



## NEWSLETTER

Institute for Studies on Federalism and Regionalism

# 2016 # spring issue

## Loosening the Link between Federalism and Secession

It is time to put to rest the idea that federalism leads to breakup of multinational states. I do not suggest that territorial autonomy cannot in some cases facilitate secession. Nor do I mean to imply that 'political divorce', as Allen Buchanan dubbed it, is an a priori negative (or a positive) political phenomenon - I remain an engaged agnostic on the point. Rather, I believe that the connection between these two phenomena is simultaneously looser and more grounded than it may appear at first sight.

The notion that federalism paves the way for partial or complete state fragmentation is intuitively attractive: some of the most dramatic examples of state breakup took place in the early 1990s as a result of the decomposition of three communist federations. The demise of the USSR, Yugoslavia, and Czechoslovakia gave rise to 23 new states, not counting partially recognized entities, some of which endure to this day. Many surviving multinational federal (or federal-like) states, from Canada and Spain to Nigeria and India, have faced, or continue to face, secessionist pressures.

Yet, intuition can easily deceive. As already mentioned, a number of multinational federations have experienced demands for independence, but in many cases even well-institutionalized secessionist movements have failed to achieve their goals. In democratic federations, the obvious (and perhaps self-congratulatory) explanation can be found in the character of the regime itself and its respect for the rule of law. Still, this cannot account for quasi-

democratic regimes, such as Iraq (with Kurdistan) and Bosnia (with Republika Srpska), where secession does not occur despite periodic threats by politicians, and significant popular support.

I propose a different argument: the willingness to separate is related to how deeply embedded the multinational state and the seceding region are in the web of international institutional, economic, and strategic links. Seceding when one faces high positive or negative incentives to stay (in the form of market access, institutional penalties, etc.) becomes an untenable proposition, even when independentist sentiment is strong. Thus, support for Catalan independence drops when respondents are faced with the possibility of losing EU membership. Iraqi Kurds, on the other hand, must be mindful of Iraq's strategic links with the United States and Turkey.

It is only where these links are either weak to start with, or have been severely damaged (due to, for example, strategic reconfiguration, or economic collapse), that controlling a federal unit in a multinational state may help a secessionist movement achieve independent statehood.

Even in this case, however, the argument is not straightforward. 20th century history is replete with examples of independence movements attempting or accomplishing their goals without prior control of political institutions that federalism affords. Indeed, both separate identities and organizational capacity for secession can develop in unitary states. In some cases, the carriers of these political projects are political parties, elsewhere they are religious or cultural organizations.

Apart from internal resources, secessionist movements can sometimes draw on external support. Powerful external sponsors can change the political calculus of independ-

ence-minded elites. Moreover, well-organized diasporas can provide the resources, personnel, and communications that can facilitate secessionist projects, as was the case with the Tamil Tigers.

Perhaps such dynamics take place in authoritarian states, but are less likely to occur in democracies. Are democratic institutions sufficient to safeguard the interests of territorially concentrated national communities without the protections offered by territorial autonomy? Many members of minority nations would say no. Besides, federal institutions do not only protect interests, but act to recognize and affirm identity. Democracies facing a politically mobilized national community demanding autonomy on these ground will find it difficult to refuse that demand and maintain their legitimacy.

Thus, federalism may facilitate secession, albeit under a very restrictive set of conditions. However, secessions have been attempted (and achieved) without prior territorial autonomy. Why does all this matter? Because federalism continues to be proposed, debated, and negotiated, not only in those places where it has had a long history, but in an increasing number of countries, often in the aftermath of conflict (Ukraine, Nepal, Iraq, Syria, the Philippines). How academics and practitioners speak about it has significant political implications. Decoupling federalism from what some consider to be its men-acing qualities is, therefore, far from just an academic enterprise.

*Karlo Basta, Assistant Professor at the Department of Political Science, Memorial University of Newfoundland St. John's, Canada and EURAC-Federal Scholar in Residence 2016 with the winning paper "Towards a Positive Theory of Multinational Federalism: Identifying Gaps in the Scholarship and Pointing to Future Lines of Inquiry".*



## Become EURAC Federal Scholar 2017!

A new round of EURAC's Federal Scholar in Residence-program has opened. The EURAC-Institute for Studies on Federalism and Regionalism established the fellowship scheme in order to enhance scholarly discussion and exchange about federal, regional and intergovernmental questions that are of academic, administrative and public importance. Academics, post-docs

and practitioners who approach these issues from a comparative point of view are especially encouraged to apply.

