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Areas of Expertise

- Substance expertise with a process perspective
- Power-sharing, federalism, decentralisation, inclusion of non-majority groups
- Constitution-making, state and institution-building

Curriculum Vitae

Nicole Töpperwien is an expert consultant with experience advising on a range of power-sharing issues, including federalism, decentralisation, and the inclusion of non-majority groups, with a focus on conflict and post-conflict situations. She had the opportunity to work on and in different peace and constitution making processes and to experience the challenges of post-agreement implementation. Highlights of her career have been working on the implementation of the Ohrid Framework Agreement as adviser within the Office of the Deputy Prime Minister in Macedonia and accompanying the constitution-making process in Nepal. From March 2012 to March 2013 she served as Senior Power-sharing Expert in the Standby team of experts for the Mediation Support Unit, Department of Political Affairs of the UN. She is co-founder of the Swiss thinktank and consultancy company Ximpulse.

Work:

March 2013- ongoing; **Consulting and Research**

Sept. 2009 – March 2012 for Ximpulse GmbH. Projects focussing on issues of constitution-making and state organisation (**federalism, decentralisation, power-sharing, inclusion of non-majority groups in state institutions and democratic processes, minority protection, conflict transformation**), e.g.

- Support to the Peace- and Constitution.-making process in Nepal (mainly as member of the Swiss expert pool)
- Discussions on power-sharing and federalism in Myanmar
- Elite Interviews on Political Developments in Macedonia
- Review of a project in support of the Macedonian parliament
- Study on options for reform of the Human Dimension Events of the OSCE
- Short assessment of the Constitution of Kyrgyzstan
- Short assessment of decentralisation in Jordan
- Commentary on the Ukrainian Law on Local Referenda
- Short assessment on institutions on community relations in Kosovo
- Preparation of a background paper for the negotiations between two countries considering forming a union

- Preparation of Study Tour Guidelines
 - Design and organisation of Study Tours
 - Teaching at seminars and summer schools on related issues
- March 2012 – March 2013 **Senior Power-sharing Expert, Standby Team of Mediation Experts** for the UN Mediation Support Unit
- with deployments to Nepal, Libya, Mali (Burkina Faso, Cote d'Ivoire, Senegal) and Macedonia and additional work on Somalia, Lesotho, and Myanmar as well as topic related work, including trainings on power-sharing.
- Sept. 2009 **Founding of the Consulting Company Ximpulse GmbH** (www.ximpulse.ch). Ximpulse is specialised in providing consultancy in the fields of state organisation, governance, human rights, mediation and facilitation.
- Oct. 2006 to Sept. 2009 **Consulting and Research**
- for State Concepts. Projects focussing on issues of constitution-making and state organisation (**federalism, decentralisation, power-sharing, inclusion of non-majority groups in state institutions and democratic processes, minority protection, conflict transformation**), including
- Short assessment of the Constitution of Bolivia
 - Report on political implications of decentralisation in Rwanda
 - Evaluation of SDC support to the Parliament of the Republic of Macedonia
 - Evaluation of SDC decentralisation projects in the Ukraine,
 - Commentary on the draft law of administrative territorial reform in the Ukraine,
 - Support for drafting a Law on Communities of Kosovo,
 - Design and organisation of study tours
 - Preparation of Draft Operational Guidance Notes on Federalism and Peace Negotiations as well as on Decentralisation, Autonomy and Peace Negotiations,
 - Conducting a research project on Lessons from the Swiss Experience of Power-Sharing, with a special focus on sharing experiences with countries confronted with conflict, including a methodology for study tours for the Swiss Department of Foreign Affairs.
 - Teaching at seminars and summer schools on related issues
- Oct. 2003 – Oct. 2006 **Adviser for Decentralisation and Public Administration Reform in the Republic of Macedonia** to the Deputy Prime Minister Musa Xhaferrri (as a member of the Swiss Expert Pool, Political Division IV, Swiss Department of Foreign Affairs). Tasks included:
- Advise on various aspects of the implementation of the Ohrid Framework Agreement, including decentralisation and public administration reform (mainly promotion of equitable representation)
 - Input for government proposals, programmes and strategies
 - Input for the drafting of legislation,
 - Contacts to international partners, preparation of meetings and official visits, speech writing.
- 1999 - 2003 **Research Fellow**, from 2002 onwards **Senior Research Fellow** at the International Centre for Research and Consulting, Institute of Federalism, University of Fribourg
- Project manager for the development of a long-term strategy of the Institute of Federalism, including drafting the strategy on Mediation activities.
 - Consulting on federalism, power-sharing and related topics,
 - Project manager of the China focal point,
 - Teaching and participation in international conferences,

