

## Local Self-Government in Slovakia

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**Abstract** This chapter analyses the situation of local self-government in Slovakia from the point of view of its conformity with the principles of the European Charter of Local Self-Government. The current system of local self-government in Slovakia was established in 1990, immediately after the Velvet Revolution in November 1989. Municipalities received extra competencies and resources as the result of the decentralization reform from 2000 to 2005. Today, the situation of local self-government complies with all principles of the charter, as confirmed by the Council of Europe monitoring report which was approved in early 2016. The last core remaining challenge is extreme fragmentation. There is no political will for the necessary amalgamation, and, moreover, the modes of inter-municipal cooperation are not effectively supported from the central level. Another challenge for Slovak municipalities is improving participation, improving the involvement of stakeholders, and increasing co-creation.

**Keywords:** • local self-government • history • legal foundation • European Charter of Local Self-Government • Slovakia

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## 1 Introduction and history

Local self-government is a fundamental part of the public administration system of any democratic state. Local authorities are one of the main foundations of any democratic regime, because on this level the right of citizens to participate in the conduct of public affairs can be most directly exercised, and the existence of local authorities with real responsibilities can provide an administration which is both effective and close to citizens (European Charter of Local Self-Government).

The goal of this chapter is to summarize the developments of the local self-government system in Slovakia and evaluate the conformity of its current status with the principles of the European Charter of Local Self-Government. Our research was supported by the Slovak Research and Development Agency under Project APVV-15-0306: Collaboration Activities of Local Self-Governments and Measuring their Effectiveness and Efficiency.

The Slovak Republic was established as an independent state on 1 January 1993 as the result of the friendly breakup of former Czechoslovakia into two independent states. The history of local self-government (LSG) in Slovakia is therefore connected with the existence of predecessor states:

- from the 11th century to 1918 the territory of Slovakia was part of the Kingdom of Hungary and later the Austro-Hungarian Empire,
- from 1918 to 1939 the territory of Slovakia was part of the first Czechoslovak Republic,
- from 1939 to 1945 the territory of Slovakia was part of the first (wartime) Slovak Republic,
- from 1945 to 1992 the territory of Slovakia was part of the post-war Czechoslovak Republic, switching from 1948 to a socialist regime.

After the fall of Great Moravia and the foundation of the Kingdom of Hungary in 1000, the territory of Slovakia became part of Poland until 1029, when it was re-incorporated into the Kingdom of Hungary. Initially the Hungarian state was a centralized monarchy and all powers were held by the king. The first territorial structure of this period – *comitatus* (Kútik and Karch, 2011) – was introduced in the early 11th century by Stephen I, a member of the Arpad dynasty. *Comitatus* were larger administrative areas within the system of castles, which were further broken down into castle districts. In Slovakia the *comitatus* of Bratislava, Komárno, Esztergom, Nitra, Tekov, Hont, Novohrad, Zvolen, Gemer, Spiš, Turany, Abov, Šariš, Zemplín, and Už were formed, headed by county heads who were royal officials. In 1231 special institutions, called “credible places” (*loca credibilia*), were created; there were three *loca credibilia* in Slovakia (the Chapter of Bratislava, the Chapter of Nitra, and the Chapter of Spiš) as well as five convents: Turčiansky Convent, Zoborský Convent, Svätobeňadický Convent, Jasovský Convent, and Leleský Convent (Mesiková, 2008). In the 1230s, royal counties gradually turned into noble counties (Kútik, Karch, 2011). The main body of the county government was the General Congregation, which made decisions on all important issues (approving statutes, announcing provincial laws and regulations of the monarch or central Hungarian or court offices, electing deputies to the Diet, managing county officials and checking on