The winner and fifth EURAC Federal Scholar is awarded a research stay of up to three weeks at the institute's facilities located in the Autonomous Province of Bolzano/Bozen, South Tyrol, Italy, at the heart of the Alps. The grant covers travel costs and accommodation and offers the possibility to publish in EURAC's online series European Autonomy and Diversity Papers - EDAP

([www.eurac.edu/edap](http://www.eurac.edu/edap)). Application deadline is 1 July 2016!

Applicants must submit a not yet published paper in either English, German, Italian, French or Spanish. They should also present their research in English during the International Winter School on Federalism and Governance in early February 2017 in Bolzano/Bozen. For more detailed information, please visit:

<http://www.eurac.edu/en/research/autonomies/sfereg/training/Pages/eurac-federal-scholar.aspx>

## Winter School on Federalism and Governance 2016 - Conflict and Cooperation in Federal Systems

"Firmly brilliant global academic forum and fruitful network experience, which thoroughly redefined and shaped my personal and professional perceptions regarding federalism and multilevel governance as core toolkits to tackled the very foundational constitutional challenges. Particularly, I delighted an authentic studying philosophy, which oriented and focused towards theoretic-doctrinal and practical dimensions of knowledge formation. All amalgamated essentials of my particular workshops on Political Parties and arrangements of vivid case studies from around the World inter alia European, Asian and even African polities, completely enriched and entrenched my intellectual horizon and precise understanding."

*Karlo Godoladze*

*The Center for Constitutional Studies  
Iliia State University, Tbilisi (Georgia)*

"The Winter School's theme invited rich discussions about migration, fiscal arrangements, environmental protection, and the role of democracy and lawmaking. It also introduced me to more than two-dozen amazing scholars who will be my research collaborators — and friends — for many years to come."

*Anne Dance*

*Postdoctoral Fellow*

*Department of History; Memorial University of Newfoundland (Canada)*



*From 1 to 12 February, 25 researchers, postgraduate students and civil servants from 21 countries learned about and exchanged their ideas on the role of courts, fiscal federalism or the impact of political parties in multilevel systems. The group is pictured together with the project managers Greta Klotz and Annika Kress as well as Prof. Jens Woelk (EURAC) and Prof. Nico Steytler (University of Western Cape, South Africa) at EURAC.*

Special thanks for their financial support go to: Land Tirol – Abteilung Kultur; Stiftung Südtiroler Sparkasse; Land Vorarlberg – Abteilung Wissenschaft und Weiterbildung; Institute of Federalism (IFÖ), Innsbruck; Italy-Center (University of Innsbruck).

The next edition of the crossborder training program will take place from 30 January to 10 February 2017, one week at the University of Innsbruck and one week in Bolzano at EURAC. More information about the Winter School 2017 will be available by late summer at: [www.eurac.edu/winterschool](http://www.eurac.edu/winterschool)

## The Autonomy of South Tyrol: today – tomorrow?

The series of discussions regarding various aspects of the South Tyrolean Autonomy goes into its third round. After the success of the first two editions in 2015, the Institute's collaboration with the South Tyrolean Political Science Association "Politika" continues and sees five expert-meetings between late-March and mid-May 2016 at EURAC, again under the patronage of the South Tyrolean Parliament.

So far, the evening sessions on different topics important at the local level have been perceived as discussion ground for interested citizens and, therefore, also as prepara-

tion for the public debate on the elaboration of a third autonomy statute, the so-called Autonomy Convention (see next page). This new spring edition highlights the various facets of the region we live in. From a multidisciplinary background, the invited experts will discuss topics such as: the concept of 'region' beyond its purely institutional character, the function of a region as a common good, as well as the social capital of a region. Furthermore, the discussions will leave room for questions about the history of our region and regional political parties. The programme with all topics, invited experts and dates is available at:

[http://www.eurac.edu/en/research/autonomies/sfereg/Documents/cartolina%20\\_Autonomiegespr%c3%a4ch.pdf](http://www.eurac.edu/en/research/autonomies/sfereg/Documents/cartolina%20_Autonomiegespr%c3%a4ch.pdf)

*Carolin Zwilling*

**Date:** 14 + 28 April, 5 + 12 + 19 May, 6-7 p.m

**Working languages:** German and Italian

**Location:** EURAC library, Bolzano / Bozen

**Information:** [sfere@eurac.edu](mailto:sfere@eurac.edu)

**politika**



Südtiroler Landtag  
Consiglio della Provincia autonoma di Bolzano  
Cunsèi dla Provinzia autonoma de Bulsan

## The future of the Italian autonomous regions and provinces – glimmer or gloom?

Special autonomies in Italy are experiencing a period of strong attacks, mostly from the media. However, besides points of concern, glimmers of a brighter future can be detected, together with the awareness that each of these regions should seize control of its own destiny.