- Research projects on federalism and decentralisation.

1996 – 1998 **Assistant** to Prof. Dr. iur. Thomas Fleiner for Constitutional and Administrative Law, University of Fribourg

University/Continued Education:

December 2009	Senior-Level Peacebuilding Course, Starting Right - Enhancing Leadership in Peacebuilding, GCSP/interpeace
2008	Peace Mediation Course (three weeks), Federal Department of Foreign Affairs, Switzerland
January 23, 2002 1998 - 1999	Promotion (Dr.iur. (summa cum laude)) Master of Laws (LL.M.) at the Benjamin N. Cardozo School of Law, New York (best ll.m. student)
1992-1996	Legal Studies (lic.iur.) at the University of Freiburg/Switzerland (magna cum laude)
1979-1992	Primary and high school in Hamburg, Germany

Awards and Appointments:

2006- 2011	Member of the Executive Committee of Gemeinden Gemeinsam Schweiz - Cause Commune
2003-2004	Deputy Secretary General of the International Association of Constitutional Law IACL
July 05, 2003	Gottlob Award 2001/2002 of the Law Faculty of the University of Fribourg, Switzerland
July 05, 2003	Prof. Walter Hug Award , as one of the best legal dissertations in the academic year 2001/2002 that have been accepted with highest grade at a Swiss University
June 13. 1999	Louis-Henkin Award for academic achievement and superior scholarship in the LL.M. program

Publications:

Doctoral Thesis: *Nation-State and Normative Diversity*, Etudes et Colloques No. 35, Publications de l'Institut du Fédéralisme/ Helbing & Lichtenhahn, Diss. Fribourg, Basel et al. 2001.

Further selected Publications:

- *Swiss Constitutional Law*, Co-Author, 2nd ed., Kluwer & Staempfli to be published 2013.
- *From Armed Conflict to Power Sharing*, ISN/ETH Zurich, <http://www.isn.ethz.ch/isn/Current-Affairs/Special-Reports/Power-Sharing-in-Perspective/Analysis>, 2010.
- *Peace Process and Federalism in Nepal*, Co-editor and author of seven chapters of the book, Heidel Press for the South Regional Coordination Office of NCCR North-South, Kathmandu 2009.
- *Power-sharing: Lessons from the Swiss Experience*, Co-author, Politorbis 2/2008.
- *Can Decentralisation Do What Federalism Promises?, Decentralisation as means of conflict management*, in: Miodrag Jovanovic & Kristin Henrard, eds., *Sovereignty and Diversity*, eleven publications 2008, 85.
- *Swiss Constitutional Law*, Co-Author, Kluwer & Staempfli 2005.
- *Switzerland*, Co-author, International Encyclopaedia of Constitutional Law, supplement 63, Kluwer 2005.
- *Participation in the Decision-Making Process as a Means of Group Accommodation*, in Alan G. Tarr, Robert F. Williams, and Josef Marko, (eds.), *Federalism, Subnational Constitutions, and Minority rights*, Westport: Praeger Publishers, 2004, 40 (Deemed in a book review by Jean Leclair, professor at the Faculty of Law, University of Montreal as “the most interesting of all the essays”).
- *Introduction to Federalism, Decentralisation and Conflict Management in Multicultural Societies*, in: Ursula Abderhalden & Raoul Blindenbacher (Eds.), *Future Challenges for Federalism in a Changing*

