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Expertise and Impulse for State Organization

Areas of Expertise

- Constitution-making, state and institution-building
- Substance expertise with a process perspective
- Power-sharing, federalism, decentralisation, inclusion of non-majority groups, participatory processes
- Political analysis, policy analysis, conflict sensitivity
- Assessments and evaluations, trainings, policy-oriented research

Curriculum Vitae

Nicole Töpperwien is an expert consultant with more than 20 years of experience advising on constitution-making and a range of power-sharing issues, including federalism, decentralisation, and the inclusion of non-majority groups, with a focus on fragile and conflict affected 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 for decentralization and administrative reform 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 Mediation Experts for the Mediation Support Unit, Department of Political Affairs of the UN. She works with governments and parliaments, governmental and non-governmental organisations. She is co-founder of the Swiss consultancy company Ximpulse. In addition, Ximpulse manages PolitExchange, the Competence Center for Governance Study Visits of the Capital Region Switzerland. Since October 2018 she is Chief Executive Office of the Soliswiss Cooperative.

Work:

Okt. 2018 – ongoing

Chief Executive Office, Soliswiss Cooperative (www.soliswiss.ch)

Management of the Soliswiss Cooperative for Swiss abroad.

Sept. 2009 – ongoing (with a Sabbatical March 2012 – March 2013)

Founding partner, Ximpulse GmbH

(since October 2018, the engagement at Ximpulse is primarily focused on strategic issues and backstopping support).

Projects focussing on issues of constitution-making and state organisation in conflict affected contexts (federalism, decentralisation, power-sharing, inclusion of non-majority groups in state institutions and democratic processes, minority protection, conflict transformation), e.g.

Support to peace-building and institutional reform related to non-majority group accommodation, federalism, decentralization, constitution-making

- Programme development in support of constitutional implementation in Nepal
- Support to the Peace- and Constitution-making process in Nepal
- Support to the peace process in Myanmar
- Discussions on comparative federalism in the Philippines
- Discussions/capacity building on constitutional options for Yemen
- Discussions on decentralization in Zimbabwe
- Commentary on Ukrainian draft Laws on local referenda, merger of local governments, cooperation of local governments
- Options for the negotiations between two countries considering forming a union
- Assessment and support for conflict-sensitive programming and project implementation for a decentralization support programme in Ukraine
- Assessment of a constitution-building support programme of an intergovernmental organization

Support to peace-building and institutional reform related to Parliament

- Development and backstopping of a Parliament support project for UN in Asia
- Preparation of a gender strategy for a Parliament support project.
- Feasibility study for an SDC parliament support project in the Balkans
- Evaluation of a project creating a Parliamentary Institute in the Balkans
- Evaluation of a project establishing constituency relations offices in the Balkans
- Regular interaction with parliamentarians in the framework of support for peace-building and institutional reform, evaluations, assessments and capacity-building.

Political/constitutional assessments

- Assessments of constitution and election related political developments in Nepal for UN
- Elite Interviews on Political Developments in Macedonia
- Short assessment of the Constitution of Kyrgyzstan
- Short assessment of decentralisation in Jordan
- Assessment of Decentralization in Egypt
- Short assessment on institutions on community relations in Kosovo
- Short assessment of the federalism debates in the Philippines

Policy-oriented studies and research

- Study on lessons from external support to federalization processes
- Policy Brief on Power-sharing
- Study on result measurement of good governance outcomes
- Study on Good Global Governance
- Study on options for reform of the Human Dimension Events of the OSCE

Study Visits

- Development of a concept of a competence centre on governance study visits (PolitExchange)
- Preparation of Study Tour Guidelines
- Design and organisation of Study Visits for representatives of government, members of parliament and representatives of civil society

Teaching and trainings

- Various presentations, inputs, discussions on constitution-making, state organisation, comparative and Swiss federalism, management of natural resources for parliamentarians, government representatives, interest groups, political parties and actors, civil servants, non-state armed groups.
- Teaching at summer universities, CAS and master programs as well as other training programs focussing on peace-building and constitution-making, power-sharing, decentralization and federalism, including role plays.
- Participation and presentations in academic and policy-oriented conferences and workshops

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.

Oct. 2006 – Sept. 2009

Consulting and Research for State Concepts as individual consultant

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 Xhaferri

(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**, from 2005 onwards **Associate 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

Support for research and teaching, organization of study visits, development of a computer game on federalism, phd research, participation in international academic conferences.

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	Promotion (Dr.iur. (summa cum laude))
1998 - 1999	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* (with Alexander Mistic), 3rd edition, Kluwer 2018 (forthcoming)
- *In Support of Federalism Debates* (with Andrea Iff), Politorbis No. 64, 01/2017.
- *Participation and Representativeness in constitution-making processes*, in: Constitution Building, A Global Review (2013), International IDEA, Stockholm 2014
- *Swiss Constitutional Law*, (with Thomas Fleiner and Alexander Mistic), 2nd ed., Kluwer & Staempfli 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.