In accordance with the transitory provision of Art. 39 of the constitutional reform which has recently been approved, the new version of Title V of the Constitution (referring to the distribution of legislative and administrative powers between the State and the Regions) is not supposed to apply to Regions with special status and to Autonomous Provinces until their statutes have been revised (by means of an agreement with the State). It means the safeguard of powers conferred by the special statutes is afforded only on a transitional basis. In the light of this provision, the debate on the need to review the special autonomy statutes has been reopened, taking into account the possibility to adopt new settings for the future. Against this background, the two Autonomous Provinces of Bolzano/Bozen and Trento have taken first steps towards the revision of their statute by means of participatory instruments ("Convenzione/Konvent" in Bolzano/Bozen and "Consulta" in Trento) that involve either citizens or civil society and political

parties with the aim to establish a framework within which political agreements should be reached (for further details on the "Convenzione/Konvent" in South Tyrol, see next page).

The Institute for Studies on Federalism and Regionalism is carrying out a research project that focuses on special autonomies in Italy with the ultimate goal to answer a frequently asked question: are special autonomies still worth existing?

Created in 1948 for different reasons, ranging from geographical position to the protection of minorities, these realities differ from one another in several aspects, such as their form of government, powers, financial relations with the State and financial arrangements, use of enactment decrees, minority

protection, instruments of direct democracy and democratic participation.

As part of this project, the scientific conference "Il futuro della specialità regionale alla luce della riforma costituzionale" took place on 8 April 2016 at EURAC with the main aim to analyze the peculiarities of each special territorial entity in order to understand, from a constitutional perspective, what meaning "speciality" could ultimately assume today and what future scenarios could emerge in the light of the regionalism outlined by the constitutional reform.

The conference proceedings will be published in Italian with Edizioni Scientifiche Italiane (ESI) in early summer of this year.

*Sara Parolari*



# South Tyrol's Autonomy Convention: Open Space discussions, the Forum of 100, and the Convention of 33

Large sections of the Second Autonomy Statute of 1972 need to be updated in order to properly address current issues and challenges at the local (e.g. education policies, cross-border cooperation), regional (e.g. the role of the region and the role of municipalities), national (e.g. financial autonomy and the future of regions having special statutes within Italy) and EU (e.g. Europeanization effects on governance and South Tyrol as part of the Alpine Macro-region) levels. Recognizing that any alteration of the Autonomy Statute is likely to be controversial and thus necessitates the participation of the citizens, the Provincial Council has adopted provincial law no. 3/2015, establishing a consultative participatory process called the "Convention for the Revision of the Autonomy Statute". In January 2016, the Convention began with nine "Open Space" public discussion events

