



Institut für Föderalismus
Institut du Fédéralisme
Institute of Federalism

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MESSAGE FROM THE PRESIDENT

In my capacity as President of the ch Foundation, it is my honour to preside over the Institute of Federalism for a second consecutive year. In 2024, the Institute will celebrate its 40th anniversary, a fitting opportunity to pay tribute to the excellence, expertise and scholarly authority of the Institute team. As well as sharing its deep understanding of the law with local governments and other public bodies in Switzerland, the Institute's National Centre produces legal opinions, provides project support and organises events like the Federalism Seminar and the *Journées du Fédéralisme de Fribourg/Freiburger Föderalismus-Tage*. Myriad projects, particularly research on issues surrounding decentralisation and conflict resolution, benefit from the extensive expertise and professional input of the Institute's International Centre, the IRCC. Federalism is, after all, not just a legal concept. It is also an organising instrument for societies which are committed to ensuring unity in diversity.

«Applied federalism» touches on many aspects of everyday life. Take asylum policy, for example. Articles 121 and 121a of the Federal Constitution stipulate that it is a federal responsibility. Yet, the Confederation could not fulfil this constitutional obligation without the involvement of the cantons and communes. The canton of Neuchâtel is home to one of Switzerland's six federal asylum centres which have processing facilities. The centre, in the village of Boudry, is also the largest of the six, and the only one based in French-speaking Switzerland. The premises are owned by the canton but managed by the State Secretariat for Migration (SEM) on behalf of the Confederation. If a resident of the centre falls ill, it is the canton's health services that look after them. The children who live there attend the canton's public schools, and public safety and security matters are handled by the appropriate cantonal agencies. Consequently, federal responsibility intersects with several cantonal and communal remits.

Admittedly, the federal government funds, at least in part, the costs of these delegated tasks. However, peaceful coexistence does not boil down to or can be solved by financial flows alone. It will certainly not have escaped your attention that the local community in Boudry have repeatedly been subject to and decried incivilities committed by a very small minority of individuals living in the nearby federal asylum centre. Events have forced the communal, cantonal and federal authorities to come together (and must continue to do so) in order to come up with joint solutions and meet the legitimate expectations of the host population while

respecting the human rights of those seeking protection and asylum in our country.

These discussions involving all three levels of government bring into sharp focus the notion of «applied federalism», the benefits it generates, the opportunities it presents, and the challenges it creates. Asylum policy may be the responsibility of the Confederation, but this responsibility is inevitably a shared one, especially in the eyes of citizens who care little about the technicalities of which level of government is in charge. In other words, «applied federalism» requires an awareness of the legal powers of every actor concerned and recognition of the social responsibility to collectively address the realities on the ground. This requires each level of government to be involved in those areas where the other levels can derive maximum benefit from the former's particular strengths.

The Confederation has the advantage of being able to access the necessary funds to cover the costs of fulfilling its constitutional obligation. The strength of the commune lies in its direct and constant proximity to the realities on the ground. The canton, for its part, enjoys considerable latitude when it comes to finding innovative solutions, such as community outreach work in and around the village's public spaces and public transport services. Ultimately, a decision was taken to step up public safety and information efforts with a view to improving the situation for the host and guest populations alike. In this instance, «applied federalism» provides the foundations for the creation of a real-life social laboratory in Neuchâtel. The results of this experiment will be ripe for evaluation in a few months' time.

The Boudry example is a reminder that federalism is not just a concept but a lived reality for policymakers and the public.

I hope that through the collective and constructive efforts of all three levels of government, «applied federalism» can continue to nurture social cohesion in Switzerland in 2024 and for years to come.



Florence Nater,
Member of the Cantonal Government, Neuchâtel

1. FOREWORD

The last 12 months have been turbulent and are a cause for concern. In 2023, Switzerland celebrated the 175th anniversary of its first federal constitution. On a much less positive note, the world was convulsed by the wars in Ukraine and the Middle East, not to mention many other conflicts. These developments coupled with long-term challenges like climate change, energy, migration and the future shape of Swiss-EU relations give the impression of a sprawling and permanent crisis. The work carried out by the Institute reflects these global, European and national events. In addition to monitoring current affairs and making sense of them, our mission includes the pursuit of medium- and long-term projects and the advancement of knowledge on federalism's organising principles and their application in a constantly changing context. Through our work, we endeavour to highlight the advantages of a federal system for tackling these challenges, develop practical solutions to complex multilevel governance problems, and assist institutional actors from both Switzerland and abroad by providing them with advice and practical action.

1.1 Evaluating crisis governance

As we reported last year, the Institute is the project lead on two major pieces of research on how the public authorities managed the Covid-19 pandemic. Both projects will use their findings to formulate concrete proposals to improve crisis governance.

On 1 March 2023 we began work on «Improving Swiss Pandemic Governance – How to Strengthen Democracy, Federalism and Human Rights Implementation in Times of Crisis». This project is part of the Swiss National Science Foundation (SNSF) National Research Programme «Covid-19 in Society (NRP 80)». The team, which includes three doctoral students, will analyse the legal and institutional framework underpinning crisis governance and how it was applied during the pandemic. It will also identify weaknesses and gaps in this framework and put forward recommendations to make it more resilient. A stronger framework will enable the competent authorities to make decisions, even under time pressure and in a high-stakes context, which enjoy democratic and constitutional legitimacy, protect human rights effectively and safeguard the autonomy of the cantons and the individual communes. To ensure that no detail is overlooked, and actionable proposals can be formulated, we will liaise with political decision-makers, scrutinise countless reports, seek advice and conduct interviews. We are very grateful to our partners for the extensive support they have already given us. The project will run for three years, and its initial interim findings will be published early next year.

The EU Horizon Project «LEGITIMULT – Legitimate Crisis Governance in Multilevel Systems», which will also run for three years, compares the crisis governance of 31 European countries and assesses the measures taken by international, national and subnational actors during the Covid-19 pandemic. It will use the findings to put forward recommendations on how to improve crisis governance in decentralised states and strengthen the legitimacy of decisions taken during such times. The consortium, which is made up of 11 research institutions including the Institute of Federalism which also serves as scientific coordinator, met in Bergen in May 2023 to present its initial findings and map out the next research phase. These findings are now available to read and download on the project website www.legitimult.eu.

1.2 Two premieres and a relaunch

Democracy demands eternal vigilance. The same is also true of federalism. While constitutions provide for democratic decision-making and the federal separation of powers, these important principles of the state can only flourish if they are constantly reviewed and reformed in line with the prevailing context. It is these considerations that have prompted us to develop new forums that facilitate an evidence-based grasp, examination and remodelling of the specific dynamics of federal systems of government.

Last year, we were able to launch two new major federalism events, which we hope will run for many years to come. The first was the Federalism Seminar. The inaugural event took place between 24 and 26 May 2023 in Schwarzenberg (canton of Lucerne). Together with numerous academics and practitioners, as well as a further 40 or so attendees, we examined the roots and defining features of Swiss federalism before turning our attention to their application in practice. The seminar also provided an excellent networking opportunity for participants, whether from the worlds of academia, public administration, and politics or from the federal, cantonal and communal authorities (see Section 3.1 for more details).

The second premiere was the *Journées du Fédéralisme de Fribourg/Freiburger Föderalismus-Tage*, which took place on 7–8 September 2023. In honour of the 30th anniversary of the Conference of Cantonal Governments (KdK), intergovernmental relations within federal systems was chosen as the theme of the inaugural event. Experts from the fields of law, political science and economics were divided into ad hoc working groups to discuss and debate the historical origins

and development trajectories of intergovernmental cooperation, its significance in political life, both in normal times and in emergencies, as well as its impact on cantonal autonomy, the rule of law and democracy. With a nod once again to the 175th anniversary of the first Swiss Federal Constitution, the evening event on 7 September 2023, which was open to a wider public, focused on the state of the federalism principle today. Following a very inspiring presentation by Professor Reiner Eichenberger, representatives from academia and politics took part in a lively debate on federalism's long-term survival (see Section 3.3).

After a long hiatus, we were finally able to relaunch the Practitioners' Course. Held in summer 2023 in Murten, the course attracted 14 participants and numerous experts, who spent two weeks exploring the subject of local government, what steps could be taken to make it more effective, and how participation at communal level could be strengthened. The course was also attended by experts from the LoGov project, an EU-funded joint research study that explores the challenges of local governance in urban and rural areas. The aim of the course was to combine theoretical knowledge with practical experience in order to give practitioners from a wide range of backgrounds the opportunity to discuss the difficulties they face and jointly find possible solutions to them (see Section 3.2).

1.3 Final farewell to Thomas Fleiner, founder and former director of the Institute

We were deeply saddened to learn of the death of Professor Dr h.c. Thomas Fleiner on 24 November 2023. Professor Fleiner took over the Institute in 1983 when the ch Foundation for Federal Cooperation handed over responsibility for it to the University of Fribourg. It was a position he held until his retirement in 2008. Thanks to his tenacious and courageous commitment, Prof. Fleiner succeeded in establishing a documentation centre for cantonal law, which would later become the National Centre. His expansion drive continued in the 1990s with the creation of the International Centre of Expertise, now the IRCC. Prof. Fleiner was a passionate advocate of federalism and worked tirelessly at home and abroad to ensure that people, regions and countries were able to embrace their diversity and co-exist peacefully. He has left his mark in Switzerland and in many conflict regions around the world and was a formative influence on the people and institutions that came into his orbit. The Institute still benefits today from the work of its founder and

first director. We owe him immense gratitude for his rich legacy and we will continue to honour and cherish his memory.

