



Strasbourg, 6 April 2023

CDL-PI(2023)009

Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

QUESTIONNAIRE
ON
BICAMERALISM

For bicameral countries:

Algeria, Austria, Belgium, Bosnia and Herzegovina, Brazil, Canada, Chile, Czechia, France, Germany, Ireland, Italy, Kazakhstan, Mexico, Morocco, the Netherlands, Poland, Romania, Slovenia, Spain, Switzerland, Tunisia, United Kingdom and United States of America.

- 1) Has the country always had a bicameral parliamentary (or congressional) system? If not, from when did the country adopt a bicameral system? Is there a public debate about keeping bicameralism or moving to a unicameral system? Why? What are the terms of the debate? What is the public perception of the usefulness and acceptability (legitimacy) of the second chamber?
- 2) What is the population of the country? What is its size?
- 3) What form of state and form of government has the country? Please provide details with reference to relevant constitutional provisions.
 - a) Unitarian or federal/regional/other form of decentralisation
 - b) Parliamentary, presidential, semi-presidential or mixed
- 4) How many members are in the lower house?
- 5) How many members has the second chamber?
- 6) How are members of the second chamber selected? Please describe:
 - a) direct/indirect/mixed suffrage (if the suffrage is indirect or mixed, who elects or appoints the second chamber?)
 - b) territorial or other criteria
 - i) region/provinces/municipalities/others
 - ii) professional categories/ethnic/age/other
 - c) candidates' independence from/affiliation with political parties
 - d) in case of indirect election, is there an imperative mandate or a similar practice?
- 7) Age. What is the age limit to elect and be elected or appointed to the second chamber? Does it coincide with the lower chamber? Are there other requirements for election than those for members of lower chambers?
- 8) Gender. Are there any requirements to achieve gender parity between men and women in the composition of the second chamber or is there any gender quota system? If so, is there a similar requirement or gender quota system for the lower chamber?
- 9) Term of office or tenure. Duration? Does it coincide with lower chamber? Does the second chamber follow the continuity rule (members are not replaced all at once, new elections concern only part of the chamber at a time)? Can the second chamber be dissolved and if yes, who and how exercises its competences in the meantime? Please report any particularity.
- 10) Congruence. Is it common for the second chamber to have a similar party composition (majority-minority) to that of the lower chamber?
- 11) Status. Are there differences between the legal status of members of the two chambers, and if so, what (e.g., immunity, conflict of interest)?

- 12) Rules of procedure. How are the rules governing the second chamber established? Are they different from the lower chamber's and what are the most relevant differences? Are the internal regulations controlled by the constitutional judge?
- 13) Powers/competences: Are the powers and competences the same in the two chambers (symmetrical bicameralism)? If the bicameralism is asymmetrical, what are the powers of the second chamber? Please describe:
 - i) financial
 - ii) legislative
 - iii) oversight/control
 - iv) other specific powers, in particular as regards constitutional reforms, confidence motions, international treaties, etc.
 - v) interim powers (e. g. in case of dissolution of the first chamber)
 - a) Distinguish issues which are not submitted at all to the second chamber/where the final decision is taken by the first chamber/where the second chamber has a limited veto right etc. Please address these questions the other way round if the second chamber has more powers than the first one.
 - b) Are there specific appointments that must be done solely by the second chamber? If so, the appointment must be done by supermajority/qualified majority/simple majority/absolute majority?
 - c) What kind of parliamentary initiative can the first and second chamber exercise?
 - d) What happens in case of disagreement (in case of asymmetrical as well as of symmetrical bicameralism): how many readings before the final decision? Does a mixed commission meet?
 - e) To which chamber are draft laws and other drafts to be examined by Parliament or the legislature submitted first?
 - f) Is the government responsible to the second chamber (when it is before the first one)?
 - g) Are decisions taken by a joint meeting of both chambers and, in the affirmative, which ones?
 - h) Does the second chamber have a specific role in emergency situations?
- 14) Is there a form of intergovernmental conference of regions in your country (conference of ministers or presidents of regions, Landers, states members of the federations)? Does it interact with the second chamber? How often does it meet? What is its specific relevance?
- 15) Please provide any other relevant observation on the bicameral system of the country.

For unicameral countries:

[Albania](#), [Andorra](#), [Armenia](#), [Azerbaijan](#), [Bulgaria](#), [Costa Rica](#), [Croatia](#), [Cyprus](#), [Denmark](#), [Estonia](#), [Finland](#), [Georgia](#), [Greece](#), [Hungary](#), [Iceland](#), [Israel](#), [Republic of Korea](#), [Kosovo](#), [Kyrgyzstan](#), [Latvia](#), [Liechtenstein](#), [Lithuania](#), [Luxembourg](#), [Republic of Moldova](#), [Monaco](#), [North Macedonia](#), [Montenegro](#), [Malta](#), [Norway](#), [Peru](#), [Portugal](#), [San Marino](#), [Serbia](#), [Slovakia](#), [Sweden](#), [Türkiye](#), [Ukraine](#).

- 1) [Has the country ever had a bicameral parliamentary \(or congressional\) system in the past? If so, in which period? Why was it decided to change into a unicameral system? Is there a public debate about changing to a bicameral system? What are the terms of the debate?](#)
- 2) [What is the population of the country? What is its size?](#)
- 3) [What form of state and form of government has the country? Please provide details with reference to relevant constitutional provisions.](#)
 - a) [Unitarian or federal/regional/other form of decentralisation](#)
 - b) [Parliamentary, presidential, semi-presidential or mixed](#)
- 4) [How many members are in the lower house?](#)