their activities, and negotiating important economic, administrative, political, and military issues). A county was led by a county head (*comes*), and from the 15th century onwards by the main county head, who was appointed by the monarch. However, deputy county heads, not the county head himself, were the real administrators of the county. After the expulsion of the Ottomans in the 17th and 18th centuries, and internal unrest caused by attempts to preserve freedoms for the Estates, the Habsburgs managed to consolidate their power and exercise a centralization policy, thus significantly strengthening their dominant position. The policy of centralization continued under Maria Theresa and Joseph II. It was Joseph II who attempted to do away with the self-government of the nobility and make it subordinate to the state administration. The country was divided into ten districts (*dištrikty*) led by royal commissioners. Three districts were formed in Slovakia: the districts of Nitra, Banská Bystrica, and Košice. The Hungarian army suffered a crushing defeat at the Battle of Mohacs in 1526, and after this battle Slovakia was incorporated into the Habsburg Monarchy. The Habsburg policy of centralization focused on diminishing local powers; for example, Joseph II attempted to do away with the self-government of the nobility and make it subordinate to the state administration. During his period, three districts were formed in Slovakia: the districts of Nitra, Banská Bystrica, and Košice. After the adoption of the Hungarian Constitution (also the March Laws) in March 1848, important changes were introduced at the level of local government. Standing committees with executive powers were established on the “*stolice*” (county) level. Changes also affected towns and villages (Janas, 2007). Royal free cities were divided into three categories: cities (above 30,000 citizens), medium-sized towns (from 12,000 to 30,000 citizens), and small towns (up to 12,000 citizens). Cities were headed by the city council and the mayor, who was elected by city residents. Villages also received their internal self-government system composed of a Municipal Executive and Municipal Council headed by a mayor (*richtár*). However, in 1849 the *stolice* system was abolished and replaced by a centralized county system. The *stolice* system was renewed again in 1860 (Šutaj, 2003). After the Austro-Hungarian Compromise of 1867, *stolice* were renamed “*župy*” (Volko and Kiš, 2007).

The local self-government system was significantly affected by the collapse of the Austro-Hungarian Empire and the establishment of the Czechoslovak Republic in 1918. On 1 January 1923, Slovakia was divided into seventy-nine districts and six counties: Bratislava County (centre in Bratislava), Nitra County (Nitra), Považská County (Martin), Pohronská County (Zvolen), Podtatranská County (Liptovský Mikuláš) and Košice County (Košice). Districts (*okresy*) were headed by Chief District Officers. In addition, there were district committees that performed activities similar to those at county level, and their members were elected by citizens. In villages and towns, a notary performed state administration tasks, whereas self-government tasks were carried out by the municipal office, executive, council, and mayor (Mesíková, 2008). In 1928 the territorial structure changed, and Slovakia was divided into seventy-seven districts, 3476 municipalities, and two autonomous cities (Bratislava and Košice). Districts were headed by district chiefs. District “governments” were composed of both elected and appointed members, and some of them fulfilled their role in district committees. Municipal bodies,

which were the lowest units, were represented by a municipal executive, a municipal council, and a mayor.

During the Second World War, a two-level subnational system of government was established in 1940 based on a system of counties and districts. Slovakia was divided into six counties: Bratislava, Nitra, and Trenčín (named after their location), Pohronská County (centred in Banská Bystrica), Tatra County (centred in Ružomberok) and Šariš-Zemplín County (centred in Prešov). On a local level (Mesíková, 2008), administrative matters were within the competencies of the municipal administration, which was led by a government commissioner who was assisted by an advisory board whose members were appointed by a county head. The category of statutory towns was abolished at the municipal level. During the Slovak National Uprising in 1944, local-, municipal-, and district-level national committees that performed the role of the state and its administration were established on “free” territory.

The system of national committees became the base for subnational administration and self-government in Czechoslovakia from 1948. National committees on regional, district, and local levels were established. Collective bodies, such as the plenary, councils, and commissions worked within each national committee (Koišová, Masárová, and Habánik, 2017). The number of districts and regions changed several times between 1945 and 1989. Even though national committees possessed some self-government features via this system, they were primarily authorities of state power and administration which were subordinate to the bodies of the Communist Party. In practice, the whole system was directly controlled by the Communist Party of Czechoslovakia in accordance with the constitution, which defined the state as “a socialist state, founded on the lasting union of workers, farmers and intelligentsia, under the leadership of the working class,” and the Communist Party as “a leader of society and the state”. The system of “nomenclature appointments” and “party cells” guaranteed that all institutions of public administration and all public officials (both elected and non-elected) were obliged to follow the directions and resolutions of the Communist Party.