1.4 Outlook and thanks

The Swiss federal state celebrated its 175th anniversary this year. If federalism as a system of government is to continue to bring peace and prosperity to our country, we must constantly hold it up to scrutiny and improve it. The Institute is committed to playing its part in furthering this cause. We believe that these efforts are needed more than ever, especially at the international level. Countless conflicts, democracies in decline and social polarisation are a reminder of the urgent need to strengthen institutions which promote a culture of subsidiarity and compromise and allow people and regions with different cultures and faiths to live together peacefully and democratically.

With the support of the University of Fribourg, its Law Faculty and the Institute Council under the leadership of Florence Nater, member of the Neuchâtel cantonal government, we look to the future with confidence despite a growing number of worrying signs. With the Federal Assembly's adoption of Motion 19.3008 calling for federal contributions to the Institute's core funding, we hope that its implementation will happen sooner rather than later. Secure funding is vital to ensuring that the Institute can maintain the structures and personnel it needs to pursue its mission of promoting efforts to strengthen and improve federalism in the national and international arena and responding promptly to requests for its services. The legal provisions governing the provision of federal financial support will be put forward for consultation in spring 2024.

We would like to take this opportunity to thank everyone who has helped to make 2023 a successful year for the Institute. First, we would like to thank the members of the Institute Council and its President for their constructive cooperation, the University of Fribourg and its Law Faculty for their generous support, and our partners for the great trust they continue to place in our work. Finally, special thanks go to our staff for their heartfelt commitment and motivation. It is wonderful and inspiring to see so many people pulling together to drive the Institute towards a bright future.

Eva Maria Belser
Bernhard Waldmann
Andreas Stöckli

2. LOOKING BACK AT 2023

2.1 National Centre

The Institute provides a range of what it refers to as «basic services». These include identifying federalism-related questions raised in the academic literature, as well as federalism-related case law and law-making at the federal and cantonal levels. It analyses and evaluates the information it collects and publishes the key findings from these monitoring activities in the quarterly «IFF Newsletter». This year, all three issues presented the latest developments in the world of federalism, commented on case law and academic papers published in 2022, and offered deeper analysis of current and hotly debated issues, such as the introduction of 30 km/h zones in Swiss towns and cities; the future of cantonal and communal regulations on the minimum wage; divergences in cantonal homeschooling regulations and the position of the cantonal banks following the emergency measures taken by the federal government to rescue Credit Suisse.

On 1 March 2023, the Institute launched a research project («Coping with crises: Strengthening democracy, human rights and federalism») funded by the Swiss National Science Foundation and part of its larger National Research Programme «Covid-19 in Society» (NRP 80). The project is scheduled to run for three years and aims to analyse the strengths, weaknesses and gaps in the legal framework for managing epidemiological crises and to develop concrete recommendations for dealing with future pandemics and other crises. The results of the work will be the subject of three doctoral theses. The first set of interim results will soon be published in a series of papers. The scientific advisory board, which supervises the project, has provided the team with invaluable support from the outset.

As regards its applied research activities, 2023 was another busy year for the National Centre. The team produced multiple legal opinions and expert reports, including an analysis of the principle of transparency, its scope of application and limitations for energy providers. The National Centre was also commissioned by the canton of Neuchâtel to carry out an intercantonal comparison of cantonal bank oversight arrangements. In a study commissioned by the Canton of Geneva's *Fondation pour les terrains industriels*, the team examined financial control mechanisms and economic measures that could be applied in industrial zones. Another legal opinion, commissioned by the *Association des communes du district du Lac*, looked at the «Integration of fiscal equalisation criteria in the allocation of public expenditure for intercommunal cooperation in the canton of Fribourg». A major preliminary study on

the legal structure of the egovpartner cooperation organisation was prepared on behalf of the State Chancellery of the Canton of Zurich and egovpartner. In addition, the Road Safety Department in Basel-Landschaft commissioned an expert from the National Centre to examine the legal validity of the popular initiative «30 km/h speed limit for main roads – only with the consent of the people», which was launched in the canton.

Also worth mentioning is the National Centre's participation in an expert group on automated driving set up by the Federal Roads Office (FEDRO), as well as minor clarifications for FEDRO on several constitutional law matters in road traffic law. The National Centre also provided procedural support for an administrative investigation at the University of Bern, and Prof. Andreas Stöckli, one of the Institute's co-directors and member of the National Centre, was elected to the Federal Electricity Commission (ElCom). In 2023, Prof. Stöckli also served as a member of the «Reform of Competition Authorities» independent expert group set up by the Head of the Federal Department of Economic Affairs, Education and Research (EAER), and of the State Secretariat for Education, Research and Innovation (SERI) expert group on the «Positioning of Professional Education Institutions».

It was a busy year for the National Centre with regard to continuing education. It organised and hosted two new events: the Federalism Seminar (see Section 3.1) and the *Journées du Fédéralisme de Fribourg/Freiburger Föderalismus-Tage* (see Section 3.3). It also hosted its annual *Murtner Gesetzgebungsseminare*. Both seminars – legislative methodology and legislative drafting – were, once again, booked out. Members of the National Centre also spoke at a range of continuing education events, conferences and symposia (see Section 5.5 for a detailed list).

2.2 International Centre

For the International Research and Consultancy Centre (IRCC), 2023 brought several positive developments, including a number of new projects. Over the past 12 months, it has succeeded in consolidating and even expanding its myriad consulting, continuing education and research programmes without making any changes to the Centre's existing structures.

In terms of its *consulting activities*, the IRCC launched a new, larger project with the SDC's Horn of Africa desk and the World Bank

in summer 2023. The project focuses on assisting key fiscal federalism actors in Somalia as part of wider efforts to support the country's transition to a federal state. Professor Mark Schelker (Professor of Public Economics at the University of Fribourg) and Sören Keil from the IRCC travelled to Addis Ababa, Ethiopia. During their 10-day stay, they worked with several Somalia representatives on fiscal federalism reforms for the country (see Section 3.4). Members of the IRCC were also involved in various evaluations. For example, Flavien Felder contributed to an evaluation of SDC work in Rwanda, Burundi and the Democratic Republic of the Congo. Our work in Ukraine also continued in 2023 with the launch of a new programme, in partnership with the Swiss Embassy, to strengthen the role of the parliament in Kyiv.

The relaunch of the *Practitioners' Course* in August was undoubtedly a highpoint of the IRCC's continuing education activities in 2023. A total of 14 participants from Europe, Asia and Africa attended the course which this year focused on local governance. We were able to attract many excellent guest speakers. Thanks to our involvement with the EU-funded LoGov project on the urban-rural divide, we were able to invite two notable keynote speakers: Dr Michelle Maziwisar from South Africa and Alexandra Schantl from Austria. For the first time in its history, the *Practitioners' Course* offered participants the possibility of obtaining a Certificate of Advanced Studies (CAS) in Federalism and Local Governance. Three of the 2023 attendees took advantage of this opportunity, becoming the first holders of a CAS issued by the



Practitioners' Course farewell dinner

Institute (see Section 3.2). The IRCC also delivered two federalism seminars for the Spring University in Myanmar and organised training programmes for its other partners. Finally, Professor Eva Maria Belser represented the Institute at the EURAC *Winter School on Comparative Federalism and the African School on Decentralisation*.

Our research activities in 2023 focused squarely on LEGITIMULT – Legitimate Crisis Governance in Multilevel Systems, a project funded by the EU since October 2022 as part of its Horizon Europe programme, and the second «Power-sharing for Peace?» project, supported by the Swiss Network for International Studies (SNIS). In 2023, the LEGITIMULT team published its initial research findings; these are now available from the project website (<https://legitimult.eu/>). The project team, comprising 11 European and North American research partners, also met in Bergen, Norway. They used this time to produce several podcasts, videos and other online content. For its part, the SNIS project deals with power sharing systems in Lebanon, Iraq and Syria. In 2023, the project team conducted several interviews and the project leads met in Istanbul, Turkey. The initial research results were presented at the IPSA (International Political Science Association) conference in Buenos Aires, Argentina.

The Institute team also published widely in 2023. These included an edited collection of academic articles on the impact that the war in Ukraine is having on the EU enlargement process in the Western Balkans (*A Year Later: War in Ukraine and Western Balkan (Geo-) Politics*, European University Institute Press) and two articles on fiscal equalisation (*The Fiscal Equivalence Trap – Don't Decide, Don't Pay, How a Principle of Fiscal Federalism Motivates State Interaction*, and *The Swiss System of Fiscal Equalisation – Balancing Cantonal Tax Autonomy and Federal Solidarity*). Several important articles were also published in our Working Paper Series, including articles on Somalia, local government in Ethiopia, and the federalism debate in Nepal. The IRCC remains a member of key research networks and research associations. In addition, Professor Eva Maria Belser served as a member of the Advisory Board of the IDEA (International Institute for Democracy and Electoral Assistance) in 2023, and was also elected President of the *International Association of Centres for Federal Studies* (IACFS).

The IRCC once again welcomed visiting researchers from around the world. In 2023, scholars from Algeria, Ethiopia, Cameroon,

Colombia, Myanmar, South Africa, Ukraine, Italy, the United Kingdom and Nepal spent time at the Institute. As part of the LoGov project, three visiting researchers spent time in Fribourg, while two members of the Institute team – Dr Verena Richardier and Daan Smeekens – enjoyed a research stay at the Council of Europe in Strasbourg and Melbourne respectively.