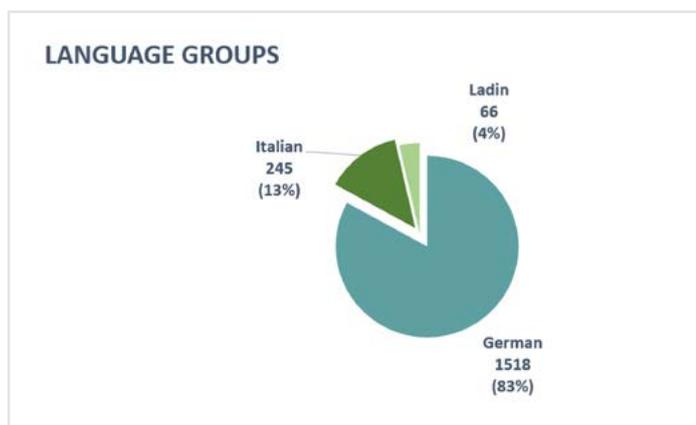
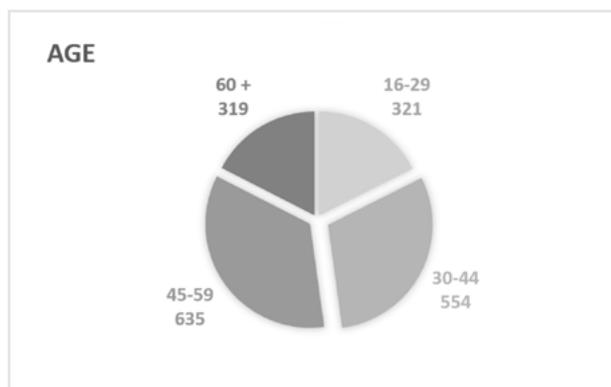
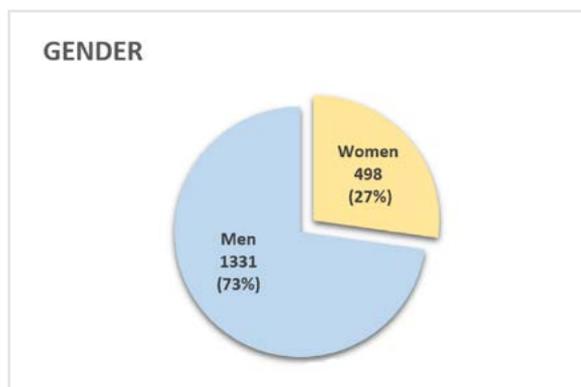
across South Tyrol. In more than 200 working groups, nearly 2000 citizens elaborated ideas and proposals on the future of living together and self-government in South Tyrol. Topics such as self-determination, the transfer of further competences from the central to the provincial level, the monolingual and multilingual school systems, the Austrian-Italian Euroregion 'Tyrol-South Tyrol-Trentino', and social issues were discussed — often with controversy. The minutes of the working groups, moderated and self-organized by the participants themselves, are available online at [www.konvent.bz.it](http://www.konvent.bz.it). By March 6, 1829 people had registered to participate in the Forum of 100, which will complement the work of the Convention of 33, the Autonomy Convention's main body that includes politicians, stakeholders, legal experts, and eight citizens from the Forum

of 100. The 100 members of the Forum were selected from the 1829 volunteers using a stratified random sampling method, which took language, age, and gender proportions into account (according to the 2011 census). On 2 April 2016, the Forum of 100 met for the first time and elected 8 representatives for the Convention of 33. On 6 April 2016, the Provincial Council formally nominated all members of the Convention of 33. Both bodies will meet regularly over a twelve-month period.

The composition of the Convention of 33 represents the official language groups of South Tyrol, and its membership is as follows:

- 4 persons suggested by the Council of the municipalities
- 2 persons suggested by the trade associations
- 2 persons suggested by the trade unions
- 5 legal experts nominated by the Provincial Council
- 12 persons nominated by the Provincial Council representing both the political majority and minority
- 8 persons elected by the Forum of 100

## Registrants for the Forum of 100



The researchers of the Institutes for Minority Rights and Studies on Federalism and Regionalism support the Convention's work scientifically with their expertise in autonomy studies, minority protection, institutional innovation, and participatory democracy.  
*Elisabeth Alber, Vera Ohnewein, Marc Röggl*

Further information on the South Tyrol's Autonomy Convention are available in German, Italian and Ladin at: [www.konvent.bz.it](http://www.konvent.bz.it)

## Challenges for Gagauz-Yeri Territorial Autonomy



In the context of cooperation with the Gagauzia-based NGO “Pilgrim Demo” as well as the international organisation “Crisis Management Initiative” (CMI), the institute has been involved in various consultancy activities over the last few months, all aimed at facilitating the process of reforming the autonomy arrangement of Gagauzia.

In 1994, the Autonomous Territorial Unit of Gagauzia (Gagauz Yeri) in Moldova was provided special juridical status. The region has approx. 161.000 inhabitants and hosts several ethnic and linguistic groups: Gagauz, Bulgarians, Moldovans, Russians and Ukrainians.

In December 2015, a parliamentary working group consisting of members of the Moldovan Parliament and members of the People’s Assembly of Gagauzia visited the Autonomous Province of Bolzano/South Tyrol to study the local autonomy arrangement as a good example of minority accommodation. Elisabeth Alber, Carolin Zwilling and Greta Klotz presented the South Tyrolean Autonomy within the Italian and European Context and discussed intensively principles and challenges of the local autonomy, especially with regard to education, the bilateral cooperation between the State and the Autonomous Province, as well as regional parties.

