



Iraqi delegation learns Canadian and Swiss federalism first-hand

BY **ROD MACDONELL**

A delegation of prominent Iraqis recently left their ravaged land to learn the intricacies of Canadian and Swiss federalism in an intensive 17-day study tour that took them to four Canadian cities and five more in Switzerland. They arrived in Montreal on February 13 and ended their tour in Zurich on March 2.

The purpose of the visit was to understand the mechanical workings of two functioning and mature federations and to determine what could be used and what would work in the Iraqi context.

Although Iraqis have adopted a constitution, there is expected to be a window of opportunity for it to be revised. The lessons learned in Switzerland and Canada may well feed into the amending of the legal cornerstone of the new Iraq.

The delegation that arrived in Montreal was composed of three members of the Iraq National Assembly, a senior judge, the governor of Najif, and a number of lawyers involved in non-government organizations working in the field of human rights. Members of the delegation were Sunnis, Shias, Kurds and Christians. In Switzerland, additional Iraqi delegates joined the group.

The tour was organized by the Forum of Federations and the Government of Switzerland, with the support of the National Democratic Institute.

Everywhere they went — from Montreal, Kingston, Toronto and Ottawa in Canada, to Berne, St. Gallen, Moutier and Basel in Switzerland — the delegates' thirst to learn was boundless.

Each presentation offered by the many experts was followed by a flow of questions that explored and probed deeper and deeper into the complexities of the subject matter at hand. Whether the issue was fiscal federalism, securing a federal state, sharing power at the centre, or oil and gas management, everything discussed was something the Iraqis needed to be able to implement back home.

For the Iraqis, perhaps the most sobering words came from Daniel Turp, a member of the Quebec National Assembly and one of the leading figures of Quebec's secessionist



Wijdan Salim of Iraq (l.) and Alaa Abdullah Alsaadoon (r.), members of the Iraq National Assembly with Nawel Hamidi (centre) at the Forum office.

Parti-Québécois, a party whose primary objective is to eventually win a referendum and gain sovereignty for the majority French-speaking province:

"No matter how badly we want Quebec to separate from Canada, we will never ever resort to violence or condone it," said Turp. "That is absolutely out of the question."

Turp's words, for the Iraqis — both Sunni and Shia Muslims, as well as their Kurdish compatriots — were greeted with the knowing, unspoken silence of participants who called home daily to receive the grim reports of the latest terrorist bombings and killings in a country that is at risk of tipping into civil war.

Phone line echoes fighting back home

One of the Iraq National Assembly members, Wijdan Salim, confided to a friend that when she telephoned home that morning to speak to her husband and children, she could hear the thundering echo of bombs over the long distance line to Baghdad. The blasts were occurring in her neighborhood.

Her Sunni colleague from the National Assembly, Alaa Abdullah Alsaadoon, told a newspaper reporter in Kingston, Ontario, that she lives in a state of siege in which there is round-the-clock vigilance. There are five armed guards living in a small building outside her house to protect her and her family of eight children and a husband. Her children cannot ever go out to play.

In parts of Iraq, there are insurgents intent upon savaging and sabotaging the attempts at democratizing the country, combined with the ever-mounting tensions between the religious communities. The tour offered the participants the opportunity to distance themselves from the tumult of Baghdad and contemplate future options.

In Kingston, Ontario, the participants were offered a four-day course on comparative federalism, bringing in the experiences of federal countries all around the world. The course was organized in conjunction with Queen's University's Institute of Intergovernmental Relations.

One day, the sessions were held at Canada's Royal Military College, where senior officers explained how, in a federal democracy governed by the rule of law, the military

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answers to the orders of an elected government. The delegates no doubt knew the theory of civilian rule, being teachers and lawyers, urban planners and the like. But seeing and hearing it makes it all the more real.

The tour offered the participants considerable subject-matter expertise, and the occasional foray into the daily reality of life in a federation. One such experience was a morning spent at a high school in Toronto, a city where more than half of the three million residents were born in a foreign land.

The school has an enrolment of children from 45 different countries, several of them from Iraq. The delegates asked the students about their opinion of federalism and diversity in Canada. The teenagers explained that the country's multi-ethnic fabric is such that they are free to celebrate their national identity in a multicultural context. So, despite long and intemperate winters, they have bought into being Canadian.

The calming interlude with the students was followed by a visit to a Toronto think tank, the C.D. Howe Institute, where the topic was the management of oil and gas. Iraq's vast oil reserves will likely pay the toll to rebuild a nation whose fragile infrastructure deteriorated under the criminal neglect of Saddam Hussein. Much of what is left is being blown apart by terrorist bombs. The bill will be staggering.

So who will pay that bill and enjoy future growth depends in large part upon who owns the oil. The new Iraqi constitution appears to have created a state of uncertainty regarding the ownership of that oil, an issue of considerable concern to the Sunnis who inhabit part of Iraq where there is a scarcity of oil reserves.

How to share the oil revenues?

At the panel discussion at the CD Howe Institute, three experts described how Canada handles its oil revenues and how it taxes them. The Iraqi participants asked their advice on the redistribution of oil revenues in Iraq. Panelists agreed that having two types of taxation — an income tax system that would also cover oil producers and a royalty system on resource (oil) extraction — would help in diversifying how revenues are distributed. They also discussed the merits of having an equalization formula which would ensure the equal redistribution of revenues to the regions in Iraq that do not produce oil.

A Sunni delegate told the *Toronto Star* newspaper that he is no longer opposed to the federalist outcome, so much so that he plans to share with other NGOs in Iraq what he learned about co-operative federalism in Switzerland and Canada.

"Now I've changed my mind," said Zyad al Kovaeshy. "Canada and other countries have used a federal system successfully, and the results have been better and better."


Federalism à la Suisse

In Switzerland, the participants briefly caught their breath before they launched themselves into absorbing the ways of an even more complex federation with four official languages, German, French, Italian and Romansh, instead of Canada's two. They arrived in Switzerland tired, and when they departed they were exhausted.

The participants learned a vast array of information about amending the Swiss constitution, co-operation between the cantons, accommodating linguistic diversity, fiscal federalism, security, the fiscal implications of establishing federal states and conflict resolution. The Kurdish members of the delegation, whose community leads a relatively autonomous existence in Iraq, showed considerable interest in discussions that dealt with topics such as treaties and international relations of sub-national units. They expressed their agreement when told of the powers of the cantons.

Various Swiss hosts held three official dinners for the visiting Iraqis, one given by the federal department of foreign affairs, where the guest of honor was the former president of Switzerland, Arnold Koller, currently the Chair of the Board of the Forum of Federations.

One delegate recalled that while the participants found that the rules of the Canadian federation are complex, those of Switzerland, known for its tradition of co-operative federalism, are even more so.

In recent communications with the Iraqi participants, they explain that they have recovered from the fatigue of their demanding mission. Most remain doggedly optimistic that Iraq will see better days and that it shall overcome the insurgency, internal strife and chaos that has so imperiled its viability. 

Forum sends federal experts to Iraq

In June and July 2005, the Forum sent six experts to Baghdad to speak at roundtables with members of the Iraqi National Assembly. Bob Rae, former Premier of Ontario and former President of the Forum of Federations; Professor David Cameron of the University of Toronto; and Tim Guldemann, representing the Swiss government, spoke about the practice of federalism. Professor Violeta Ruiz Almendral of the University Carlos III de Madrid and Rajeev Dhavan of the International Commission of Jurists spoke about constitutional law in federal countries. George Anderson, President and Chief Executive Officer of the Forum of Federations spoke about natural resources in federal countries.