3. IN FOCUS

3.1 Inaugural Federalism Seminar

A few years ago, the ch Foundation for Federal Cooperation expressed a desire to create a continuing education platform exclusively given over to federalism. A multipartite structure (consisting of the Council of States, the Federal Office of Justice, the ch Foundation, the Swiss Association of Communes and the Swiss Association of Cities), developed a concept for an ad hoc seminar and commissioned the Institute to implement it. The first seminar was planned for January 2021, but had to be postponed twice due to the Covid-19 pandemic. For the organisers, it was a case of third time lucky: the inaugural Federalism Seminar was held from 24 to 26 May 2023 in Schwarzenberg (canton of Lucerne). More than 40 participants explored the constitutional building blocks of the Swiss federal state and discussed the practical challenges that federal Switzerland currently faces. Following a general introduction to the subject, participants examined a wide range of issues, including the territorial organisation of the federal State; the division of powers and responsibilities; fiscal federalism; federal loyalty; and cooperation on the performance of tasks; and the contribution of the cantons, communes and cities to shaping federal political will. Workshops enabled participants to explore these topics in greater depth using real-life cases (e.g. e-Government and public health care).



Three visiting researchers



Participants of the federalism seminar from 24 – 26 May 2023 in Schwarzenberg (LU)

The seminar was aimed primarily at professionals working for the public authorities and employees of the federal, cantonal, communal and intercantonal administrations, but was also open to politicians, media professionals and anyone with an interest in constitutional law and public policy issues. The speakers were as

diverse as the audience; in addition to the three professors from the National Centre, there were presentations by experts from the worlds of public administration, politics and academia. The seminar ended with a discussion on the challenges of federalism by a panel of federal government, cantonal, communal and city representatives.

The second edition of the Federalism Seminar will be held in Schwarzenberg from 4 to 6 June 2024.

3.2 Practitioners' Course on Federalism, Decentralisation and Local Governance

In 2023, the IRCC relaunched the Practitioners' Course on Federalism, Decentralisation and Local Governance. The theme of this year's course, which was held from 7 to 18 August in Murten, was «Effectiveness and Accountability in Local Governance».

The 14 course participants, from seven different countries, spent the first week listening to presentations on federalism, decentralisation and local administrative structures, and visiting a number of communes in Murten and Fribourg. During the second week, the course focused on different aspects of the tasks performed by the local authorities and how these are handled in Switzerland and other parts of the world.

The field trips included a visit to the *Basler Verkehrs-Betriebe* (a public transport operator in the city of Basel) and the Ostermundigen fire service in the canton of Bern. These were a chance for participants to talk about local and regional cooperation directly with the relevant stakeholders and see for themselves how Basel coordinates its public transport services with not only two cantons but also neighbouring regions in France and Germany. Course attendees also took part in a simulation on intergovernmental relations, which allowed them to apply their newly acquired knowledge and learnings. The course ended on 18 August with a certificate awards ceremony and an enjoyable and entertaining farewell dinner.

Throughout the various lectures, group work, case studies, peer-learning exercises and excursions, the 14 Practitioners' Course participants acquired lots of different skills and practical know-how on federalism and local governance. As well as many memories of their time in Switzerland, participants return home with a ready-made international network of fellow practitioners.

The overall evaluation of the participants was very positive, both with respect to the course's academic content and organisation.

For the first time, the Institute offered Practitioners' Course participants the possibility of combining their attendance with a Certificate of Advanced Studies (CAS). Three attendees – from Nepal, Kenya and Cambodia/Switzerland – seized this opportunity. The CAS programme was divided into two modules: attendance at the Practitioners' Course and the preparation of a project proposal (thesis paper), its development into a final paper and presentation before the other participants. All three passed with flying colours!

The Institute would like to thank the participants, our partners who hosted us and shared their experiences, as well as our sponsors, especially the Federal Department of Foreign Affairs (FDFA) and the Swiss Agency for Development Cooperation (SDC), who were critical in getting the 2023 Practitioners' Course off the ground.



Participants of the Practitioners' Course from 7 – 18 August 2023 in Murten

3.3 Launch of 1st Journées du Fédéralisme de Fribourg / 1. Freiburger Föderalismus-Tage

After lengthy preparations, the first *Journées du Fédéralisme de Fribourg/Freiburger Föderalismus-Tage* (Fribourg Federalism Days) took place at the University of Fribourg on 7 and 8 September 2023. The two-day event was held under the direction of the Institute of Federalism (IFF) in collaboration with the ch Foundation for Federal Cooperation and the Conference of Cantonal Governments (KdK). In a nod to the 175th anniversary of the Federal Constitution, the theme of the opening event on the evening of 7 September was «The long-term survival of federalism». Attendees, who included members of the wider public, listened to opening addresses from Sylvie Bonvin-Sansonnens (member of the Fribourg cantonal government) and Astrid Epiney (Rector of the University of Fribourg), as well as a witty and thought-provoking keynote speech from Reiner Eichenberger, Professor of Economic and Financial Policy Theory at the University of Fribourg, in which he set out the strengths and weaknesses of federalism. He concluded that federalism will undoubtedly survive but called for an overhaul of the federal fiscal equalisation system. According to Prof. Eichenberger, the system in its current iteration undermines federalism and stymies reform. The content of his presentation was also debated in the closing panel discussion featuring Isabelle Chassot (one of the canton of Fribourg's two members of the Council of States), Markus Dieth (member of the Aargau Cantonal Government and President of the KdK), Professor Reiner Eichenberger, Adriano Previtali (Professor of Constitutional and Administrative Law at the University of Fribourg), and Lukas Rühli (research fellow at the Avenir Suisse think tank). Moderated by Fahrettin Calislar (member of the editorial board of the regional German-language daily newspaper *Freiburger Nachrichten*), the discussion on federalism and its challenges was lively and well-informed. The first day ended with a buffet reception and a yodelling-accordion-Schwyzerörgeli performance by the duo Franziska Raaflaub & Gyorgi Spasov, which even led some attendees to take out their dancing shoes!

The Conference of Cantonal Governments (KdK) celebrated its 30th anniversary in 2023. The inaugural *Journées du Fédéralisme de Fribourg/Freiburger Föderalismus-Tage* reflected this milestone event in its choice of theme for the second day of academic debate: «Intergovernmental relations in federal systems». Since its founding, the KdK has established itself as a central pillar of Switzerland's political system and, like many other cantonal directors' conferences, a reliable partner for policymakers. Switzerland now has over 50 national/regional intergovernmental conferences. The

event featured four interdisciplinary panels, chaired by Prof. Bernhard Waldmann, Prof. Eva Maria Belser, Prof. Andreas Stöckli, and Elisabeth Joller (Institute of Federalism). In addition to three background presentations, each panel explored a range of topics, including the historical origins and trajectories of intergovernmental relations, their significance for the political process, their relationship with the federal authorities, their contribution to strengthening cantonal autonomy, their resistance to crises and rule of law and democracy deficits. The 12 highly informative and insightful background presentations were given by respected academic and political figures from Switzerland and abroad. The concluding panel discussion, moderated by Luis A. Maiorini (Institute of Federalism), looked at the future of intergovernmental cooperation in the Swiss federal state. Florence Nater (member of the Neuchâtel cantonal government and President of the ch Foundation), Martin Bühler (member of the Graubünden cantonal government), Andreas Glaser (Professor of Constitutional, Administrative and European Law at the University of Zurich), and Michel Huissoud (former Director of the Swiss Federal Audit Office) eloquently and knowledgeably debated the issue.

The inaugural *Journées du Fédéralisme de Fribourg/Freiburger Föderalismus-Tage* proved to be a success. With close to 100 attendees including federalism scholars, practitioners and other interested parties, the event offered a platform for a fundamental,



1st Journées du Fédéralisme de Fribourg / 1. Freiburger Föderalismus-Tage from 7 – 8 September 2023

in-depth, comparative and interdisciplinary exploration of the challenges of federalism and intergovernmental relations. The organisers intend to share the content and findings of the event to a wider public. They therefore plan to release the conference papers in 2024 as part of the Institute of Federalism publication series, PIFF. Federalism fans can also look forward to the 2nd edition of the two-day event. The theme of the 2024 *Journées du Fédéralisme de Fribourg/Freiburger Föderalismus-Tage*, which will take place on 2 and 3 September at the University of Fribourg, will be «Division of powers and responsibilities in the federal state – In principle and in practice».

3.4 Fiscal federalism discussions in Somalia

In July 2023 the Institute of Federalism embarked on a new partnership with the SDC's Horn of Africa Desk and the World Bank. As part of this cooperation, the Institute will assist discussions in Somalia on constitutional matters and fiscal federalism.

Another contribution made by the Institute to this partnership was a training course for the Intergovernmental Fiscal Federalism Technical Committee (IGFFTC) of the Somali Finance Ministry. It was run by Dr. Sören Keil, Academic Director of the Institute's International Research and Consulting Centre (IRCC) and Professor Mark Schelker, Chair of Public Economics at the University of Fribourg, and co-organised with the World Bank and supported by Somali Finance Minister, Dr. Abdirahman Dualeh Beileh. Held from 30 September to 10 October 2023 in Addis Ababa, Ethiopia, the course was attended by 35 IGFFTC officials and other stakeholders. It was an opportunity for them to deepen their knowledge on different theories of federalism, fiscal federalism and constitutional development, and familiarise themselves with discussions and developments in other countries. In terms of content, there was an external contribution on fiscal federalism discussions in Ethiopia and multiple contributions on Switzerland, Bosnia and Herzegovina, Germany, Nepal and South Africa. The presentations given by Dr. Keil and Prof. Schelker focused on fiscal federalism, the need for strong local governments and the design of fiscal equalisation models. Also, Somali participants discussed the lessons that Somalia could learn from Ethiopia and Switzerland, measures to strengthen local and state capacities and future fiscal equalisation criteria.

