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The limitation of consecutive terms in elected office

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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**THE LIMITATION OF CONSECUTIVE TERMS
IN ELECTED OFFICE**

COMPARATIVE TABLE

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1. Member States

N°	Member States	OFFICE FOR THE HIGHEST OFFICIALS OF THE EXECUTIVE BRANCH				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
1	Albania	Yes			<p>Article 88 1. The President of the Republic is in every case elected for 5 years, <u>with the right to be reelected only once.</u></p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
2	Algeria		No		<p>Article 74* The duration of the presidential term of office is five (5) years. <u>The President of the Republic can be re-eligible.</u> *Law n°08-19 of 17 Dhu' l-Qa' adah 1429 correspondi ng to 15 November 2008 on constitutional revision (Introduction of <u>the principle of the re-eligibility without limitation of the number of terms.</u>)</p>		No		<p>Article 105 The mandate of the deputy and the member of the Council of Nation is national. <u>It can be renewed</u> and not concurrent with other mandate or function.</p>
3	Andorra	Yes			<p>Article 78 1. The Cap de Govern may not hold office for more than <u>two consecutive complete terms.</u></p>			N/P	
4	Armenia	Yes			<p>Article 50 (...) <u>The same person may not be elected</u> to the office of the President of the Republic <u>for more than two consecutive terms.</u></p>			N/P	

N°	Member States	OFFICE FOR THE HIGHEST OFFICIALS OF THE EXECUTIVE BRANCH				PARLIAMENTARY OFFICE			
		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
5	Austria	Yes			<p>Article 60 (...) (5) The Federal President holds office for six years. <u>Reelection for the immediately following term of office is admissible once only.</u></p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
6	Azerbaijan		No		<p>Article 101 Procedure of elections of the President of the Azerbaijan Republic (...) The former first sentence of para. V: "<u>V. No one can be elected as the President of the Republic of Azerbaijan more than twice.</u>" was deleted in 2009.</p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
7	Belgium			N/P				N/P	
8	Bosnia and Herzegovina	Yes			<p>Article V: Presidency 1. Election and Term. b The term of the Members of the Presidency elected in the first election shall be two years; the term of Members subsequently elected shall be four years. <u>Members shall be eligible to succeed themselves once and shall thereafter be ineligible for four years.</u></p>			N/P	
9	Brazil	Yes			<p>Article 14 Paragraph 5 - <u>The President of the Republic, the State and Federal District Governors, the Mayors</u> and those who have succeeded or replaced them during their terms of office <u>may be reelected for only one subsequent term.</u></p>			N/P	

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
10	Bulgaria	Yes			<p>Article 95 1. The President and the Vice President shall be eligible for <u>only one re-election to the same office.</u> (...)</p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
11	<p>Chile*</p> <p>There is no English version of Chile's Constitution in Codices. The version reviewed is available in: http://www.camara.cl/camara/media/docs/constitucion_politica.pdf.</p>	Yes			<p>Artículo 25 (...). El Presidente de la República durará en el ejercicio de sus funciones por el término de seis años, y <u>no podrá ser reelegido para el período siguiente.</u> No immediate re-election</p>		No		<p>Artículo 47 (...) Las elecciones de diputados y de los senadores que corresponda elegir por votación directa se efectuarán conjuntamente. <u>Los parlamentarios podrán ser reelegidos en sus cargos.</u></p> <p>Parliamentarians may be re-elected.</p>

