of the European Union and the European Parliament solemnly proclaim the following text as the Charter on the Role of Parliaments in a Functioning Liberal Democracy:

CHARTER ON THE ROLE OF PARLIAMENTS IN A FUNCTIONING LIBERAL DEMOCRACY

European Parliament – Parlement européen

Austria – Autriche – Österreich

National Council – Conseil national – Nationalrat
Federal Council – Conseil fédéral – Bundesrat

Belgium – Belgique – België

House of Representatives – Chambre des représentants
Sénat

Bulgaria – Bulgarie – България

National Assembly – Assemblée nationale – Народно събрание

Croatia – Croatie – Hrvatska

Parliament – Parlement – Hrvatski sabor

Cyprus – Chypre – КΥΠΡΟΣ

House of Representatives – Chambre des représentants – Vouli ton Antiprosopon

Czech Republic – République Tchèque – Česká republika

Senate – Sénat – Senát
Chamber of Deputies – Chambre des députés – Poslanecká sněmovna

Denmark – Danemark – Danmark

Parliament – Parlement – Folketinget

Estonia – Estonie – Eesti

Parliament – Parlement – Riigikogu

Finland – Finlande – Suomi

Parliament – Parlement – Eduskunta

France – France

National Assembly, Assemblée nationale
Senate – Sénat

Germany – Allemagne – Deutschland

Bundestag – Bundestag allemand – Bundestag
Bundesrat – Bundesrat allemand – Bundesrat

Greece – Grèce – ΕΛΛΑΣ

Parliament – Parlement – Vouli ton Ellinon

Hungary – Hongrie – Magyarország

National Assembly – Assemblée Nationale – Országgyűlés

Ireland – Irlande – Éire

House of Representatives – Chambre des représentants – Dáil Éireann
Senate – Sénat - Seanad Éireann

Italy – Italie – Italia

Chamber of Deputies – Chambre des députés – Camera dei Deputati
Senate – Sénat – Senato

Latvia – Lettonie – Latvija

Parliament – Parlement – Saeima

Lithuania – Lituanie – Lietuva

Parliament – Parlement – Seimas

Luxembourg – Luxembourg – Luxemburg

Chamber of Deputies – Chambre des députés

Malta – Malte – Malta

Parliament – Parlement – Kamra tad-Deputati

The Netherlands – Pays-Bas – Nederland

House of Representatives – Chambre des députés – Tweede Kamer
Senate – Sénat – Eerste Kamer

Poland – Pologne – Polska

Sejm – Sejm – Sejm
Senate – Senate – Senat

Portugal – Portugal – Portugal

Assembly of the Republic – Assemblée de la République – Assembleia da República

Romania – Roumanie – România

Chamber of Deputies – Chambre des députés – Camera Deputatilor
Sénat – Senat

Slovakia – Slovaquie – Slovensko

National Council – Conseil National – Národná rada

Slovenia – Slovénie – Slovenija

National Assembly – Assemblée nationale – Državni zbor
National Council – Conseil nationale – Državni svet

Spain – Espagne – España

Congress of Deputies – Chambre des députés – Congreso de los Diputados
Senate – Sénat – Senado

Sweden – Suède – Sverige

Parliament – Parlement – Riksdagen

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PREAMBLE

- A. We – the Conference of Speakers of the European Union Parliaments (hereinafter EUSC) – want to advocate with the "Charter on the Role of Parliaments in a Functioning Liberal Democracy" (hereinafter Charter) for a strong, vibrant, independent, resilient, self-confident, and future-proof liberal parliamentary democracy. At the heart of liberal democracy, as chambers of citizens and as legislators, we want to contribute to this objective, united and determined. We want to develop solutions, find majorities for them and shape our future together.
- B. European liberal democracy is unique, as is the European Union with common values and a common legal order. It unites the peoples of Europe and comprises, at European level, the European Parliament as the only multinational parliament in the world with directly elected members and legislative power, the European Council as body of the heads of state or government, the Council of the European Union as the chamber of the Member States with legislative power, the European Commission as the executive body, and the Court of Justice of the European Union as the supreme judicial body. At the national level, there are the National Parliaments, governments and courts. And there are the democratic institutions at the regional and municipal levels. Together, these four levels of European liberal democracy form the basis for cooperation, decision-making and citizen participation in the democratic process.
- C. However, liberal democracy that has come under pressure, both outside and inside the European Union, due to external influences but also due to undesirable internal developments. On the one hand, we are experiencing more multiple, complex and cross-border challenges at the same time than at any time since 1945: Wars, terrorism, the climate, environmental and energy crises, inflation, migration flows, the pandemic, digitalisation, artificial intelligence, foreign interference, disinformation and misinformation. On the other hand, liberal democracy is challenged by the authoritarianism of some actors who prioritize polarisation, staging, blame, blackmail and blockade over the search for common solutions. Supposedly "simple answers" do not do justice to the complexity of reality. Laws are broken, values are violated, trust is lost and parliaments are weakened. The guarantee of separation of powers, independence of the judiciary, freedom of opinion, media and press is coming under pressure.
- D. The answer to these threats is a strong, vibrant, independent, resilient, self-confident and future-proof liberal democracy. Peace, freedom and democracy cannot be taken for granted. The achievements of one generation can be lost by the next. They must be regained every day. This is a joint task and responsibility that we, as chambers of citizens, want to face together. After all, liberal democracy can only prove its worth if parliaments can fulfil their role and when parliamentarianism is functioning.

