

The Chamber of Regions

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Introduction to debates on:

Are regional interests sufficiently represented through the second chamber of parliaments?

And

Regional strategies for the protection of the environment

Concept papers prepared by the Secretariat

Are regional interests sufficiently represented through the second chamber of parliaments?

In the framework of its 44th Session, the Chamber of Regions will hold a debate on “**Are regional interests sufficiently represented through the second chamber of parliaments?**”. In 2008, the Congress of Local and Regional Authorities examined the role of the second Chamber and contributed to the preparation of a report on [Bicameral systems and the representation of regions and local authorities](#), which was presented at a conference organised jointly with the French Senate and in cooperation with the Parliamentary Assembly of the Council of Europe and the Venice Commission. During summer 2022, the Venice Commission resumed its work on bicameralism and held an exchange of views on the subject with the Chamber of Regions’ Bureau on 23 September 2022. The debate of the March 2023 Congress Session intends to follow up on this work, to have an overview of where Council of Europe member states stand now as far as this matter is concerned.

According to the [Inter-Parliamentary Union](#), Upper houses of Parliaments, or second chambers, exist in 79 countries around the world, 15 of which are member states of the Council of Europe. In most countries, second chambers are aimed at representing territorial authorities and, thus, territorial interests. In fact, one of the main factors influencing the development of second chambers is the constitutional arrangements for decentralisation and regionalisation (whether a state is federal, quasi-federal, or of a different level of decentralisation). The second chambers mainly participate in the national law-making process. Despite the principle of separation of powers, parliaments and parliamentary chambers may also fulfil administrative or judicial functions. The participation of the second chamber in the legislative process, besides the right to propose laws, often means the suspension or absolute veto of bills. This latter instrument is particularly recognised when a bill would have a negative impact on regions.

In this context, it is important to consider how bicameralism, which can be found in countries with different administrative structures and forms of governance, actually ties the central government to the regions and whether there is a need for additional dialogue or consultation mechanisms for territorial interests to be more efficiently and accurately taken into account at the national level.

It is even more important to examine this issue as current trends indicate that second chambers are not on the verge of disappearing. In fact, quite the opposite. 28 new second chambers were established between 1996 and 2012 around the world, including 5 in Europe. All federal and quasi-federal states in Council of Europe member states have a bicameral parliament, and most of the second chambers represent territorial authorities, including in Austria, Belgium, Germany, Switzerland, Italy, and Spain.

While bicameralism can be said to reflect a consensus view of democracy, with second chambers extending the representative role of parliaments by protecting the rights of minority groups and individuals against the possibility of an oppressive majority, second chambers are also under criticism in many aspects. A significant number of second chambers have been accused of neglecting the representation of territorial interests, partly because of their lack of legal powers and partly because of their political dysfunction. Coordination and co-operation between the regional and central levels of government is crucial for the functioning of the regional system, especially when there is a constitutional separation between the legislative competences of the federal government and the regional competences to implement federal

framework legislation and enforce federal legislation. However, for legal or political reasons, it remains questionable to what extent the second chambers are truly effective in representing regional interests.

In fact, some recent events or long-term discrepancies have highlighted the limitations of second chambers' constitutional and historic role. In 2015, for instance, the regional administrative reform in France was criticized by some local and regional elected representatives who argued that their voices had not been heard and their views not taken into consideration. Eventually, this reform led to a complete redrawing of regional borders in France, with some regions being grouped together even though they had little in common in terms of linguistic, historic, and cultural roots. On a different scale, the long-term and still ongoing conflict between the Catalan regional government and the central Spanish government, or between the Corsica regional authorities and the French central government, raise questions as to whether second chambers are a sufficient instrument to represent territorial interests and avoid tensions between regional and national governments, especially in cases where regions have strong demands and deeply rooted regional identities. While these discrepancies are more likely to occur in federal countries, they can also be seen in unitary states, as what really matters is the history of the region and how strongly rooted the regional identity is.

