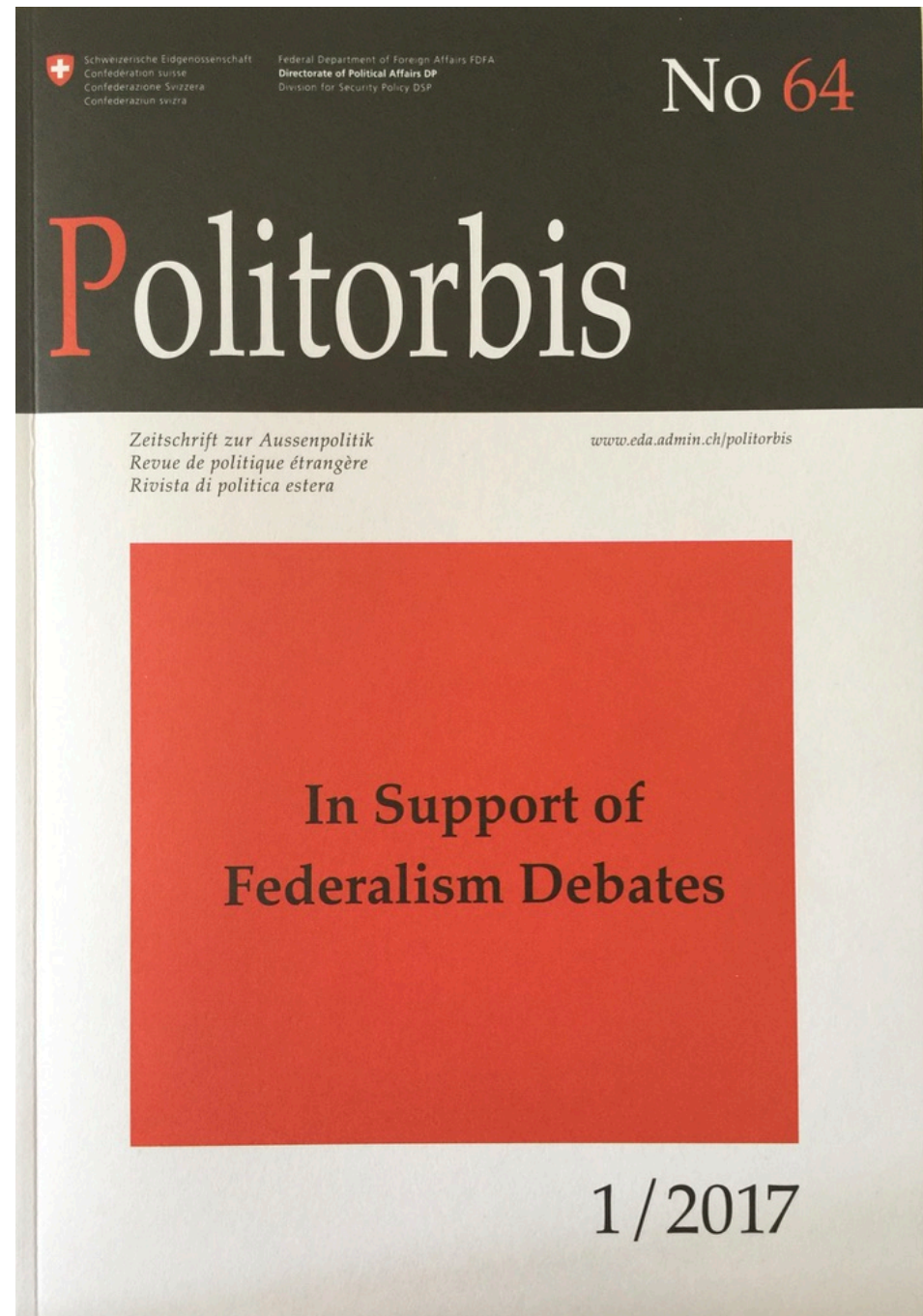


Brownbag Lunch

Welcome

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24.05.2017



Why this publication?

