

European integration and the supervision of local and regional authorities Experiences in the Netherlands with requirements of European Community law

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Abstract

As a result of increasing European integration, local and regional authorities are having to deal with European law more and more intensively. As Member States (read: central government) are responsible *vis-à-vis* the Community for the errors of local and regional authorities, the question arises within Member States whether the central government possesses sufficient supervisory instruments for complying with their obligations under Community law: they must ensure that the errors of local and regional authorities are rectified in time, and national law must provide for sufficient possibilities to do so.

Although Community law is neutral towards the internal relations between the various tiers of government within the Member States, this responsibility of the central government may, as a result of European integration, lead to a need for more powerful supervisory instruments in relation to local and regional authorities. In the past five years there has been some debate on this subject within the Netherlands and after a long delay the Dutch cabinet in 2004 decided that the existing supervisory instruments in the decentralized unitary state of the Netherlands should be expanded. The legislation intended to realize this expansion is being prepared. This discussion and its results would seem of interest to other Member States of the Community facing similar problems.

Keywords

Community law; European integration; supervision; local and regional authorities; responsibility for infringements of Community law

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