



A joint initiative of the OECD and the European
Union, principally financed by the EU

Administration and Territory in Europe: Public Services and Distribution of Competencies

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Conference on *Public Administration Reform
and European Integration*

Budva, Montenegro
26-27 March 2009





Distribution of competences across levels of government

- Dynamic process giving birth to a wide range of configurations that are always in evolution
- Common features in Europe:
 - Competences to be exercised by authorities closest to the citizens
 - Within a democratically established, consensual institutional framework
- Why to redistribute competencies?
- What are the conditions and the risks?



1. Why redistribute competencies?

- Public service delivery - should be at the most appropriate level for citizens and business
- Foster equal access to services and best standards of quality
- Strengthen the legitimacy of public action
- Promoting a healthy process of competition and comparison between levels of government





2. Critical factors

- Proper sequencing of transfers of functions, fields of interest, financing and functionaries
- Rules, well defined responsibilities
- But:
 - Transformation the distribution of power within a State can enhance contradictions & tensions between components!
 - Necessary administrative, political, financial capacities and the human resources!



2. Critical factors *(cont.)*

- Preserve the unity of the internal market!
- Provide general and simple administrative procedures that are policed equally!
- Uphold the rule of law!
- Respect for the international context!
- Avoid ethnic fault line!





3. Conditions

- Principle of subsidiarity: competencies should be devolved to authorities closest to the citizens
- Principle of autonomy of those authorities to be respected by the central level
- Sound, viable, transparent, equilibrate, flexible and cost-efficient system
- quality of services, equal access and basic regulations: guaranteed by central level
- Preservation of political, social, economic and financial cohesion
- Mechanisms of co-operation, collaboration and communication



3. Conditions (cont.)

- Consensus based territorial boundaries
- Inter-territorial financial solidarity & co-operation under guarantee of the State
- No territorialisation based on ethnicity and wealth
- A professional civil service at all levels
- Administrative and legal framework within the rule of law
- Compliance to national and international conventions, treaties, charters and plans
- Independent judicial review or (international) arbitration