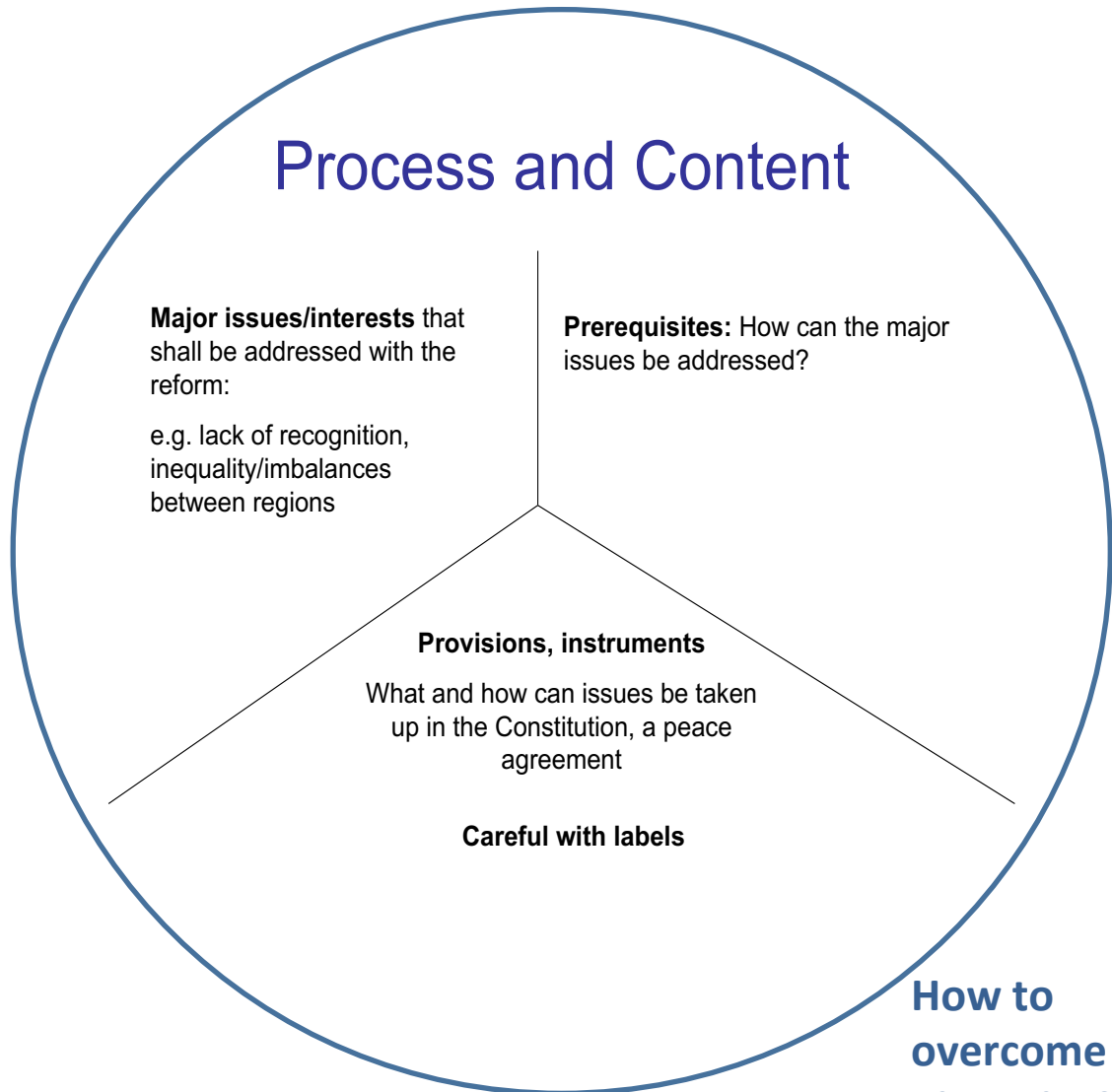
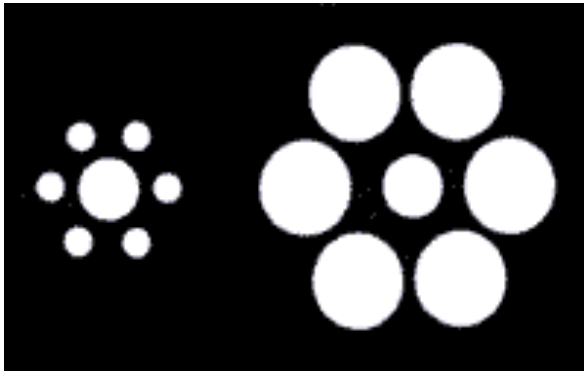
- <https://www.youtube.com/watch?v=pIDKIB6m1CY>
- Nepal, Myanmar, Philippines, Yemen, Libya, Iraq, Sri Lanka...
- Fragility, peace-building, democratization
- Good offices and beyond
- Swiss experience and expertise