As part of the cooperation with the NGO “Pilgrim Demo”, carried

out with funding from the British Embassy to Moldova, Francesco Palermo, Jens Woelk and Karl Kössler have been involved in drafting the interdisciplinary study “Implementation of Competences of Gagauz Yeri: Challenges and Perspectives”. The primary objective is to uncover the strengths and weaknesses of the current autonomy framework and thus provide

advice that serves as a basis for negotiations towards its improvement. This study, drawn up by local experts, is characterized by an interdisciplinary approach that focuses not only on strengths and weaknesses of the legal framework, but also explores non-legal preconditions for the proper functioning of the autonomy, for example, in terms of economic development and institutional capacity of Gagauzia’s public authorities. The role of the three EURAC researchers was to review the study and to point out, from a comparative perspective including various European experiences, the most salient issues for this region’s autonomy.

In February 2016, Francesco Palermo (keynote speaker) and Greta Klotz were invited to an international conference in Gagauzia entitled “SHIFT: Challenging solutions for Gagauz Yeri Territorial Autonomy” which took place in the village of Advarma. In the panel, both gave a talk on the role of external actors in developing territorial autonomies. Francesco Palermo spoke on the role of international actors in promoting autonomy, the representation of autonomous territories in international organizations and, last but not least, the huge possibilities of informal means such as transnational and cross border cooperation. Greta Klotz underlined the opportunities that cross border cooperation offers by discussing the practical and successful example of cross border cooperation between Tyrol, South Tyrol and Trentino.

*Greta Klotz and Karl Kössler*



### “Strategies and techniques for overcoming tensions in relations between central governments and autonomous units”, Chişinău/Moldova, 15-16 April 2016:

The European Centre for Minority Issues (ECMI) organizes this seminar within the framework of the Eastern Partnership Programme (EPP): National Minorities and Eth-

no-Cultural Issues, addressing Belarus, Moldova and Ukraine, with financial support from the Danish Ministry of Foreign Affairs. The purpose of the workshop is to discuss the relations between the Autonomous Territorial Unit of Gagauzia and the Moldovan central authorities. The discussion is to center on the available European – both positive and negative – examples of recon-

ciliation between a central government and a sub-state entity and the lessons learned for the future resolution of the tensions around the Autonomous Territorial Unit of Gagauzia in Moldova. Jens Woelk participates as keynote speaker on “From Compromise to Compact - Working Autonomy in South Tyrol”.

*Paulina Borowska*

## The authorization of GMOs in the EU: is the environment sufficiently protected?

The EU legal framework on GMOs is very telling of the tensions underlying the regulation of environmental matters. Given the high level of scientific uncertainty concerning the long-term effects of GMOs' release into the environment, the balance between the creation of an internal market for GMOs and the need to protect the environment is a difficult one.

In order to address this issue, directive 2001/18/EC and regulation EU n. 1829/2003 have set up a common authorization procedure for the placing into the market and the cultivation of GMOs in the EU territory, while at the same time evaluating the risks on the environment and human health. Indeed, this regulatory framework inadequately addresses potential environmental problems, especially because of a decision-making process that is both too centralized and too biased towards scientific expertise. Four sets of problems prevent the directive and regulation on GMOs from ensuring an adequate level of environmental protection, namely (1) the lack of transparency in and the high level of centralization of the authorization procedure, (2) the prevalence of centralized scientific risk assessment over other criteria, (3) the problematic interpretation of the precautionary principle, and (4)

the limited space for public participation.

It is particularly problematic that the extreme polarization of EU countries' positions does not allow them to reach a consensus over the introduction of GMOs. When a disagreement on the authorization cannot be solved by the EU Council, as the directive and the regulation would prescribe, it is up to the Commission to take the final decision, thus bypassing individual States' concerns. Furthermore, the Commission's decisions are based on the scientific opinions released by the European Food and Safety Authority (EFSA), a technical body whose conclusions are in turn mainly founded on uncertain scientific data. If the EFSA fails to acknowledge any specific risks for the environment, the only way for Member States to deviate from the common authorization is to demonstrate in a detailed way that a concrete danger for the environment exists. This requirement distorts the content of the precautionary principle, which instead would allow public authorities to adopt measures that are protective of the environment even in the face of scientific uncertainty. Furthermore, these negative aspects are coupled with the limited room for public participation, thus increasingly preventing non-scientific considerations to be taken into account.