The course also included a workshop where officials and stakeholders took part in a simulation exercise in which they had to

make decisions on how to strengthen rights, allocate powers and responsibilities, and ensure the equitable use of resources in a fictitious state. At the end of the workshop, Dr. Keil, Prof. Schelker and the participants talked about the short-, medium- and long-term priorities for Somalia and the IGFFTC in relation to fiscal federalism in general and specifically the transition from a budget that relies heavily on customs revenues and donor contributions to a public budget based on domestic revenue.

The workshop was the first in a series of IFF and IGFFTC workshops and exchanges planned for 2024.



Participants of the IGFFTC at the seminar «Fiscal Federalism and Power-sharing for Somalia» in Addis Ababa

4. ORGANISATION

4.1 Internal developments

At the beginning of the year, the Institute welcomed Markus Dieth, a member of the Aargau cantonal government and President of the Conference of Cantonal Governments (KdK), to the Board as the ch Foundation's representative.

As is customary, the Board convened twice in 2023, first in March and again in November. Both meetings were held at the Institute's premises in Fribourg.

The new organisational arrangements for the library, in which the Institute's two librarians report to the Law Faculty library, are running smoothly, to the satisfaction of all concerned.

The new regulations governing the Law Documentation Centre (formerly the Law Faculty library), came into effect in summer 2023. One provision stipulates that the Institute may appoint a member of staff to the centre's committee. Professor Andreas Stöckli was chosen to represent the Institute.

Five volunteers performed their alternative civilian service at the Institute in 2023, spending a total of 10 months with us. Two assisted the National Centre with the management of the cantons' documentation centre, while the remaining three worked on several IRCC projects.

In August 2023, the Institute team travelled to Neuchâtel for the annual day-out. The group enjoyed a fascinating tour of the city's castle, where they were warmly welcomed by the President of the Institute Council, whose offices are in the historic building.

The Institute also restructured and redesigned its homepage to make it easier for visitors to the website to access the information they need about National and International Centres.

Several offices in Beauregard 1 became vacant during the year. The Institute therefore decided to rent these as well. These additional premises were adapted in line with University specifications and will meet the Institute's short- and medium-term workspace needs.

The accounting changes which came into effect on 1 January 2022 require the Institute to work very closely with the University of Fribourg's finance office. Over the last 12 months, collaboration has become much easier but room for improvement remains.

The SNSF and EU research commissions projects have added a further layer of complexity to the already complex accounting arrangements. The situation has revealed the limitations of financial monitoring as it currently stands. It is imperative that measures are taken to ensure the proper and effective management of the Institute's finances.

Experienced Institute staff increased their workload in 2023 to cover for a member of the Central Services team while she was on paid maternity leave (and extended unpaid leave).

The arrival of a third-year commercial apprentice brought a welcome breath of fresh air to the Institute. One of the primary beneficiaries of his excellent and much appreciated work in 2023 was the Institute's internal accounting activities.



Day trip to Neuchâtel

4.2 Institute Council

At the end of 2023, the members of the Institute Council were as follows:

Chair

Florence NATER, State Councillor and Head of the Department of Labour and Social Affairs of the Canton of Neuchâtel, Representative of the ch Foundation (member since 7.2022)

Vice-Chair

Sylvie BONVIN-SANSONNENS, State Councillor and Head of the Directorate for Education and Cultural Affairs, Canton of Fribourg (member since 11.2022)

Representative of the ch Foundation for Federal Cooperation

Roland MAYER, Managing Director of the ch Foundation for Federal Cooperation (member since 1.2019)

Markus DIETH, Government Councillor, President of the Conference of Cantonal Governments CdC, Head of the Department of Finance and Resources of the Canton of Aargau (member since 1.2023)

Representatives of the University of Fribourg

Martin BEYELER Professor of Public Law (member since 10.2020)

Jacques DUBEY, Professor of Constitutional and Administrative Law (member since 12.2014)

Clémence GRISEL RAPIN, Professor for Administrative Law (member since 6.2020)

Flaminia DAHINDEN, Graduate assistant, Institute for European Law, Representative of the academic mid-level of the University of Freiburg (member since 3.2023)

Alla KUKLEVA, Student representative, Faculty of Law (member since 10.2023)

Other members

Christoph AUER, State Secretary of the Canton of Bern, (member since 12.2017)

Horst SCHÄDLER, Government Secretary, Representative of the Principality of Liechtenstein (member since 11.2022)

Peter MISCHLER, Secretary General of the Conference of Cantonal Finance Directors (member since 12.2015)

Christian RATHGEB, Lawyer, Rathgeb Advokatur (member since 1.2021)

4.3 Staff

Board of Directors



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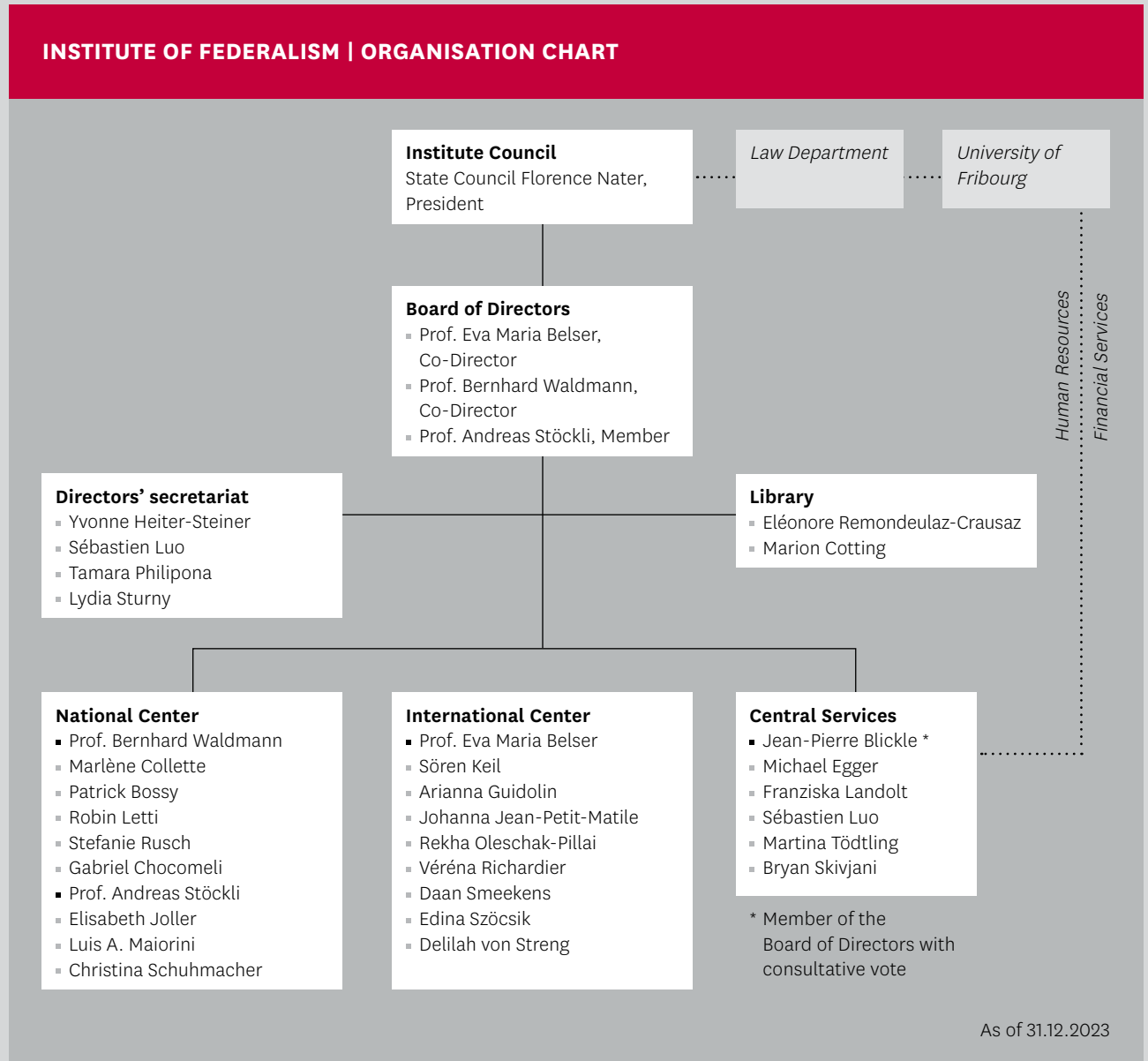


Bryan SKIVJANI

Apprentice (since 1.8.2023)

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4.4 Organisation Chart



5. OVERVIEW OF ACTIVITIES IN 2023

5.1 Research and Publications

EVA MARIA BELSER

- Datenschutz im Zeichen der Pandemie: Erfahrungen und Lehren aus der COVID-Krise, in: Astrid Epiney/Stefanie Havalda/Petru Emanuel Zlătescu (Hrsg.), *Datenschutz und Gesundheitsschutz/ Protection des données et protection de la santé*, Zurich/Geneva 2023, 1–17 (with Robin Beglinger).
- Regional Identities: Promoting Dialogue and Unity in Diversity, *50 Shades of Federalism 2023* (available at <http://50shadesoffederalism.com/policies/regional-identities-promoting-dialogue-and-unity-in-diversity/>) (with Géraldine Cattilaz).
- Secession in Federal Systems: Voice versus Exit, in John Kincaid and J. Wesley Leckrone (eds), *Teaching Federalism: Multidimensional Approaches 2023*, 176–186 (available at: <https://www.elgaronline.com/display/book/9781800885325/book-part-9781800885325-24.xml>), (with Robin Beglinger).
- Wie viel Identität und Homogenität erfordert demokratische Gouvernanz, wie viel Vielfalt lässt sie zu? Gedanken zu den gesellschaftlichen Voraussetzungen demokratischer Verfassungen, in: Peter Schiffauer/Ewald Grothe (eds.), *Gesellschaftliche Voraussetzungen demokratischer Verfassungen*, Berlin 2023, 77–98.