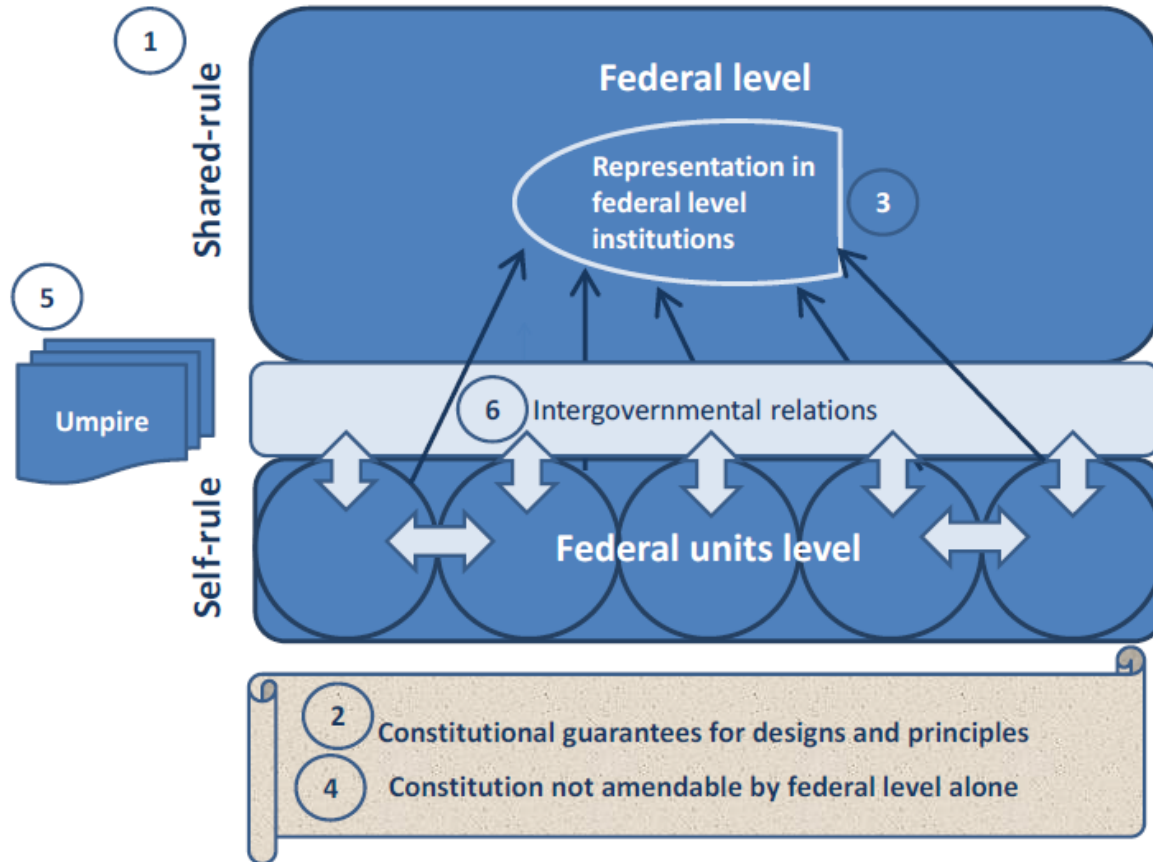
Structure of the report

Concepts: Federalism and
ist alternatives

Context: Frame creates
meaning



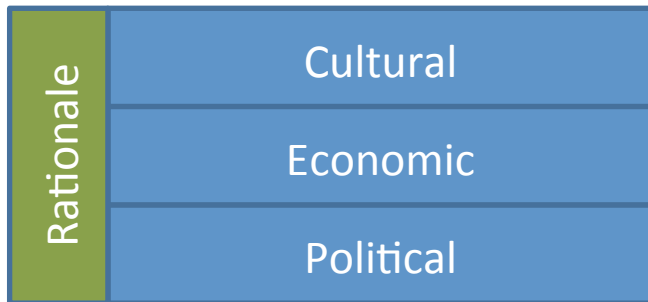
What is federalism?