Although innovating the regulatory frame-



17 countries and 4 regions opt out of EU GM crop approvals

work of GMOs, the recent adoption of Directive EU n. 2015/412 has failed to address the above-mentioned problems. New rules have been introduced in order to permit individual EU countries to either prohibit or restrict the cultivation of GMOs on their territory. However, the so-called 'opt-out' procedure is subject to several conditions, including the fact that any national restrictive measures which is based on environmental reasons cannot contradict the centralized environmental risk assessment adopted by the EFSA. These issues are analyzed in more details in the forthcoming paper by Federica Cittadino "Libera circolazione degli OGM: più spazio per la tutela dell'ambiente alla luce della direttiva (UE) 2015/412?", to be published in: *Rivista giuridica dell'ambiente*, 1/2016.

*Federica Cittadino*

### "Non-State Actors and Changing Relations in International Law", Lancaster University/UK, 8-9 April 2016:

the ILA (International Law Association) British branch organized a conference to discuss new developments on the role of non-State actors under current international law. Federica Cittadino presented a paper on the contribution of indigenous peoples to norm creation and implementation within the framework of the Convention on Biological Diversity.

*Federica Cittadino*

### "Best practices for the protection of water in times of crisis. Focus on participatory instruments in environmental law and policies", Friedrich-Alexander-Universität Erlangen-Nürnberg/Germany, 22-23 April 2016:

the University of Erlangen and the University of Turin created a network of international experts on participation in environmental matters since 2014. This year's workshop approaches the issue of participatory tools from the perspective of the regulation of water resources. Federica Cittadino will explore to what extent participation in environmental matters both feeds into the notion of participatory democracy and can contribute to its development.

*Federica Cittadino*

### "Rethinking Sustainable Development in terms of Justice", Universitat Rovira i Virgili, Tarragona/Spain, 5-6 May 2016:

The first Tarragona International Environmental Law Colloquium (TIEC), organized by the Tarragona Centre for Environmental Law Studies (CEDAT-URV) and the Tarragona Environmental Law Students Association (AAEDAT), will discuss the role of sustainable development in the regulation of the environment. Federica Cittadino will present a paper where she argues that the principle of sustainable development has so far not offered any useful indications to solve conflicts between the protection of the rights of indigenous peoples and the conservation of biodiversity.

*Federica Cittadino*

## Talks at conferences and expert meetings

### “Claims for secession and federalism. The Spanish case in the light of federal experience”, University of the Basque Country, Bilbao/Spain, 25-26 November 2015:

As part of the “Ways of Federalism” network, the University of the Basque Country at Bilbao organized in collaboration with the EURAC-Institute for Studies on Federalism and Regionalism an international conference focusing on two highly topical and interrelated questions. How are recent territorial referendums to be evaluated? and What makes federalism work as a viable alternative to secession? The event featured presentations of more than 50 scholars from different European countries, the United States and Canada. The institute was represented by Karl Kössler who delivered a keynote speech on “Territorial Referendums from a Constitutionalist Perspective. Functions, Justifications and Requirements”.

*Karl Kössler*

### “Revisiting Unity and Diversity in Federal Countries. Changing Concepts, Reform Proposals and New Institutional Realities”, Université du Québec à Montréal (UQAM), Montreal/Canada, 2-3 October 2015:

In 2015, the annual conference of the International Associations of Centers for Federal Studies (IACFS) took place in Montréal, featuring sessions on the conceptual framework of unity and diversity in federations, its contemporary empirical challenges and practical reform proposals. In the latter, Karl Kössler gave a talk on “Hegemonic or Shared Autonomy? Two Approaches and Their Implications for Constitutional Design”. Elisabeth Alber delivered a country report on recent developments in Italy. The EURAC-Institute for Studies on Federalism and Regionalism has been a member of the IACFS since 2007.

*Karl Kössler*

### “Saving and maintaining mini minority schools – best practices in the EU”, European Parliament, Strasbourg/France, 2 February 2016:

Elisabeth Alber was invited to an expert consultation meeting on minority education at the European Parliament in Strasbourg where she presented minority education and schooling in the Autonomous Province of Bolzano/Bozen and referred to the general framework of schooling in the Italian asymmetric regionalist State. The expert consultation was organized by the office of the Slovak member of the European Parliament Mr József Nagy and aimed at both reflecting on the importance of mother tongue education for traditional minorities and at drafting expert recommendations for Slovakia.

