

**Subject:** A letter from Ottawa, Canada

**Friday, 26 January 2018**

Dear All:

I trust this finds you well back home. After three and a half weeks, I today leave Ottawa for Boston; a bright sunny and cold North American winter day. The three weeks were dedicated to lectures at the University of Ottawa Law School on the law and theory of multilevel governance, further developing my Five Storey House approach: reshaping sovereignty, the relationship of domestic and international law and extending principles of federalism to the process of constitutionalising international law, in particular in trade and human rights.

The three weeks were quite intense with lectures and student presentations every day. The 17 students brought the Canadian perspective to the table which we compared with EU, Swiss and US law. Canada is a most interesting case for multilevel governance with strong provincial, but weak local powers. Students were interesting in learning about EU and Swiss federalism and the strong status of communes in our country and its remote mountain valleys. Europe is quite far away, here, and it is useful to recall European constitutional principles which in fact are closer to Canada than US law. The lectures helped me much to conceptualise the issues and to make progress towards a book on the subject. Working on the operating system, so the speak, upon which allocation of powers and tasks should be made, is helpful in understanding current transitions taking place with enhanced regulatory cooperation and convergence, also coming to grips with EU-Swiss relations or the challenges in regulating world trade within the WTO and regional integration.

During my stay, CIGI, the Centre of International Governance Initiative, run three conferences organised during my stay: problems relating to the WTO Appellate Body and treaty interpretation, trade and climate change (following up my lectures 2 years ago) and IPR and global value chains. I am impressed how GICI as an Ontario funded NGO is able to bring together government, academia and the private sector. The Federal Government, in particular Foreign Affairs (other than in Switzerland) is interesting to tap into to the knowledge and expertise of academia, and vice versa. I am impressed how the Canadians prepare and argue in current NAFTA talks with the US, the latter without clear guidance and instructions.

I wish WTI could do the same as CIGI in assisting to overcome blockages in Swiss-EU relations and possible initiatives in the WTO. There is so much to do to overcome misunderstandings and prejudice which need to be cleared in a process of dialogue and discussion. At any rate, I shall try to do my best within the Association *La Suisse en Europe*, pushing for a necessary framework agreement. I am much encouraged to take up this task of ours.

Ottawa in winter is a place somewhat hibernating. People tend to stay at home during cold periods, in particular when it snows and arctic winds produce temperatures around minus 30 degree. I was glad to stay in a cosy bed and breakfast Victorian House with a large room close to the University. Not much time outside except for walking downtown for meals and to classes. Yet, the deeply frozen Rideau channel is a particular attraction. When open, it allows to skate 15 kilometres in a row. Families, friends and children are all out enjoying the day and hot chocolates to warm up. Canada, and Ottawa, is a multicultural town. You see faces from all over the world who found a new home in this beautiful and optimistic country.

I shall be back in Bern mid of February, after a few days in Boston visiting my son and giving a talk at Harvard University and then skiing with the grandchildren in Grindelwald, to which I very much look forward.

All the best and so long,

Thomas

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