Variations in federal designs

- Formation by aggregation or de-aggregation
- Personal, culturally based and territorial federalism
- Two-tiered and three tiered federations
- Symmetric and asymmetric federalism
- Integrated and divided federalism
- Federalism in a parliamentary or presidential system
- Executive federalism
- Cooperative and competitive federalism
- Dual and administrative federalism
- Umpire-judicially backed and politically resolved

Rationales and determinants



Alternatives

- Most federalism debates take place in unitary states
 - Main difference: no constitutional guarantee and no guaranteed shared-rule
 - *Territorial approach*:
 - Federation, federacy, confederation, league alliance
 - *Unitary state*: Decentralization, devolution, deconcentration and delegation
 - *Other approaches*: Cultural federation, consociation, multi-culturalism, centripetalism, ethnic nation-state

For the external supporter

- Understanding of historical legacies
- Transparency of historical biases
- Common understanding of terminology
- Reflection on own background
- Advantages and disadvantages of federal design are dependent on further aspects
- Discuss alternatives and additional safeguards until decision is taken



Source: Peter Kirby (2017)

Contexts for Support

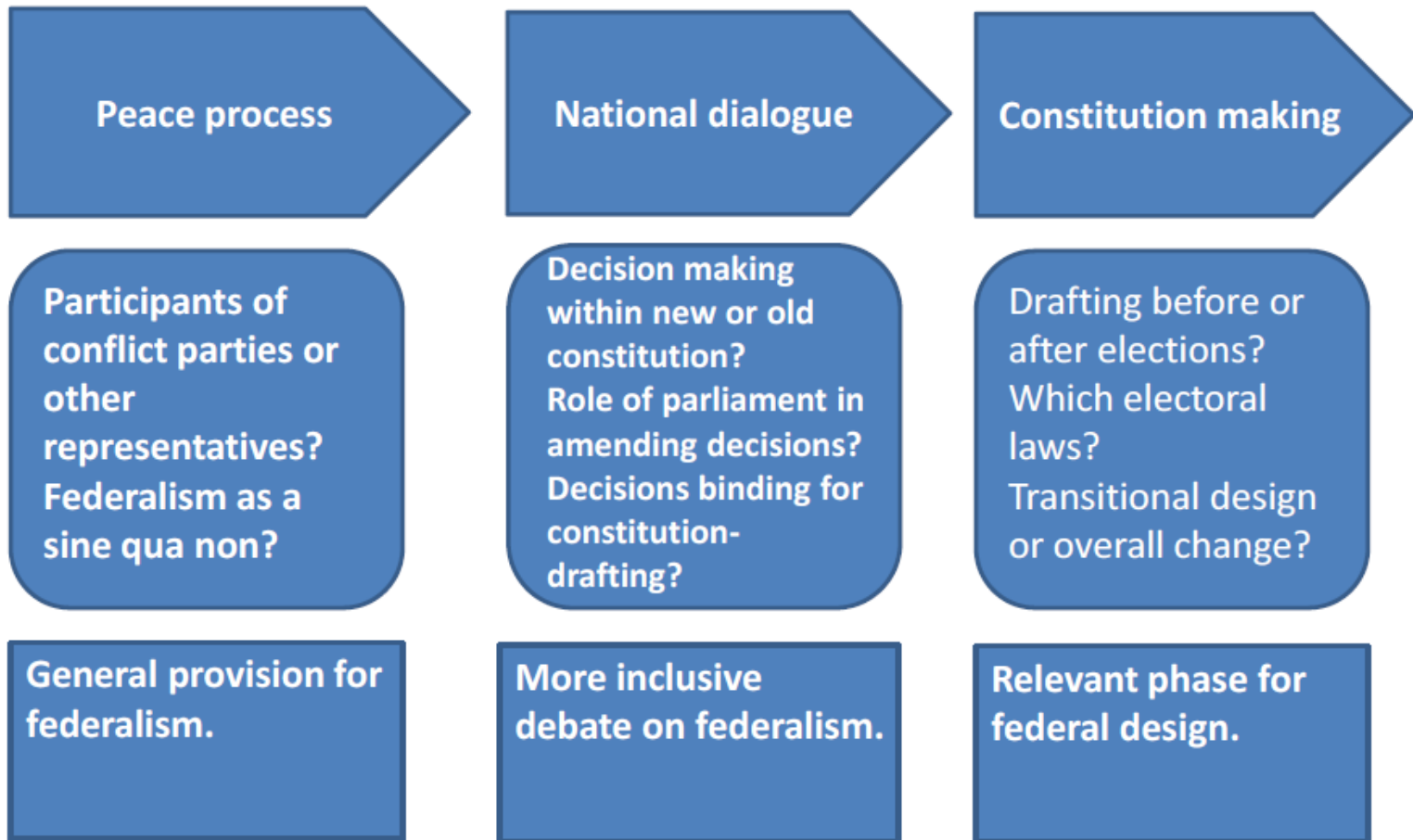
Peace and Statebuilding context

- Change power equation
- Resource allocation
- Address imbalances
- Accommodate groups
- Decision-making
- State capacity

Democratization context

- Deepen democracy
- Enhance inclusiveness
- Boost political participation
- Support accountability

Federalism debates as part of ...



For the external supporter

- **Engage on process**
(sequencing, representation, ...)
- **What are the quality criteria for good processes in the particular context?**
- Federalism debates as trust building
- *Peace and national dialogue processes*: stay at level of principles
- *National dialogues*: attractive but with clear mandate
- *Constitution-making*: is always needed, ownership is crucial