- E. In order for us – the parliaments – to preserve, strengthen, further develop and renew liberal parliamentary democracy, confidently and successfully, both inside and outside the European Union, above all we need two things: Firstly, a common understanding of what we mean by liberal democracy, what role we play in it, and what our common goals are. Secondly, we need to implement the political will through our work. This Charter combines both objectives and serves as a compass and guide to the role of parliaments in a functioning liberal democracy. It comprises three chapters, ten key principles, and 30 core elements of parliamentarism. It answers questions such as: Who are we – the parliaments of the European Union? Why is there no liberal democracy without us? What is our role today? How do we work? And what do we need? What do we want to preserve, or renew and carry into the future?
- F. The EUSC on 24-25 April 2023 in Prague welcomed in its conclusions¹ the initiative of the European Parliament in the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (hereinafter COSAC) to jointly advance on the role of parliaments in a functioning democracy and to reflect on possible ways to strengthen modern parliamentarism, with a view to informing the next EUSC about the results on this matter. At the Global Conference to commemorate the International Day of Parliamentarism: Strengthening Parliaments to enhance Democracy, organised by the Spanish Presidency of the Council of the European Union on 30 June to 1 July 2023 in León, the Declaration of León on Parliamentarism² was adopted. In this Declaration, the Speakers supported the initiative aimed at drafting a Charter³ enshrining the fundamental principles and the key elements of modern parliamentarism, consubstantial to liberal democracies, and pledged to continue working on this initiative with a view to the final adoption of this Charter at the EUSC on 21-23 April 2024. The Charter was then addressed at the Plenary Meeting of the LXX COSAC on 26-28 November 2023 in Madrid, as well as at the preceding Meeting of Chairpersons of the COSAC on 17-18 November 2023 in Madrid, further developed [and jointly adopted at the EUSC on 21-23 April 2024 in Palma de Mallorca, ahead of the European Elections on 6-9 June 2024].
- G. Especially in times of multiple challenges and in the midst of a confrontation of systems, facing threats from outside and inside, and a growing loss of trust within society, we want to deepen our cooperation and advocate for liberal parliamentary democracy, argue and justify, support and strengthen it. And we want to encourage citizens to vote for their parliaments in all elections. Because it is the composition of parliaments in a functioning liberal democracy that determines our future.

¹<https://secure.ipex.eu/IPEXL-WEB/download/file/8a8629a88808f839018809fcbdc0009/EUSC%20Prague%20Presidency%20Conclusions%20final%20EN.pdf>

²https://www.congreso.es/backoffice_doc/prensa/notas_prensa/99181_1688138271277.pdf

³The principles of which were outlined in the speech delivered in León by Othmar Karas, First Vice-President of the European Parliament.

CHAPTER I – WHO WE ARE.

01 – First key principle

PARLIAMENTS ARE AT THE HEART OF LIBERAL DEMOCRACY.

- a) Parliaments⁴ are at the heart of liberal democracy and bring together the elected members of the parliaments⁵ who represent the sovereign of the citizens.
- b) Citizens elect the members of parliaments in general, direct, free, equal, secret and fair elections, thereby conferring on them the mandate to represent them in democratic decision-making.
- c) The members of parliaments are sworn to the applicable constitutions, have both clearly defined rights and duties and can organize themselves into political parties or groups.

02 – Second key principle

PARLIAMENTS HAVE CERTAIN POWERS, TASKS AND INSTRUMENTS.

- a) Parliaments have clearly defined powers, functions and tasks and have various parliamentary instruments at their disposal.
- b) Parliaments are responsible for the representation of citizens, legislation, control of the executive, the budget and the democratic discourse.
- c) Parliaments provide a space for public debate and political discourse and ensure transparency, accountability and the respect for minorities.

03 – Third key principle

PARLIAMENTS ARE PART OF THE SEPARATION OF POWERS.