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
12	Croatia	Yes			<p>Article 95.2 (...) <u>No one shall be elected President of the Republic more than twice.</u></p> <p>NOTE 1: In the CODICES database there is a decision of the Constitutional Court of Croatia (CRO-1997-2-027 11-06-1997 U-VII-700/1997) about the constitutional provision that establishes the limit on number of successive terms to the President of Republic.</p> <p>NOTE 2: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
13	Cyprus			N/P				N/P	
14	Czech Republic	Yes			<p>Article 57 (...) (2) No person may be elected President more than twice in succession.</p> <p>NOTE: There is not provision on this topic about the office of Prime Minister.</p>			N/P	
15	Denmark			N/P				N/P	
16	Estonia	Yes			<p>Article 80 The President of the Republic shall be elected for a term of five years. <u>No person may be elected to the office of President of the Republic for more than two consecutive terms.</u></p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
17	Finland	Yes			<p>Section 54 - Election of the President of the Republic The President of the Republic is elected by a direct vote for a term of six years. The President shall be a native-born Finnish citizen. <u>The same person may be elected President for no more than two consecutive terms of office.</u></p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
18	France	Yes			<p>Article 6 The President of the Republic shall be elected for a term of five years by direct universal suffrage. <u>No one may hold office for more than two consecutive terms.</u></p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
19	Georgia	Yes			<p>Article 70 1. The President of Georgia shall be elected on the basis of universal, equal and direct suffrage by secret ballot for a term of five years. <u>The same person may be elected the President only for two consecutive terms.</u></p> <p>NOTE: There is no provision in this topic about the office of Prime Minister.</p>			N/P	
20	Germany	Yes			<p>Article 54 Election (...) (2) The term of office of the Federal President shall be five years. <u>Reelection for a consecutive term shall be permitted once only.</u></p> <p>NOTE: There is no provision in this topic about the office of Federal Chancellor.</p>			N/P	

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
21	Greece	Yes		N/P	CHAPTER ONE Election of the President Article 30 (...) 5. <u>Re-election of the same person as President is permitted only once.</u> NOTE: There is no provision on this topic about the office of Prime Minister.			N/P	
22	Hungary* *There is no version of Hungary's new Constitution in Codices. The version reviewed is available in the website of NGO "Hungarian Civil Liberties Union": http://tasz.hu/files/tasz/mce/alternative_translation_of_the_draft_constitution.pdf	Yes			Article 10 (...) (3) <u>The President of the Republic may not be re-elected to the office more than once.</u> NOTE: There is no provision on this topic about the office of Prime Minister.			N/P	
23	Iceland			N/P				N/P	
24	Ireland	Yes			Article 12 (...) 3. 1o The President shall hold office for seven years from the date upon which he enters upon his office (...). 2o <u>A person who holds, or who has held, office as President, shall be eligible for re-election to that office once, but only once.</u> NOTE: There is no provision on this topic about the office of Prime Minister.			N/P	

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
25	Israel	Yes			<p>Basic Law: The President of the State (...) 3. (a) The President of the State shall be elected by the Knesset for seven years. (b) The President will serve for one term only. 4. Eligibility Every Israeli national who is a resident of Israel is qualified to be a candidate for the office of President of the State.</p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
26	Italy			N/P				N/P	
27	Korea, Republic	Yes			<p>Article 70 [Term] The term of office of the President is five years, and the President cannot be reelected.</p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
28	Kyrgyzstan	Yes		N/P	<p>Article 61 (...) 2. One and the same person may not be elected President twice.</p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
29	Latvia	Yes			<p>39. The same person shall not hold office as President for more than eight consecutive years.</p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
30	Liechtenstein			N/P			No		<p>Article 47 1) The Representatives shall be elected for four years, provided that the regular elections shall be held in February or March of the year when the fourth year of their mandate ends. Representatives shall be eligible for reelection.</p>

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
31	Lithuania	Yes			Article 78 (...) <u>The same person may not be elected President of the Republic of Lithuania for more than two consecutive terms.</u> NOTE: There is no provision on this topic about the office of Prime Minister.			N/P	
32	Luxembourg* *There is no English version of Luxembourg's Constitution in Codices. The version reviewed is available in the website of Gouvernement du Grand-Duché de Luxembourg: http://www.legilux.public.lu/leg/textescoordonnes/recueils/constitution_droits_de_lhomme/CONST1.pdf			N/P			N/P		

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
33	Malta	Yes			<p>Article 123</p> <p>(1) Save as otherwise provided in this Constitution, where any person has vacated any office established by this Constitution including the office of Prime Minister or other Minister or Parliamentary Secretary, he may, if qualified, again be appointed, elected or otherwise selected to hold that office in accordance with the provisions of this Constitution.</p> <p>(2) Sub-article (1) of this article <u>shall not apply to the office of President</u>, but shall apply to a person appointed to perform the functions of President in accordance with article 49 of the Constitution.</p> <p>(3) Where by this Constitution a power is conferred upon any person or authority to make any appointment to any public office, a person may be appointed to that office notwithstanding that some other person may be holding that office, when that other person is on leave of absence pending relinquishment of the office; and where two or more persons are holding the same office by reason of an appointment made in pursuance of this sub-article, then for the purposes of any function conferred upon the holder of that office the person last appointed shall be deemed to be the sole holder of the office.</p> <p>NOTE: The President of the Republic is thus barred from having a second of office for all time.</p>			N/P	