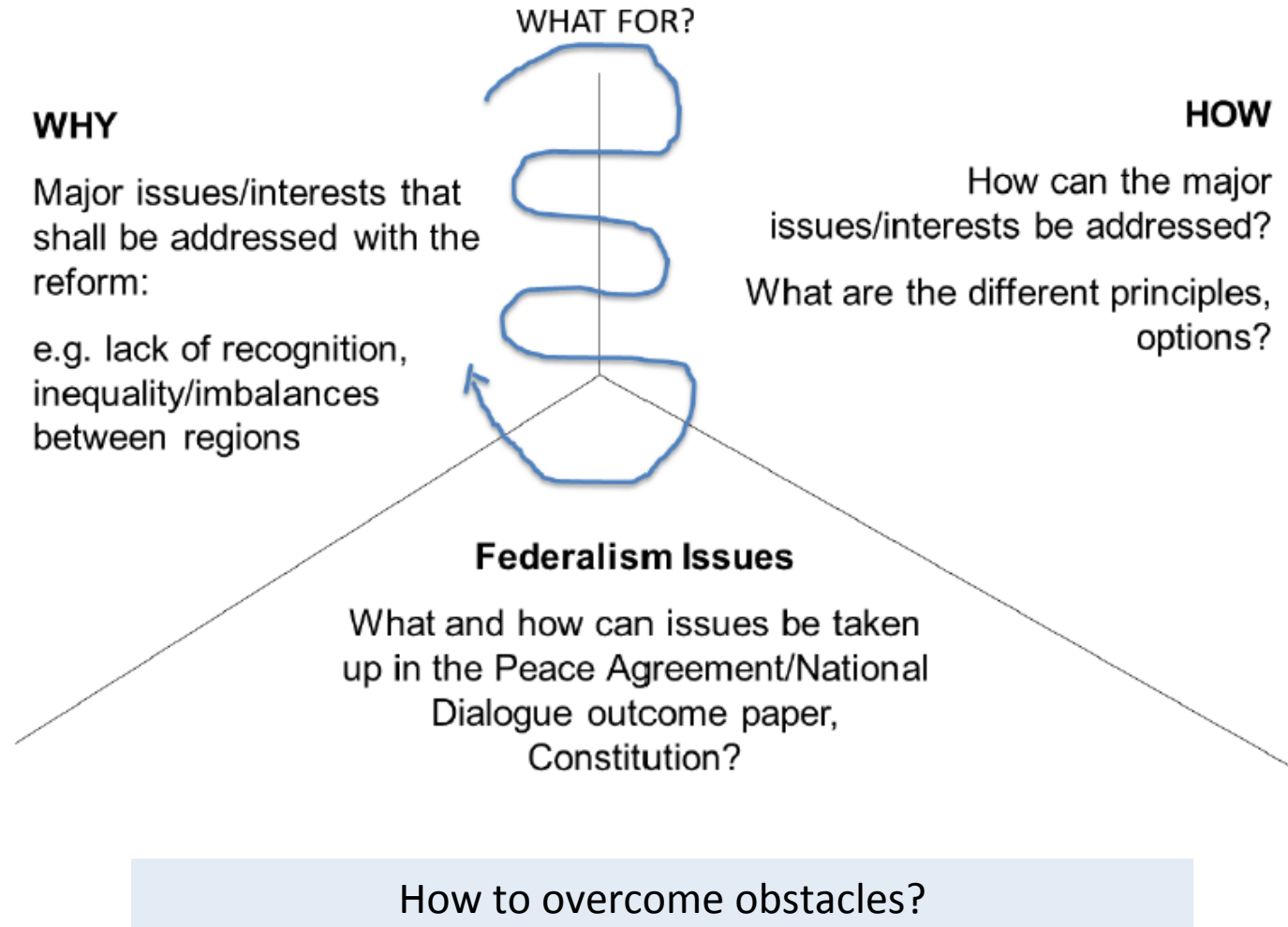


Source: MRCI (2016)

- Who supports? What is our role?
- How inclusive is the process and why?
- What are legitimizing effects of inclusion and exclusion?

Debating on Substance

Process and Substance



For the external supporter

- Vision influences design
- Work on clarifying visions whenever possible
- Do not move to solutions too fast
- Reframe otherwise categorical debates, avoid dividing terminology
- Compromises across topics
- Adding or reducing complexity
- Acknowledge fears and hopes
- Manage expectations
- Work on misconceptions
- Try to provide space for the above

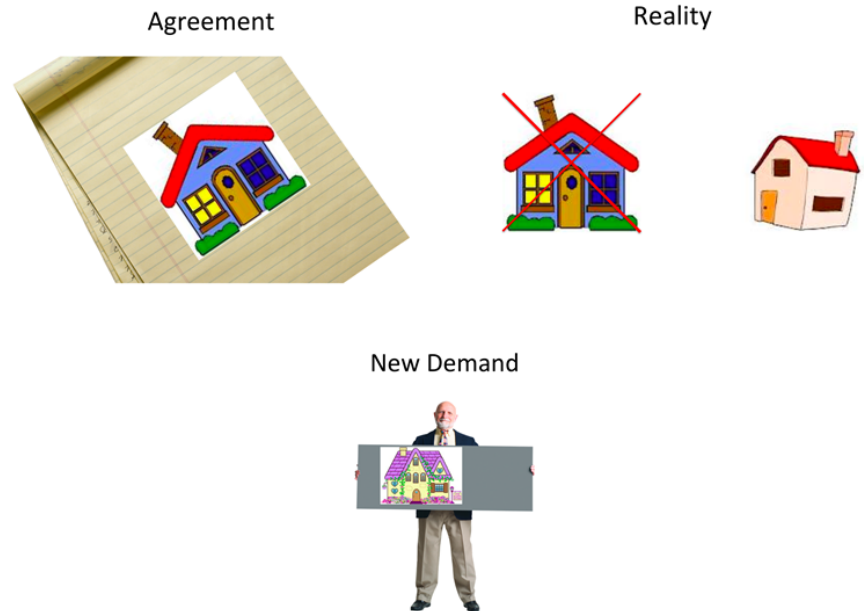


On Substance

- How to demarcate federal units
- How to distribute powers and resources
- What to consider in establishing a second chamber of parliament
- How much importance shall federalism give to ethnic diversity
- Shall federal units have their own Constitution
- Do federal units have a right to self-determination
- When do federations fail
- What aspects of federal design determine how centralized or non-centralized a federation is

After the debate is part of the debate

- Implementation is key
- The process for deciding on federalism will impact on the chance of implementation
- Debates on implementation are a reality check
- Trust-building



Who is doing what when with what kind of resources? What is the plan B?

Coordination, Steering, Monitoring, institutional reform (Parliament, Courts, Public Administration, Commissions, Police), elections, institution-building, alignment of legislation, intergovernmental relations, fiscal arrangements, sector-wide support, dialogue and mediation

We are all yours - almost