- World – Learning from Each Other – The Youth Perspective, International Federalism Conference 2002, Langendorf 2003, pp. 111.
- *Balancing Self-Rule and Shared Rule*, Co-author; in: Thomas Fleiner & Lidija Basta Fleiner, eds., *Federalism and Multiethnic States, The Case of Switzerland*, PIFF 16, 2nd ed., Fribourg 2000.
 - *Chancen und Probleme für den schweizerischen Föderalismus im Falle eines EU-Beitritts*, Co-author, in: *Der Beitritt der Schweiz zur Europäischen Union: Brennpunkte und Auswirkung*, Bern 1998.
 - *Die Chancen des Föderalismus begreifen und nutzen, Schweizer Föderalismus - Relikt der Vergangenheit oder Exportartikel?*, based on lectures given for the Exposition: *Geschichte für die Zukunft (History for the Future)*, Willisauer Bote, April 11, 1998, pp. 5-6

Presentations, Inputs, Trainings

Selected Presentations and Inputs:

- 2007, 2008, 2009, 2010, 2011, 2012, 2013 various presentations, inputs, discussions on constitution-making, state organisation, federalism, management of natural resources for interest groups, political parties and actors, civil servants, non-state armed groups.
- June 14, 2011, *Federalism in Nepal*, in the framework of the Swisspeace Roundtable on Nepal, Bern
- November 3, 2010, *Decentralisation and local (good) governance: reforming local governance*, Strathmore Governance Centre, Nairobi, Kenya
- March 31, 2009, *Pitfalls in Constitutional Text*, at a Workshop on the Topic: Implementation of Constitutions for Constitution Builders, organised by International IDEA, März 30 – April 1 2009, Capetown, South Africa.
- Summer 2007, Various presentations on federalism in the Philippines.
- July 5, 2007 *Power-sharing and Natural Resources in Switzerland*, presentation for a Delegation from Nepal, organized by the Swiss Department of Foreign Affairs.
- June 20, 2007, *Conflict Management and Decentralisation in Macedonia*, Consultative Workshop on Sharing and Division of Power on Post-Conflict or Democratic Transitions, approaches, challenges, practical outcomes, organised by International IDEA, Stockholm.
- February 28, 2006, *Notions of Multiethnic States – Switzerland and Macedonia*, presentation at a workshop of the Konrad Adenauer Foundation, Skopje, Macedonia.
- July 8, 2005, *Can Decentralisation Do What Federalism Promises*, presentation at the Conference "Legal and Political Solutions to Disputes over Sovereignty - From Kosovo to Quebec", Belgrade.
- April 21, 2004, *The Ohrid Framework Agreement – some challenges*, presentation for students from the South Eastern University in Tetovo.
- January 14, 2004, *Defining Local Government – Political Constraints and the Question of Boundaries*, VIth World Congress of the IACL in Santiago de Chile.
- April 25, 2002, *Integrating Minorities into the Political Process*, presentation at the Congress on Citizens' Participation as Bedrock of Democracy', Ohrid, April 25 – 28, 2002.
- July 28, 2001, *Participation in the Decision-Making Process as Means of Group Accommodation*, presentation at a Conference on "Federalism, Subnational Constitutions, and the Protection of the Rights of Minorities", Bozen, Italy, organised by the Center for State Constitutional Studies, Rutgers University and the European Academy, Bozen.
- June 1, 2001, *The Relationship between Provinces and Municipalities - an Ongoing Challenge*, presentation at the Conference "Management of provincial Government in a Constitutional State", Stellenbosch, South Africa May 30 - June 1, 2001 organised by the Venice Commission and the Western Cape Provincial Government.