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
34	Mexico	Yes			Article 83 The President shall begin his term in office on December 1st. and shall remain in charge for a term of six years. Any citizen, <u>who has held the office of President of the Republic</u> , through popular election or as interim, provisional or substitute, <u>shall never, under any circumstance, hold such office again.</u>	Yes			Article 59 <u>Senators and deputies to the Congress of the Union may not be reelected for the immediately following term.</u> Alternate senators and deputies may be elected as incumbents for the immediately following term, provided they have not held office as incumbents; but incumbent senators and deputies may not be elected for the immediately following term as alternates.
5	Moldova	Yes			Article 80 Term of Office (...) (4) <u>No person shall exercise the function of President of the Republic of Moldova for more than two consecutive mandates.</u> <u>NOTE:</u> There is no provision on this topic about the office of Prime Minister.			N/P	
36	Monaco* *There is no complete version of Monaco's Constitution in Codices. The version reviewed is available in the website of Law firm "Riviera Lawyers Monaco": http://www.riviera-lawyers.com/en-lawyer-attorneys-avocat-constitution-monaco-entite-1.html			N/P				N/P	

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
37	Montenegro	Yes			<p>Article 97 - Mandate (...) The same person may be elected the President of Montenegro maximum two times. (...).</p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
38	Morocco			N/P				N/P	
39	Netherlands			N/P				N/P	
40	Norway		No	N/P			No	N/P	
41	Peru	Yes		N/P	<p>Article 112 The presidential mandate is for five years. There is no immediate reelection. Ex-president may run again following at least one constitutional term subject to the same conditions</p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	
42	Poland	Yes		N/P	<p>Article 127 (...) 2. The President of the Republic shall be elected for a 5-year term of office and <u>may be re-elected only for one more term.</u></p> <p>NOTE: There is no provision on this topic about the office of Prime Minister.</p>			N/P	

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
47	Serbia	Yes			Article 116 – Term of office (...) <u>No one shall be elected to a position of the President of the Republic more than twice.</u> NOTE: There is no provision in this topic about the office of Prime Minister.			N/P	
48	Slovakia	Yes			Article 103 (...) (2) <u>The same person may be elected President for not more than two consecutive terms.</u> NOTE: There is no provision on this topic about the office of Prime Minister.			N/P	
49	Slovenia	Yes		N/P	Article 103 Election of the President of the Republic (...) The President of the Republic shall be elected for a term of five years and <u>may be elected for a maximum of two consecutive terms.</u> If the term of office of the President of the Republic would otherwise expire during a war or during a state of emergency, that term shall expire six months after the cessation of hostilities or six months after the end of the state of emergency. NOTE: There is no provision on this topic about the office of Prime Minister.			N/P	
50	Spain			N/P				N/P	
51	Sweden			N/P				N/P	

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
52	Switzerland	Yes			<p>Article 174 Federal Government The Federal Government is the highest governing and executive authority of the Confederation.</p> <p>Article 175 Composition and Election 1 The Federal Government shall consist of seven members. 2 The members of the Federal Government shall be elected by the Federal Parliament after each full renewal of the House of Representatives (...)</p> <p>Article 176 Presidency 1 The President of the Confederation shall chair the Federal Government. 2 The Federal Parliament shall elect, for a term of one year, one of the members of the Federal Government as President of the Confederation, and another as Vice- President of the Federal Government. 3 <u>These mandates may not be renewed for the following year.</u> The President of the Confederation shall not be eligible to be Vice-President for the following year.</p> <p><u>NOTE:</u> Since the Presidency of the Swiss Confederation is rotating in an annual cycle among the seven members of the Federal Council, it happens that the same person becomes President of the Confederation several times. There are no restrictions for the re-election of the seven members of the Federal Council (elected for four years).</p>			N/P	
53	"the former Yugoslav Republic of Macedonia"	Yes			<p>Article 80 (...) <u>A person may be elected President of the Republic twice at the most.</u></p> <p><u>NOTE:</u> There is no provision on this topic about the office of Prime Minister.</p>				