*Elisabeth Alber*

### First International Federalism Days (Münchener Föderalismustage), Munich/Germany, 29 February – 3 March 2016:

“Federalism – A success story?” was the slogan of the International Federalism Days (Münchener Föderalismustage) organized by the Hanns Seidel Foundation to which Elisabeth Alber was invited. Experts and stakeholders from over 20 countries gathered in Munich to discuss decentralization and federalization processes worldwide. Panels focused on federalism as a tool for managing ethnic diversity, the role of the police and military in federally organized States and the socio-economic preconditions for the establishment of a federation.

*Elisabeth Alber*

### “Federalism and Education: Governance, Standards, and Innovation for the 21st century”, Cortes de Aragón, Zaragoza/Spain, 3-5 April 2016:

Elisabeth Alber participated in this expert meeting on education policies and schooling in federations. As part of the larger Program on Federalism and Education led by the Forum of Federations in collaboration with the Gimenez Abad Foundation in Zaragoza, the meeting aimed at examining how countries design, govern, finance, and assure quality in their educational systems, spanning from early childhood to secondary school graduation. In the program, particular attention is given to the functional division of governmental layers of the federal system, as well as mechanisms of intergovernmental cooperation in education. The next steps of the program are to revise the draft chapters and to draw out comparative lessons and experiences. The findings will be published with an international publishing house.

*Elisabeth Alber*

### Advisory Committee on the framework convention for the protection of national minorities, 22-27 May, Strasbourg/France

The framework convention for the protection of national minorities adopted by the Council of Europe is the only existing binding treaty worldwide on the rights of persons belonging to national minorities. Its implementation in the 39 states parties is monitored by the Council of Europe’s Committee of Ministers, based on advice provided by a group of 18 independent experts. The mandate of the independent experts lasts for 4 years and is renewable once. The director of the Institute for Studies on federalism and regionalism, Francesco Palermo, has been member of the Advisory Committee in respect of Italy since 2007, First vice-president since 2012 and President since 2014. His mandate ends in May 2016. During his tenure, the Committee has adopted several opinions on a number of countries and three important thematic commentaries on the rights of persons belonging to national minorities. Further information at: <http://www.coe.int/en/web/minorities/home>

*Francesco Palermo*

# OUR PUBLICATIONS IN 2015

All publications are listed at: <http://www.eurac.edu/en/research/autonomies/sfereg/publications/Pages/default.aspx>

## BOOKS

Tove Malloy and Francesco Palermo (eds.). *Minority Accommodation through Territorial and Non-territorial Autonomy*. Oxford, Oxford University Press, 2015

Sara Parolari and Francesco Palermo (eds.). *Riforma costituzionale e regioni. Riflessioni a prima lettura sul nuovo Titolo V della Costituzione*, Eurac book No.55, Bolzano, 2015.

Walter Obwexer, Esther Happacher, Stefania Baroncelli, Francesco Palermo (Hrsg.). *EU-Mitgliedschaft und Südtirols Autonomie: die Auswirkungen der EU-Mitgliedschaft auf die Autonomie des Landes Südtirol am Beispiel ausgewählter Gesetzgebungs- und Verwaltungskompetenzen*; Handbuch, Wien: Verl. Österreich, 2015.

Walter Obwexer, Esther Happacher, Stefania Baroncelli and Francesco Palermo (a cura di). *L'impatto del diritto dell'Unione Europea sull'autonomia dell'Alto Adige/Südtirol*, Edizioni Scientifiche Italiane, Napoli, 2015

Francesco Palermo, Elisabeth Alber (eds.). *Federalism as Decision Making: Changes in Structures, Procedures and Policies*, Brill Publishing House, Leiden/Boston, 2015.

Fraenkel Cristina, Kropp Sabine, Palermo Francesco, Sommermann Karl-Peter (eds.), *Citizens Participation in Multilevel Democracies*, Brill Publishing House, Leiden/Boston, 2015.