FLORIAN BERGAMIN

- Tempo-30-Zonen – Eine föderalistische Einordnung. Newsletter IFF 1/2023 (with Oliver Gautschi).
- Föderalismusrelevante Bundesgerichtsurteile aus dem Jahr 2022. Newsletter IFF 1/2023 (with Jelena Koc and Marlène Collette).
- Übersicht über die föderalismusrelevante Literatur aus dem Jahr 2022. Newsletter IFF 2/2023 (with Gabriel Chocomeli and Jelena Koç).

PATRICK BOSSY

- «Solarexpress»: Wallis lehnt schnellere Bewilligung ab. Newsletter IFF 3/2023.

GABRIEL CHOCOMELI

- Literatur zum schweizerischen Föderalismus im Jahr 2022: Ein Rückblick (with Florian Bergamin and Jelena Koç).

MARLÈNE COLLETTE

- Le salaire minimum cantonal est-il mort ? Bref aperçu juridique des enjeux de la motion 20.4738 « Protéger le partenariat social contre des ingérences discutables », Newsletter IFF 1/2023.

SÖREN KEIL

- A Year Later: War in Ukraine and Western Balkan (Geo-) Politics. European University Institute Press (published with Jelena Dzankic und Simonida Kacarska).
- Introduction: A Year Later: War in Ukraine and Western Balkan (Geo) Politics. in: Jelena Dzankic/Simonida Kacarska/ Sren Keil (Ed.): *A Year Later: War in Ukraine and Western Balkan (Geo) Politics*, European University Institute Press, 2023, p. 1–5.
- Enlargement Politics Based on Geopolitics? A Proposal for a Geopolitics-Driven Enlargement Policy. in: Jelena Dzankic/Simonida Kacarska/ Sören Keil (Ed.): *A Year Later: War in Ukraine and Western Balkan (Geo)Politics*, European University Institute Press, 2023, p. 117–123.
- Federalism and Power-Sharing as Modes of Diversity Management in Europe in: M.J. Vinod et.al (Ed.): *Cooperative Federalism in South Asia and Europe: Contemporary Issues and Trends*, Routledge 2023, p. 171–188.
- EU Enlargement in Times of Crisis – Strategic Enlargement, the Conditional Principle and the Future of the «Ever Closer Union» in: Mechthild Roos/ Daniel Schade (Ed.): *The EU under Strain? Current Crises Shaping European Union Politics*, Routledge European Union Series, 2023, p. 155–172 (with Bernhard Stahl).
- Between the Balkans and Europe: The State/Nation Problem in the Post-Yugoslav States. in: *Journal of Intervention and Statebuilding*, 17(2)/2023: p. 119–135 (with Bernhard Stahl).
- Europeans From the Start? Slovenia and Croatia between State-Building, National Identity and the European Union' in: *Journal of Intervention and Statebuilding*, 17(2)/2023: p. 136–155 (with Ana Bojnovic Fenko and Zlatko Sabic).
- Decentralization in Armenia: Local Governance Reform and the Need for Functional Decentralization', in: *50 Shades of Federalism*, available at: <https://50shadesoffederalism.com/case-studies/decentralization-in-armenia-local-governance-reform-and-the-need-for-functional-decentralization/> (with Flavien Felder and Astghik Mnatsakanyan).
- Subsidiarität als föderales Prinzip – ein Instrument zur Konfliktlösung? In: *Föderalismusblog des Instituts für Föderalismus*, available at: https://www.foederalismus.at/de/blog/subsidiaritaet-als-foederales-prinzip---ein-instrument-zur-konfliktloesung_283.php.

ROBIN LETTI

- «Die Kantonalbanken und der Public Liquidity Backstop». Newsletter IFF 3/2023.

DAAN SMEEKENS

- 2023 Winter School on Federalism and Governance: A reflection on federalism-induced inequalities, *EUreka!* (2 May 2023), (<https://doi.org/10.57708/b148443125>).

ELLIOTT SHRESTHA

- Newsletter du fédéralisme suisse 2/2023 du juin 2023, Interview de M. Martin Candinas, Président du Conseil national, Institut du fédéralisme.

ANDREAS STÖCKLI

- Öffentliches Verfahrensrecht in a nutshell, Zurich/St-Gall 2023, XXXIII–227 pages (with Mathias Kaufmann).
- Schweizerische Vereinigung für Verwaltungsorganisationsrecht (Ed.), *Jahrbuch 2021/2022, Verwaltungsorganisationsrecht – Staatshaftungsrecht – öffentliches Dienstrecht*, Berne 2023, 258 pages.
- Die negative religiöse Finanzierungsfreiheit, in: René Pahud de Mortanges/Lorenz Engi (Ed.), *In Zeiten der Säkularisierung, Herausforderungen für das Verhältnis von Staat und Religion*, Zurich/Geneva 2023, p. 45–65.
- Neue Entwicklungen, neue Urteile – öffentliches Recht, Ausgewählte «Leitentscheide» zum Planungs- und Baurecht aus den Jahren 2021–2022, in: Hubert Stöckli (Ed.), *Tagungsband Schweizerische Baurechtstagung 2023*, p. 235–257 (with mit Bernhard Waldmann).
- Rechtsprechung des Bundesgerichts, des Bundesverwaltungsgerichts und der kantonalen Gerichte zum Verwaltungsorganisationsrecht, zum Staatshaftungsrecht und zum öffentlichen Dienstrecht von Mitte 2021 bis Mitte 2022, in: *Jahrbuch 2021/2022 der Schweizerischen Vereinigung für Verwaltungsorganisationsrecht*, Berne 2023, p. 83–195 (with Julia Schmid).
- Ausgewählte Entwicklungen im Regierungs- und Verwaltungsorganisationsrecht der Kantone von Mitte 2021 bis Mitte 2022, in: *Jahrbuch 2021/2022 der Schweizerischen Vereinigung für Verwaltungsorganisationsrecht*, Berne 2023, p. 239–258 (with Noah Strobel and Luis A. Maiorini).
- Rechtsprechung zur Baubewilligung, in: *Baurecht 2/2023*, p. 98–101.
- Rechtsprechung zur Baubewilligung, in: *Baurecht 5/2023*, p. 286–291.
- Die aktuelle Praxis im Staats- und Verwaltungsrecht, *Plädoyer 2/2023*, p. 46–52 (with Sabine Cotting).

- *Gesetzessammlung TEXTO Öff. Recht I, Staats- und Verfassungsrecht, Organisationsrecht, Verfahrensrecht, Ausländerrecht, Sicherheitsrecht, Finanzhaushaltsrecht*, 6. Aufl., Basel 2023 (with Peter Hänni, Eva Maria Belser and Bernhard Waldmann).

EDINA SZÖCSIK

- COVID-19 and Legitimate Crisis Governance: The Case of Travel Restrictions in Switzerland, in: *Europäisches Zentrum für Föderalismus-Forschung Tübingen (EZFF) (Ed.), Jahrbuch des Föderalismus 2023. Föderalismus, Subsidiarität und Regionen in Europa*, p. 40–51.
- Lipset and Rokkan's missing case: Introducing the Habsburg Manifesto Dataset. In: *Party Politics*, (with Christina I. Zuber and Philip J. Howe), 2023, p. 1–14.

BERNHARD WALDMANN

- *VwVG, Praxiskommentar Verwaltungsverfahrensgesetz (VwVG)*. 3rd edition, published with Patrick Krauskopf, Zurich/Basel/Geneva 2023.
- *Kommentar zu Art. 18 und 26–28 VwVG*, in: Waldmann/Krauskopf (Hrsg.), *Praxiskommentar VwVG*, 3rd edition, Zurich/Basel/Geneva 2023 (with Magnus Oeschger).
- *Kommentar zu Art. 19 VwVG*, in: Waldmann/Krauskopf (Ed.), *Praxiskommentar VwVG*, 3rd edition, Zurich/Basel/Geneva 2023.
- *Kommentar zu 29–33 VwVG*, in: Waldmann/Krauskopf (Ed.), *Praxiskommentar VwVG*, 3rd edition, Zurich/Basel/Geneva 2023 (with Jürg Bickel).
- *Öff. Recht I, Texto Gesetzesausgabe*, 6th edition, Basel 2023 (with Peter Hänni, Eva Maria Belser and Andreas Stöckli).
- *Politische Werbung auf privatem Grund*, in: Bernard et al. (Ed.), *Le droit au service de l'humanité, Mélanges en l'honneur de Michel Hottelier*, Geneva/Zurich 2023, p. 481–493.
- *Rechtsprechung zum öffentlichen Baurecht, Weitere Urteile zur Raumplanung*, in: *BR 2023*, p. 92–98, p. 280–286 (with Tamara Chantal Wanner).