Therefore, the objective of this debate is to examine to what extent, and how sufficiently, regional interests are represented in bicameral structures and second chambers in different Council of Europe member states, and whether other mechanisms exist or may be needed for such representation. The debate also aims to provide a basis for preparing an updated version of the 2008 report by exchanging views on the functions and competences of second chambers.

To sum up, second chambers can act in a complementary and constructive way as guarantors of the quality of democracy and can serve as possible safeguards to prevent arbitrary constitutional and political reforms that undermine our political systems. However, what matters is the role and powers that this second chamber has within the overall institutional framework of a given political system. For this reason, empowering second chambers with sufficient competences and resources and strengthening the dialogue mechanisms between regions and the central government in the most effective way will have a significant impact on the effective and meaningful representation of regional interests in the Upper Houses of Parliaments.

Regional strategies for the protection of the environment

During the 43rd Session of the Congress of Local and Regional Authorities of the Council of Europe, a report was adopted calling for a green reading of the European Charter of Local Self-Government and for consideration to be given to drafting an additional protocol to ensure proper recognition for local and regional authorities' role in the environmental field. The Congress also called for increased citizen participation regarding environmental issues, for greater intermunicipal and inter-regional co-operation and for setting up more environmental protection networks and associations. During the same session, the third volume of the Human Rights Handbook for Local and Regional Authorities on environment and sustainable development was officially adopted by the members of the Congress. The debate on "**Regional strategies for the protection of the environment**", that will be held by the

Chamber of Regions in the framework of its 44th Session, represents a follow-up to these steps, from the viewpoint of the role of regional authorities in the environmental protection.

The ongoing fallout from global warming, loss of biodiversity and pollution poses a serious risk to the enjoyment of basic human rights, including the right to life, health, and private and family life. At both the national and international level, there is a growing recognition of the right to a healthy environment as a fundamental human right. In addition, the United Nations Agenda 2030 and its Sustainable Development Goals are a major tool that the international community and national governments have taken hold of when it comes to the implementation of sustainable policies.

Local and regional authorities have a significant role to play in protecting the right to a healthy environment and in implementing such policies because of their proximity to the everyday lives of their citizens and their responsibility to respond to environmental challenges at the local and regional level. Thus, the examination and analysis of regional strategies to protect the environment should be a primary concern, especially because, according to the United Nations, the achievement of two thirds of SDG targets depends on local and regional authorities' role and action.

As the closest level to the citizens, local and regional authorities bear the primary responsibility for addressing citizens' needs and are best placed to raise awareness of the importance and relevance of the protection of the environment. The objective of the debate is to put the limelight on the contribution of regional authorities to the implementation of responsive and coherent policies to fight climate change and protect the planet. The debate will point out the specific challenges with which regions are confronted when trying to implement sound environmental strategies. Regional authorities must have proper autonomy of action and decision making – which includes proper competences, financial and budget autonomy, and freedom to make decisions on the use of regional resources and planning regional development. Only so can they adapt and anchor their strategies in the local context and dynamics. Congress members and guest speakers might be able to bring up some solutions to the discussion, as they share their grassroots experiences.

The debate is also expected to demonstrate the important role that citizens can play in elaborating and implementing their regions' strategies for the environment and protection of biodiversity. Citizens must always remain at the heart of the action for achieving SDGs and be engaged in decision making on such issues, as they are directly impacted by these decisions. Educating citizens and raising their awareness of sustainable development issues should be a core priority of regional strategies to protect the environment.

Finally, the debate also intends to show that regions must be fully-fledged partners of their national governments to ensure the successful localisation of environmental policies. National and regional governments must work hand-in-hand, as it is impossible to implement a policy nationally if its implementation fails locally. National governments must therefore establish a constant dialogue with regional authorities on implementing environmental-friendly policies, through proper consultation mechanisms. Only then can we achieve meaningful and impactful policies that truly make a difference.

Overall, the debate on “Regional Strategies for the protection of the environment” is intended to demonstrate that regional authorities are a great and necessary vehicle for the implementation of environmental-friendly policies through an inclusive and integrated approach, and to present some best practice examples to the audience, especially when it comes to overcoming the major challenges that regions face.