Elisabeth Alber and Martina Trettel (eds./Hrsg.), *Partecipazione e democrazia partecipativa nell'Euregio Tirolo - Alto Adige - Trentino / Partizipation und partizipative Demokratie in der Europaregion Tirol - Südtirol - Trentino*, EURAC Book, Bolzano, 2015. Online:

ITA: [http://webfolder.eurac.edu/EURAC/Publications/Institutes/autonomies/sfereg/POP%20it\\_WEB.pdf](http://webfolder.eurac.edu/EURAC/Publications/Institutes/autonomies/sfereg/POP%20it_WEB.pdf)

DE: [http://webfolder.eurac.edu/EURAC/Publications/Institutes/autonomies/sfereg/POP%20de\\_WEB.pdf](http://webfolder.eurac.edu/EURAC/Publications/Institutes/autonomies/sfereg/POP%20de_WEB.pdf)

Gruppe POP! Bozen (Hrsg.), *Bürger/Innenbeteiligung : ein Praktischer Leitfaden für die Gemeinden in Südtirol*, EURAC Book, Bozen, 2015, online at: [http://webfolder.eurac.edu/EURAC/Publications/Institutes/autonomies/sfereg/POP\\_brosch\\_de.pdf](http://webfolder.eurac.edu/EURAC/Publications/Institutes/autonomies/sfereg/POP_brosch_de.pdf)

Gruppo POP! Bolzano (a cura di), *Democrazia partecipativa: una guida per amministratori locali dell'Alto Adige / Südtirol*, EURAC Book, Bolzano, 2015. Available online at: [http://webfolder.eurac.edu/EURAC/Publications/Institutes/autonomies/sfereg/POP\\_brosch\\_it.pdf](http://webfolder.eurac.edu/EURAC/Publications/Institutes/autonomies/sfereg/POP_brosch_it.pdf)

## MOST IMPORTANT ARTICLES

Alber, Elisabeth and Carolin Zwilling. "Italiens Föderalisierung: erneut Rückschritt statt Fortschritt". *Jahrbuch des Föderalismus* 2015. Eds. Europäisches Zentrum für Föderalismus-Forschung Tübingen (EZFF). Baden-Baden, Nomos, 2015: 262-277.

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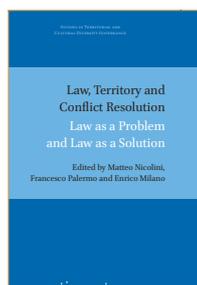
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## NEW Books



Francesco Palermo, Enrico Milano and Matteo Nicolini (eds.). *Law, Territory and Conflict Resolution*. Leiden and Boston MA, Brill-Martinus Nijhoff publishers, 2016

### Law, Territory and Conflict Resolution

Prompted by the de facto secession of Crimea in early 2014, *Law, Territory and Conflict Resolution* explores the role of law in territorial disputes, and therefore sheds light on the legal 'realities' in territorial conflicts. Seventeen scholars with backgrounds in comparative constitutional law and international law critically reflect on the well-established assumption that law is 'part of the solution' in territorial conflicts and ask whether the law cannot equally be 'part of the problem'. The volume examines theory, practice, legislation and decisions from various case studies, thus offering further insights on the following complex issue: can law act as an effective instrument for the governance of territorial disputes and conflicts?

<http://www.brill.com/products/book/law-territory-and-conflict-resolution>



Tove Malloy and Francesco Palermo (eds.). *Minority Accommodation through Territorial and Non-territorial Autonomy*. Oxford, Oxford University Press, 2015

### Minority Accommodation through Territorial and Non-territorial Autonomy

*Minority Accommodation through Territorial and Non-Territorial Autonomy* explores the relationship between minority, territory, and autonomy, and how it informs our understanding of non-territorial autonomy (NTA) as a strategy for accommodating ethno-cultural diversity in modern societies. While territorial autonomy (TA) is defined by a claim to a certain territory, NTA does not assume that it is derived from any particular right to territory, allocated to groups that are dispersed among the majority while belonging to a certain self-identified notion of group identity. In seeking to understand the value of NTA as a public policy tool for social cohesion, this volume critically dissects the autonomy arrangements of both NTA and TA, and through a conceptual analysis and case-study examination of the two models, rethinks the viability of autonomy arrangements as institutions of diversity management.

<https://global.oup.com/academic/product/minority-accommodation-through-territorial-and-non-territorial-autonomy-9780198746669?cc=it&lang=en&>

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**EDITORIAL DEADLINE OF THIS ISSUE:** 11th April 2016

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