5.2 Expert Reports

Wissenschaftliche Unterstützung des Verfassungsgebungsprozesses in Syrien, organised by the European Centre for Kurdish Studies Berlin (EZKS) (**Eva Maria Belser** and **Sören Keil**).

The following events took place in 2023:

- «Eine Hand wäscht die andere. Korruption als gesellschaftliche Herausforderung», Workshop (Loccum, 10–13 February 2023).
- «Vielfalt leben: Was kann Syrien von Südtirol lernen?» Studienreise in Kooperation mit EZKS und Eurac Research (Bozen, 8–12 August 2023).

Member of the expert group «Notrecht des Bundesamts für Justiz» (**Eva Maria Belser**).

Member of the Board of Advisors of International IDEA (**Eva Maria Belser**).

Analyse comparative relative aux éventuels mécanismes de contrôle financier ou mesures économiques dans des zones industrielles, avis de droit pour la Fondation des Terrains industriels de Genève, juin 2023 (**Marlène Collette** and **Patrick Bossy**).

Comparaison intercantonale relative à la surveillance par les cantons de leurs banques cantonales, établie à la demande du Département des finances et de la santé de la République et Canton de Neuchâtel, October 2023 (**Marlène Collette**, **Patrick Bossy** and **Robin Letti**).

Review of the «10 Principles of the Lebanese Federal Model and Basic Law and Constitutional Pact for the Federal Republic of Lebanon» for a group of non-governmental organisations from Lebanon (**Rekha Oleschak** and **Daan Smeekens**).

Member of the commission of experts appointed by the head of the EAER «Reform Wettbewerbsbehörden» (**Andreas Stöckli**).

Member of the group of experts appointed by SERI «Positionierung der Höheren Fachschulen» (2021–2023) (**Andreas Stöckli**).

Member of the Swiss Federal Electricity Commission (ElCom) and Chairman of the Commission's Legal Affairs Committee (**Andreas Stöckli**).

Brief expertise concerning «Immobilienpolitik und Finanzkompetenzen im Kanton Basel-Stadt» for the attention of the Liberal Democratic Party of Basel-Stadt (LDP), March 2023, 12 pages (**Andreas Stöckli** and **Max Ammann**).

Legal opinion concerning «Der Einschluss von Finanzausgleichskriterien in die Aufteilung von Lasten der interkommunalen Zusammenarbeit im Kanton Freiburg» for the attention of the municipal association of the lake district, April 2023, 47 pages (**Andreas Stöckli** and **Elisabeth Joller**).

Preliminary study concerning «Rechtliche Struktur der Zusammenarbeitsorganisation egovpartner» for the attention of egovpartner and the State Chancellery of the Canton of Zurich, July 2023, 67 pages (**Andreas Stöckli** and **Elisabeth Joller**).

Legal opinion concerning «Rechtsgültigkeit der kantonalen Volksinitiative «Tempo 30 auf Hauptstrassen – nur mit Zustimmung des Volkes»» for the attention of the Security Directorate of the Canton of Basel-Landschaft, August 2023, 54 pages (**Andreas Stöckli** and **Elisabeth Joller**).

Procedural support for Prof Antonio Loprieno in the context of an administrative enquiry he is conducting at the University of Berne (**Andreas Stöckli** and **Max Ammann**).

Contributions to the Expert Discussions of the Office of the High Representative on the Distribution of State Property in Bosnia and Herzegovina (**Sören Keil** and **Delilah von Streng**).

La portée du principe de transparence dans le domaine de l'approvisionnement en énergie (**Bernhard Waldmann** with **Astrid Epiney**, **Marlène Collette** and **Flaminia Dahinden**).

Participation in the FEDRO expert committee on automated driving (**Bernhard Waldmann** with **Florian Bergamin**).

Individual legal clarifications under the framework agreement with FEDRO: distribution of competences between the Confederation and the cantons in the area of signalling for pedestrian and hiking traffic, legal issues in connection with the unbundling of bicycle routing at intersections, FEDRO's powers to issue ordinances (**Bernhard Waldmann** with **Florian Bergamin** and **Patrick Bossy**).

5.3 Study Tours

27.2. Strasbourg	Study visit of the IRCC to Strasbourg, visiting the European Parliament, the Council of Europe and meeting with the CoE Congress of Local and Regional Authorities (Daan Smeekens, Arianna Guidolin, Sören Keil, Rekha Oleschak, Verena Richardier, and Delilah von Streng)
3.3. Fribourg	Study Mission of a delegation from South Korea, on the subject of «Fiscal Federalism in Switzerland» (Rekha Oleschak)
13.3. Fribourg	Study visit of the current Belgian Minister of the Interior Annelies Verlinden, former Minister Koen Geens and their team on the topic of federalism in Switzerland, democratic renewal and institutional reform. (Eva Maria Belser, Sören Keil and Daan Smeekens)
3.4. Fribourg	Visit by a delegation from the Gangwon Institute, Gangwon Province, South Korea (Eva Maria Belser and Verena Richardier)
1.5. Fribourg	Visit by the President of Botswana, presentation by the President on the topic of «Promoting Democracy for Citizen-Centred Participation in the Digital Age» followed by a roundtable (Eva Maria Belser, Arianna Guidolin and Sören Keil)
20.6. Fribourg	Visit by a delegation of members of parliament from Belgium (Eva Maria Belser, Sören Keil, Daan Smeekens and Delilah von Streng)
1.9. Fribourg	Visit by a delegation from the Ministry of Government Legislation (MOLEG), South Korea (Eva Maria Belser and Delilah von Streng)
31.10. Zurich	World Bank delegation on the topic of «Disaster Risk Management» Presentations on the topics of «Disaster Risk Management in der Schweiz» and «Covid-19 Management in der Schweiz» (Sören Keil and Johanna Jean-Petit-Matile)
15.11. Fribourg	Visit by the Minister for Internal Security, Somalia (Eva Maria Belser and Sören Keil)
7.12. Fribourg	Visit by the Ambassador of the Embassy of Cameroon in Berne. Discussion of possible cooperation with the National School of Local Administration (NASLA) in Cameroon (Eva Maria Belser)
21.12. Fribourg	Study Mission of a delegation from Ethiopia, organised by the FDFA, Africa Division (Eva Maria Belser and Sören Keil)

5.4 Continuing Education

Centre International de Formation Europeene – Master courses on Federalism and Governance, Berlin, Tunis and Nice, January, May, October, November (**Sören Keil**).

Fighting corruption and building state institutions: Expert contribution to the workshop of the European Centre for Kurdish Studies, Loccum (Germany), 10–13 January. (**Eva Maria Belser** and **Sören Keil**).

Seminar for doctoral students, 30 January – 3 February 2023, Center for Federalism and Governance Studies, Addis Ababa University (**Eva Maria Belser**).

Winter School on «Federalism and Equality», 7 February 2023, Innsbruck (**Eva Maria Belser**).

Spring University Myanmar, two modules of 10 lectures each on federalism and power sharing for a Myanmar University, March–August 2023, online (**Eva Maria Belser, Sören Keil, Rekha Oleschak, Verena Richardier, Daan Smeekens, Edina Szöcsik, Delilah von Streng** and **Arianna Guidolin**).

Central Switzerland trainee courses, seminar on administrative procedures, 9–10 March 2023, Cham (**Bernhard Waldmann**).

Murtner Gesetzgebungsseminar, Grundlagenseminar I: Rechtsetzungsmethodik, in cooperation with the Centre for Legislation Studies of the University of Zurich, 22–24 March 2023, Murten (**Bernhard Waldmann**).

Federalism seminar, Weiterbildung zu den Grundlagen und zur Praxis des Schweizerischen Bundesstaates, an event of the Institute of Federalism, in partnership with the Council of States, the Federal Office of Justice, the ch Foundation for Federal Cooperation, the Swiss Association of Communes and the Swiss Association of Cities, Schwarzenberg, 24–26 May 2023 (**Bernhard Waldmann**, with **Eva Maria Belser** and **Andreas Stöckli**).

Constitutional law seminar for (newly elected) members of the cantonal governments, 15 June 2023 (**Bernhard Waldmann**, with **Eva Maria Belser** and **Andreas Stöckli**).

Practitioners' Course on federalism, decentralization and local governance within multilevel systems, 7–18 August 2023, Murten (**Eva Maria Belser, Sören Keil, Rekha Oleschak, Daan Smeekens, Delilah von Streng** and **Arianna Guidolin**).

1st Journées du Fédéralisme de Fribourg on the topic of «Intergovernmental Relations in Federal Systems», 7–8 September 2023 (**Andreas Stöckli, Eva Maria Belser** and **Bernhard Waldmann**).

Introduction to Fiscal Federalism – Training for the Intergovernmental Fiscal Federal Technical Committee in Somalia, Addis Ababa, Ethiopia, 30 September – 10 October 2023 (**Sören Keil**).

«Introduction to the Swiss Constitutional and Public Law», cours donné en anglais dans le cadre du cours bloc Introduction to Swiss Law, octobre 2023 (**Marlène Collette**).