- a) Parliaments, as the legislative branch, are part of the separation of powers among three different branches: The legislative power, the executive power and the judicial power.
- b) The separation of powers must always be fully guaranteed and practiced, independently of each other and in relation to each other.
- c) Functioning parliamentarism is characterized by the intent that the law must not be adapted to politics, but that politics must at all times be adapted to the law.

04 – Fourth key principle

PARLIAMENTS ARE PART OF REPRESENTATIVE DEMOCRACY.

- a) Parliaments are committed to the form of representative democracy.
- b) A functioning parliamentarism is characterized by the pursuit of viable, inclusive, democratic compromises.
- c) Direct and participatory elements of democracy complement representative democracy and are always directed at parliaments as chambers of citizens.

⁴ In accordance with the Stockholm Guidelines, adopted at the Conference of Speakers of the European Union Parliaments (EUSC) on 15 May 2010, the term "parliaments" in this Charter refers to the respective parliaments as a whole, some of which are composed of different chambers (https://secure.ipex.eu/PEXL-WEB/download/file/082dbcc54b222e18014b505220e5365f/The%20Guidelines%20for%20the%20Conference%20of%20Speakers%20of%20EU%20Parliaments_Stockholm_2010.pdf).

⁵ The term "members of parliaments" in this Charter refers to the democratically elected representatives in the parliaments.

CHAPTER II – HOW WE WORK.

05 – Fifth key principle

PARLIAMENTS WORK ON THE BASIS OF DEMOCRATIC DECISION-MAKING.

- a) Parliaments, as chambers of citizens, always have in democratic legislation the final say in decision-making.
- b) There is no democratic decision without the co-decision or consent of parliaments at their respective levels of competence.
- c) Parliaments are not accountable to governments, but governments are accountable to parliaments.

06 – Sixth key principle

PARLIAMENTS WORK IN ACCORDANCE WITH A CLEAR DIVISION OF TASKS.

- a) Parliaments work together, exchange information and adhere to a clear division of tasks in accordance with the applicable treaties, constitutions and laws.
- b) Parliaments act at their respective levels of competence – local, regional, national, European –, which must not be played off against each other.
- c) Parliaments decide at their respective levels of competence, at which the authority and thus responsibility for that decision lie.

07 – Seventh key principle

PARLIAMENTS WORK IN PRESENCE USING DIGITAL POSSIBILITIES.

- a) Parliaments affirm that a vibrant parliamentary democracy requires a parliament in presence.
- b) Parliaments conduct votes, debates and negotiations in presence, unless there are exceptional circumstances or crisis situations.
- c) The complementary use of digital possibilities can contribute to a better understanding between parliaments, to more communication, information exchange and awareness-building, to increased contact with citizens and lower CO2 emissions.

CHAPTER III – WHAT WE NEED.

08 – Eight key principle

PARLIAMENTS NEED SELF-RESPONSIBILITY, COMPREHENSIBILITY, TRANSPARENCY, ACCOUNTABILITY AND INTEGRITY.

- a) Members of parliaments are not bound by any order in the sense of the free mandate and form their opinions freely, independently and on their own responsibility.
- b) Parliaments enable citizens to follow debates and votes transparently, contributing to the understanding and comprehensibility of the democratic decision-making process.
- c) Parliaments have rules of procedure, including rules on transparency, integrity, independence and accountability.

09 – Ninth key principle

PARLIAMENTS NEED RESILIENCE TO THREATS FROM INSIDE AND OUTSIDE.

- a) Functioning parliamentarism requires fact-based and independent information, debates, decision-making and communication activities.
- b) Parliaments build resilience against foreign interference, cyberattacks, disinformation and misinformation to safeguard the democratic discourse and decision-making process at all times.
- c) Parliaments inform each other about common challenges and threats, exchange best practices for possible solutions and join forces to develop and implement them.

10 – Tenth key principle

PARLIAMENTS NEED ADEQUATE ADMINISTRATION, EQUIPMENT AND RESOURCES AS WELL AS WORKSHOPS AND PATHWAYS ON DEMOCRACY.

- a) Members of parliaments need adequate financial, human and material resources in order to be able to exercise their mandate freely, independently and on their own responsibility.
- b) Parliaments ensure the smooth functioning of parliamentary work and support the members of parliaments in their duties through adequate administration, equipment and resources, including a legal service, a scientific research service, a strategic foresight service and communication, information, press and visitor services.
- c) Parliaments advocate for seeing themselves as workshops on democracy as well as to develop pathways on democracy in all capitals between local, regional, national and European levels, using best practices from the National Parliaments of the Member States of the European Union and of the European Parliament.