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		YES	NO	No provision (N/P)	Constitutional (legislative) provisions	YES	NO	No provision (N/P)	Constitutional (legislative) provisions
54	Tunisia Tunisia' s Constitution has been suspended.								
55	Turkey	Yes		N/P	Article 101 (...) The president's term of office shall be five years. <u>The President of the Republic can be elected to two terms at most.</u> <u>NOTE:</u> There is no provision on this topic about the office of Prime Minister.			N/P	
56	Ukraine	Yes		N/P	Article 103 (...) · <u>One and the same person shall not be the President of Ukraine for more than two consecutive terms.</u> (...) <u>NOTE:</u> There is no provision on this topic about the office of Prime Minister.			N/P	
57	United Kingdom There is no written Constitution in the United Kingdom.			There is no limit on consecutive terms of office.			There is no limit on consecutive terms of office.		

2. Non Member States

N°	States	Status	OFFICE FOR THE HIGHEST OFFICIALS OF THE EXECUTIVE BRANCH			PARLIAMENTARY OFFICE				
			YES	NO	No Provision (N/P)	Constitutional (legislative) provisions	YES	NO	No Provision (N/P)	Constitutional (legislative) provisions
1	Belarus	Associate State Member			N/P			N/P		
2	Argentina	Observer State	Yes			Section 90.- The President and Vice-President shall hold their offices for the term of four years; and they may be re-elected or may succeed each other for only one consecutive term. If they have been re-elected or they have succeeded each other, they cannot be elected for either of these two positions but with the interval of one term.		No		Section 50.- Deputies shall hold office for a term of four years and may be re-elected; but the House shall be renewed by halves every two years; for this purpose those elected for the first legislative session, after meeting, shall draw lots to decide those who shall leave after the first period. Section 56.- Senators shall hold office for a term of six years and may be indefinitely re-elected; but the Senate shall be renewed by one-third of the constituencies every two years.
3	Canada	Observer State			N/P			N/P		
4	Japan	Observer State			N/P			N/P		
5	Kazakhstan	Observer State			N/P			N/P		

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			YES	NO	No Provision (N/P)	Constitutional (legislative) provisions			YES	NO
6	United States of America	Observer State	Yes			<p>AMENDEMENT XXII (1951) Section 1.</p> <p>No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this article becomes operative from holding the office of President or acting as President during the remainder of such term.</p>			N/P	

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			YES	NO	No Provision (N/P)	Constitutional (legislative) provisions	YES	NO	No Provision (N/P)	Constitutional (legislative) provisions
7	Uruguay* *There is no English version of Uruguay's Constitution in Codices. The version reviewed is available in the official website of the Red Académica Uruguay of the Universidad de la República: http://www.rau.edu.uy/uruguay/const97-1.6.htm#1	Observer State	Yes			<p>Artículo 152.</p> <p>El Presidente y el Vicepresidente durarán cinco años en sus funciones, y para volver a desempeñarlas se requerirá que hayan transcurrido cinco años desde la fecha de su cese. Esta disposición comprende al Presidente con respecto a la Vicepresidencia y no al Vicepresidente con respecto a la Presidencia, salvo las excepciones de los incisos siguientes. El Vicepresidente y el ciudadano que hubiesen desempeñado la Presidencia por vacancia definitiva por más de un año, no podrán ser electos para dichos cargos sin que transcurra el mismo plazo establecido en el inciso primero. Tampoco podrá ser elegido Presidente, el Vicepresidente o el ciudadano que estuviese en el ejercicio de la Presidencia en el término comprendido en los tres meses anteriores a la elección.</p> <p>In short: the President is not reeligible immediately and cannot become Vice-President. The Vice-President cannot become President in most cases when he/she exercised the functions of President.</p>			N/P	
8	Palestinian National Authority* National Authority* *There is not any information in Codices database about Palestinian National Authority.	Special status								

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			YES	NO	No Provision (N/P)	Constitutional (legislative) provisions			YES	NO
9	South Africa	Special co-operation status	Yes			88 Term of office of President (...) (2) No person may hold office as President for more than two terms, but when a person is elected to fill a vacancy in the office of President, the period between that election and the next election of a President is not regarded as a term.			N/P	