Murtner Gesetzgebungsseminar, Grundlagenseminar II: Erlassredaktion, in cooperation with the Federal Chancellery and the Federal Office of Justice, 15–17 November 2023, Murten (**Bernhard Waldmann**).

Training on the topic of «Applying for EU Horizon Projects» with feedback and input, International Burch University Bosnia, Sarajevo, Bosnia and Herzegovina, 26 November – 1 December 2023 (**Sören Keil**).

5.5 Presentations and Conferences

11.1. Saas Almagell	«In einen Eingriff einwilligen – öffentliches Recht und Privatrecht», Presentation as part of the Skilex 2023 (Eva Maria Belser)
23.1. Berne	«Schweizer Föderalismus im 21. Jahrhundert: Heilsbringer oder Krisenfall?» Participation in a panel discussion, panel Neue Helvetische Gesellschaft Berne, moderated by Jürg Steiner (Eva Maria Belser)
25.1. Fribourg	«Neue Urteile, neue Entwicklungen im öffentlichen Baurecht», Presentation at the Swiss Building Law Conference 2023 (Andreas Stöckli and Bernhard Waldmann)
1.2. Addis Ababa	«Why and how to compare constitutions and federal systems», Presentation as part of a seminar for doctoral students, Center for Federalism and Governance Studies, Addis Ababa University (Eva Maria Belser)
1.2. Fribourg	«Neue Urteile, neue Entwicklungen im öffentlichen Baurecht», Presentation at the Swiss Building Law Conference 2023 (Andreas Stöckli and Bernhard Waldmann)
2.2. Addis Ababa	«Embedding federalism in a broader constitutional/political context: federalism and constitutionalism», Presentation as part of a seminar for doctoral students, Center for Federalism and Governance Studies, Addis Ababa University (Eva Maria Belser)
3.2. Addis Ababa	«Federal Processes in Iraq and Syria», Presentation as part of the seminar Rethinking Democratisation and Federalism in Africa and Middle East, organised by the Center for Federalism and Governance Studies, Addis Ababa University (Eva Maria Belser)
7.2. Innsbruck	«Asymmetric Federalism and the Distribution of Powers», Presentation as part of the Winter School on Federalism and Governance 2023, Federalism and Local Self-Government, organised by Eurac Research and the University of Innsbruck (Eva Maria Belser)
14.2. Stockholm	«Switzerland's Experiences with Direct Democracy», Participation in a meeting of International IDEA (Eva Maria Belser)
20.2. Online	Presentation and discussion, «Review of Constitutional Proposal for a Federal Lebanon» (Rekha Oleschak and Sören Keil)
24. – 25.2. Aachen (DE)	«Federalism and Economic Development», DVPW Section Federalism, Conference – Presentation (Sören Keil and Delilah von Streng)
9.3. – 10.3. Cham	«Verwaltungstätigkeit und Verwaltungsverfahren», «Wiedererwägung und Revision», Presentations at the seminar for administrative procedures as part of the Central Switzerland trainee courses (Bernhard Waldmann)
14.3. Fribourg	«The Swiss System of Federal Power Sharing and Democratic Participation», Presentation as part of a visit by the Minister of the Interior from Belgium (Eva Maria Belser)
16.3. Fribourg	«The Happiest Man in the World», Film talk with Teona Strugar Mitevska and Eva Maria Belser , moderated by Walter Stoffel
17.3. Zug	«Über Bedeutung und Herausforderungen der kantonalen Parlamente», Presentation on the occasion of the celebration «150 Jahre Kantonsrat Zug im Kantonsratssaal» (Andreas Stöckli)
20.3. Fribourg	Meeting of the Scientific Advisory Board of the SNSF NRP 80 research project «Die Bewältigung von Krisen: Demokratie, Menschenrechte und Föderalismus stärken» (Andreas Stöckli , Eva Maria Belser , Bernhard Waldmann , Thea Bächler , Luis A. Maiorini , Johanna Jean-Petit-Matile and Stefanie Rusch)
21. – 23.3. Thun	Participation in the kick-off meeting of the SNSF NRP 80 project «Covid-19 in der Gesellschaft» as part of the SNSF Corona Research Conference (Andreas Stöckli , Eva Maria Belser , Bernhard Waldmann , Thea Bächler , Luis A. Maiorini , Johanna Jean-Petit-Matile and Stefanie Rusch)
22.3. Murten	«Regelungsinstrumente» and «Die Regulierung von Fahrdienstleistungen – Ein Überblick», Presentations at the Murten Legislative Seminar on Legislative Methodology (Bernhard Waldmann)
24.3. Zurich Airport	«Föderalismus in der Schweiz», Presentation at the youth event organised by the KdK and the Canton of Zurich with the cantonal governments (Andreas Stöckli)

30.3. Fribourg	Meeting of the Scientific Advisory Board of the SNSF NRP 80 research project «Die Bewältigung von Krisen: Demokratie, Menschenrechte und Föderalismus stärken» (Andreas Stöckli, Eva Maria Belser, Bernhard Waldmann, Thea Bächler, Luis A. Maiorini, Johanna Jean-Petit-Matile and Stefanie Rusch)
3.4. Fribourg	«Federal history and federal institutions in Switzerland», Presentation as part of a visit by a delegation from the Gangwon Institute, Gangwon Province, South Korea (Eva Maria Belser)
3.–5.4. Liverpool (UK)	Federalism and Power-sharing in Myanmar, Political Studies Association, Conference – Presentation (Sören Keil)
4.4. Lucerne	Participation in the panel discussion «Was läuft in Bern?» on the occasion of the Swiss Energy Forum 2023 on the topic of «Clever & Smart – der Weg zu einer sicheren, CO2-freien Energieversorgung» (Andreas Stöckli)
6.4. Berne	«Soziale Sicherheit und der Anspruch auf Sozial- und Nothilfe: ein grundrechtlicher Blick auf die Ungleichheiten in der Migrationsgesellschaft Schweiz», Presentation at the annual conference of the Federal Commission on Migration (Eva Maria Belser)
24.4. Online	«Rechtliche Bedeutung der Nichtgenehmigung der Verpflichtungskredite betreffend die Garantien für die UBS und die SNB durch das Parlament», Presentation on the occasion of the Weblaw webinar «Rechtsfragen zur Credit Suisse-Übernahme» (Andreas Stöckli)
30.4. Aarau	Hearing as an expert in the context of «Demoscan Aargau: Input zur kantonalen Klimaschutzinitiative» (Andreas Stöckli)
1.5. Fribourg	Moderation of the panel discussion «Democracy and citizens participation in the digital era» with President Mokgweetsi Masisi of Botswana, Ambassador Simon Geissbühler and Prof. Eva Maria Belser (Rekha Oleschak)
8.5. Online	«Beyond the Global North: Ethiopia», Presentation as part of the Spring University 2023, organised by the Hanns Seidel Foundation Myanmar (Eva Maria Belser)
10.–13.5. Bergen (NOR)	LEGITIMULT Research Meeting, Consortium meeting (Sören Keil, Edina Szöcsik and Arianna Guidolin)
17.–21.5. New York (USA)	Power-sharing Discussions in the Middle East, Conference – Presentation A Year Later: War in Ukraine and Western Balkan (Geo)Politics, Book presentation, ASN Conference (Sören Keil)
22.5. Paris	«Federalism, Confederalism and Decentralization in Rojava's Social Contract», Presentation as part of the 7 ^{ème} Journée de Droit international Rojava démocratique et le Droit, organised by the Ecole Normale Supérieure et Université Paris Cité (Eva Maria Belser)
24.5. Schwarzenberg	«Grundlagen des schweizerischen Föderalismus», Presentation as part of the Federalism seminar 2023 (Eva Maria Belser)
24.5. Schwarzenberg	«Föderalismus im Gespräch», Presentation as part of the Federalism seminar 2023 (Eva Maria Belser and Thea Bächler)
24.5. Schwarzenberg	«Die Kompetenz- und Aufgabenteilung im Schweizerischen Bundesstaat», Presentation as part of the Federalism seminar 2023 (Bernhard Waldmann)
25.5. Schwarzenberg	«Partnerschaft und Zusammenarbeit», Presentation as part of the Federalism seminar 2023 (Eva Maria Belser and Bernhard Waldmann)
25.5. Schwarzenberg	«Finanzföderalismus», Presentation as part of the Federalism seminar 2023 (Andreas Stöckli and Stefan Bruni)
26.5. Schwarzenberg	«Herausforderungen und Perspektiven des Föderalismus», Panel discussion with Martina Buol, Monique Cossali Sauvain, Jörg Kündig, Urs Marti and Roland Mayer, Federalism seminar 2023 (Eva Maria Belser and Bernhard Waldmann)
26.5. Schwarzenberg	«Mitwirkungsföderalismus», Presentation as part of the Federalism seminar 2023 (Andreas Stöckli)