Training/Teaching:

- June 9, 2013, *Power-sharing for Peacemeditators* in the framework of the Peacemediation Course of the Swiss Department of Foreign Affairs (HSD) and the Mediation Support Projects (Swisspeace and ETH)
- December 10, 2012, *Horizontal Power-sharing*, Training for the staff of the Mediation Support Unit of the United Nations.

- June 10, 2012, *Power-sharing for Peacemeditors* in the framework of the Peacemeditation Course of the Swiss Department of Foreign Affairs (PD IV) and the Mediation Support Projects (Swisspeace and ETH)
- May 16, 2011, *Power-sharing for Peacemeditors* in the framework of the Peacemeditation Course of the Swiss Department of Foreign Affairs (PD IV) and the Mediation Support Projects (Swisspeace and ETH)
- July 11 to July 15, 2010, *Negotiating Power-sharing in conflict contexts*, five day workshop at the Summer Academy: The Art of Conflict Transformation: Political Means for Non-violent Conflict Transformation, organised by ICP, Institute for Conflict Transformation and Peacebuilding, Switzerland.
- March 9, 2010, Training on the topic *Power-sharing for Peacemeditors* in the framework of the Peacemeditation Course of the Swiss Department of Foreign Affairs (PD IV) and the Mediation Support Projects (Swisspeace and ETH).
- March 20, 2009, Training on the topic *Power-sharing for Peacemeditors* in the framework of the Peacemeditation Course of the Swiss Department of Foreign Affairs (PD IV) and the Mediation Support Projects (Swisspeace and ETH).
- March 2 and 4, 2009, Training on the Topic *Deciding on and Implementing Federalism*, in the framework of a master course program of the University of Fribourg.
- September 1 to September 5, 2008, *Negotiating Federalism*, at the Summer University of the Institute of Federalism, University of Fribourg.
- June 29 to July 4, 2008, *Swiss Federalism: An export product?*, Interdisciplinary Summer Academy for students of the Schweizerische Studienstiftung.
- April 1 to 2, 2008, *Swiss power-sharing: Options for countries in conflict?* A training workshop for power-sharing experts interested in peace building, by the Swiss Department of Foreign Affairs, organisation as well as participation as moderator and trainer.
- December 4 to 5, 2007, *Federalism and Decentralisation, A training workshop in support of the UN Good Offices and Mediation Activities*, New York, organised by the Swiss Department of Foreign Affairs and the Mediation Support Project (swisspeace), participation as trainer on aspects of federalism and decentralisation.
- September 10 to September 13, 2007, *Negotiating power-sharing mechanisms in a unitary state*, at the Summer University of the Institute of Federalism, University of Fribourg.
- September 4 to September 8, 2006, Co-teaching and Workshops on "*Federalism, Constitutionalism, and Democratic Governance in Multicultural Societies*" at the Summer University of the Institute of Federalism, University of Fribourg.
- July 27 to July 31, 2006 Classes on *Federalism and Direct Democracy* at the Training Seminar on Constitution Making in Asia, organized by IDEA and UNDP, taking place in Bangkok from July 24 to August 4, 2006.
- August 26 – 30, 2002, Dialogue Leader for the topic *Challenges in Federalism, Decentralization and Conflict Management in Multicultural Societies* for the Youth Programme of the International Conference on Federalism, St. Gall.
- May 21 – June 22, 2002, *The Privatization of Constitutional Law*, Intensive Course for students of the Universities of Alabama and of Fribourg, 6h presentations on various aspects of federalism.
- April 25, 2002, *Integrating Minorities into the Political Process*, resource person at the Congress on Citizens' Participation as Bedrock of Democracy', Ohrid, April 25 – 28, 2002.
- September 10-14, 2001 *Workshop* on the Future Status of Serbia and Montenegro during the Summer University at the Institute of Federalism.
- September 11-15, 2000 *Scottish Devolution*, presentation and workshop for the students of the Summer University at the Institute of Federalism.