27.5. Berne	«Trennung von Staat und Kirche im Kanton Bern», Lecture on the occasion of the political podium of the Freethinkers' Association (Andreas Stöckli)
29.5.–2.6. Toronto (CAN)	Power-sharing in the Middle East, Conference - Presentation, «50 Shades of Federalism as a Teaching and Research Tool», Practical discussion, Canadian Political Science Association (Sören Keil)
7.–8.6. Bozen (IT)	«Setting the Scene - «All peoples may freely dispose of their natural wealth and resources»: The economic side of the right to self-determination», Participation in the Author's Workshop «Non-Renewable Natural Resources in Federal Political Systems» (Eva Maria Belser)
8.–9.6. B Bozen (IT)	«The Kurdish question on oil management in Iraq», Participation in the Conference co-organised by Eurac and the IRCC on Non-Renewable Natural Resources in Federal Political Systems (Daan Smeekens)
8.–9.6. Bozen (IT)	«Federalism and Natural Resources in Myanmar», Presentation Federalism and Natural Resources, Workshop Co-organised by Eurac and IFF (Sören Keil)
9.6. Bozen (IT)	«Non- Renewable Natural Resources in India and the Resource Curse: Jharkhand as a Federal Promise?», Presentation at the research seminar «Non-Renewable Natural Resources in Federal Political Systems», co-organised by Eurac Research (Rekha Oleschak)
15.6. Fribourg	«Stellung der Kantone im Bundesstaat und ihr Verhältnis zum Bund», Presentation at the Institute for Federalism's constitutional law seminar for new members of government (Eva Maria Belser)
15.6. Fribourg	«Die Stellung der Regierung im Gefüge der Gewaltenteilung», Presentation at the Institute for Federalism's constitutional law seminar for new members of government (Andreas Stöckli)
15.6. Fribourg	«Interkantonale Zusammenarbeit», Presentation at the Institute for Federalism's constitutional law seminar for new members of government (Bernhard Waldmann)
15.–17.6. Toulon	Intervention au XI Congrès français de droit constitutionnel : «La démocratie directe suisse : quel défi pour l'Etat de droit ?» organised by l'Association française de droit constitutionnel (Marlène Collette)
20.6. Fribourg	«The Swiss System of Federal Power Sharing and Democratic Participation», Presentation during the visit of a delegation of members of parliament from Belgium (Eva Maria Belser)
23.6. Fribourg	«Verfassungsrecht», Presentation at the ALUMNI IUS FRILEX event, Service Pack 2023 (Eva Maria Belser)
23.6. Fribourg	«Aktuelles zum Verwaltungsrecht», Presentation at the ALUMNI IUS FRILEX event, Service Pack 2023 (Andreas Stöckli)
27.6. Fribourg	Welcome at the Research Seminar, «Challenges in Europe's New Member States – Migration, the Balkan Route, EU enlargement and the future of European Security» (Rekha Oleschak)
14.–18.7. Buenos Aires (ARG)	Power-sharing in the Middle East, Conference - Presentation, IPSA World Congress (Sören Keil)
7.8. Murten	«Concepts of Federalism, Decentralization and Local Governance», Presentation as part of the Practitioners' Course (Eva Maria Belser)
7.8. Murten	«Introduction to Swiss Federalism», Presentation as part of the Practitioners' Course (Eva Maria Belser)
14.8. Murten	«Fiscal Federalism in Switzerland», Presentation as part of the Practitioners' Course (Eva Maria Belser)
1.9. Fribourg	«Federalism in Switzerland – Diversity Management and Federal Balancing», Presentation as part of a visit by a delegation from the Ministry of Government Legislation (MOLEG), South Korea (Eva Maria Belser)
1.9. Fribourg	«Die Glaubens- und Gewissensfreiheit im Lauf der Zeit – Über Entwicklungen und Tendenzen», Presentation on the occasion of the conference «175 Jahre Religionsfreiheit in der Bundesverfassung» (Andreas Stöckli)

5.9. Addis Ababa	«The European Charter of Local Self-Government» Presentation at the African School of Decentralisation, organised by Addis Ababa University and the University of the Western Cape (Eva Maria Belser)
7.9. Berne	«Tragweite der parlamentarischen Oberaufsicht über die SNB und die FINMA», Presentation to the PUK «Geschäftsführung der Behörden – CS-Notfusion» (Andreas Stöckli)
7.–8.9. Fribourg	Conference chair, introduction and moderation, 1 st Journées du Fédéralisme de Fribourg on the topic of «Intergouvernementale Beziehungen in föderalen Systemen» (Andreas Stöckli)
8.9. Fribourg	«Intergouvernementale Beziehungen zwischen Autonomiesicherung und Zentralisierung», Input and management of a panel, 1 st Journées du Fédéralisme de Fribourg (Eva Maria Belser)
8.9. Fribourg	«Status quo der intergouvernementalen Beziehungen im Bundesstaat», Input and management of a panel, 1 st Journées du Fédéralisme de Fribourg (Bernhard Waldmann)
8.9. Fribourg	«Intergovernmentalen Beziehungen in Krisenzeiten», Management of a panel, 1 st Journées du Fédéralisme de Fribourg (Elisabeth Joller)
9.9. Zug	«Föderalismus», chairing a panel discussion at the Swiss Lawyers' Conference (Bernhard Waldmann)
30.9. Berne	Participation in the SNSF NRP 80 Cluster Meeting on Governance & Economy as part of the SNSF NRP 80 project «Covid-19 in der Gesellschaft» (Luis A. Maiorini, Johanna Jean-Petit-Matile and Stefanie Rusch)
11.10. Fribourg	«Die Akte Grüniger – Die Geschichte eines Grenzgängers», Film discussion with Stefan Keller, Sarah Progin Theuerkauf and Liliane Minder (Eva Maria Belser)
27.10. Philadelphia	«The Swiss Institutions as Consensus-Producing Machineries: How Direct Democracy and Proportionate Representation Make Switzerland's Federal Democracy Relatively Populism-Proof», Presentation at the IACFS Conference «The Health of Democracy in Federal Political Systems: Consolidating, Thriving, or Backsliding?» (Eva Maria Belser)
31.10. Montréal	«175 Swiss Federalism – Trials and Tribulations of a Stubborn Nation of Will», Presentation as part of a public talk organised by the Université du Québec à Montréal (Eva Maria Belser)
6.11. Berne	«Die öffentliche Hand als Aktionärin», Presentation on the occasion of an event organised by the Corporate Law Section of the Bernese Bar Association (Andreas Stöckli)
8.11. Fribourg	«Die rechtlichen Grundlagen der Baukultur/Les juridiques de la culture du bâti», Conference Building Culture and Law /Colloque Culture du bâti et droit (Eva Maria Belser)
8.11. Fribourg	Organisation and welcome at the Research Seminar, «Völkish Politics Unmasked: From Exclusion Practices 1939-1945 to Contemporary Challenges», Dr. Alexa Stiller organised by the Institute for Federalism, the Interdisciplinary Institute for Ethics and Human Rights and the Department of Contemporary History (Rekha Oleschak)
10.–13.11. Istanbul (TUR)	Discussion SNIS project, SNIS Research Meeting (Sören Keil)
11.11. Online	Presentation about «Climate Change and International Law», on the occasion of the Model United Nations, Government Law College Thiruvananthapuram, India (Rekha Oleschak)
14.11. Tarragona	«Diskriminiert Föderalismus? Die Umsetzung des völkerrechtlichen Diskriminierungsverbots im föderalen Staat, am Beispiel der Anwendung der Kinderrechtskonvention durch die Kantone der Schweiz», Thesis defence Urs Thalman (Eva Maria Belser)
15.11. Fribourg	«Introduction to Federalism in Switzerland», Presentation as part of a visit by the Minister of Internal Security, Somalia (Eva Maria Belser)
16.11. Murten	«Regelungsarchitektur und Aufbau von Erlassen», Presentation at the Murten Legislative Seminar on drafting decrees (Andreas Stöckli)

16.11. Murten	«Normtypen», Presentation at the Murten Legislative Seminar on drafting decrees (Bernhard Waldmann)
22.11. Fribourg	«I, Daniel Blake», Film discussion with Pierre Heusser and Adriano Previtali (Eva Maria Belser)
24.11. Sofia	«Consultation, Consensus, Compromise – Switzerland’s Slow and Slightly Stubborn Style of Self-Governance», Lecture at the Swiss-Bulgarian Constitutional Discourse, organised by the University of Sofia ‘St. Kliment Ohridski’ and the Swiss Embassy in Bulgaria (Eva Maria Belser)
28.11. Berne	Organisation and participation, «Democracy in India: Current Issues», UNESCO Chair in Human Rights and Democracy and the Institute for Social Anthropology of the University of Berne (Rekha Oleschak)
29.11. Fribourg	«Neutralität – eine Einführung», Major debate organised by the Faculty of Law of the University of Fribourg (Eva Maria Belser)
30.11. Zurich	«Disaster Risk Management», Lecture on Swiss federalism and disaster risk management on the occasion of the presentation of the IRCC to the Indonesian delegation at the invitation of the World Bank (Dr. Sören Keil and Johanna Jean-Petit-Matile)
4.12. Fribourg	«Das Geschlecht im Recht», Legal debate of the Faculty of Law of the University of Fribourg with Bettina Hürlimann-Kaup and Alexandra Jungo, moderated by Bernhard Waldmann (Eva Maria Belser)
4.12. Fribourg	«Das Geschlecht in der Rechtsordnung», Input and management of a panel as part of the event series «Rechtsdebatte» of the Faculty of Law of the University of Fribourg (Bernhard Waldmann)
5.12. Online	Moderation, «Building Trust and Foundations for Fiscal Federalism in Conflict-Affected Somalia Moderation», with Mohamud Yasin, World Bank, Turn on Federalism (Rekha Oleschak)
7.12. Zurich	«Das Notrechtssystem im Bund», Lecture and panel discussion at the Zurich Lawyers’ Association (Bernhard Waldmann)
13.12. Fribourg	«Erin Brokovich», Film discussion with Claudia Franziska Brühwiler, Franz Werro and Michel Heinzmann (Eva Maria Belser)

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