After the Velvet Revolution in 1989, the processes of gradual transition to pluralistic democratic structures in the civil service started in Czechoslovakia. Most tasks of formal restructuring according to Western standards were implemented in the early stage of the transition period. The first proposal of the reform of public administration in Czechoslovakia defined the following tasks as the most important for revitalizing democracy:

- creating real self-government institutions
- dividing executive and legislative power on all levels
- creating a new organization of civil service with two levels of administration
- changing the territorial structure of Czechoslovakia
- restructuring the central government and the system of control of the civil service

The first democratic elections were held in June 1990 and became the basis for most of the changes in the public administration system in Czechoslovakia. The system of national committees was abolished and replaced in the area of state administration by thirty-eight general state administration offices at district level and 121 general state administration offices at sub-district level. Together with this, many institutions of local specialized state administration were created at the same stage of the reform, including school offices, environmental protection offices, and fire departments. This process split the whole system of state administration into many separate and relatively independent cells. This inappropriate atomization and fragmentation of the state administration was soon recognized as an ineffective solution, creating many complications in the delivery of effective, efficient, and economical public services (Berčík, 2003).

The self-government of municipalities with a high level of independence has been re-established. Under Act 369/1990 on Municipal Administration, local self-government was made up of municipalities as territorial and administrative units. Pursuant to this act and Act 518/1990 on the Transition of the Founding Function of National Committees towards Municipalities, Central State Administration, and Local State Administration, the rights and obligations of the local national committees in designated areas were transferred to the municipalities themselves, and the basic functions of municipal self-governments were defined. The Act on Municipal Administration made municipalities equal to each other (excluding Bratislava and Košice). This means that regardless of their size, municipalities had to fulfil the same tasks, causing problems particularly in small villages in terms of personnel, organization, and finances. The first municipal elections were held in 1990. Municipalities became independent self-governing units which were not subjected to state bodies, but their activities could only be performed within their own budget, and a substantial part of their revenue was made up of the proportionate amount of collected taxes allocated to them by the central government (Koišová, Masárová, and Habánik, 2017).

Very soon after the Velvet Revolution, it became apparent that developmental trends in the Czech and Slovak parts of the common federative republic were different in many aspects. The Slovak Cabinet and National Council were given more and more responsibilities, and in 1992 the process of the democratic split into two independent sovereign states became inevitable.

From 1990 to 2000, nothing important happened on the local level in Slovakia. Slovakia signed the European Charter of Local Self-Government as late as in 1999 and only then with reservations. In accordance with Article 12 of the charter, Slovakia declared itself to be bound by the provisions of the charter as follows: Article 2; Article 3, paragraph 2; Article 4, paragraphs 1, 2, 4, and 6; Article 5; Article 6, paragraph 1; Article 7, paragraphs 1, 2, and 3; Article 8, paragraphs 1, 2, and 3; Article 9, paragraphs 2, 3, 4 and 8; Article 10, paragraph 1; and Article 11. The next step forward was taken as the result of the adoption of the Strategy of the Public Administration reform of the Slovak Republic in 1999 and the subsequent adoption of the Concept of Decentralization and Modernization

of Public Administration in the Slovak Republic in 2000. During reforms undertaken from 2000 to 2005, the government continued in decentralizing and deconcentrating the state administration and committed itself to reconsidering the organization of local state administration. The processes were aimed at strengthening the role and responsibilities of local self-government in providing services to citizens by decentralizing public finances, strengthening the tax revenues of municipalities, and establishing functioning higher territorial self-government units. The goals were to strengthen the autonomy of local government authorities through the transfer of state competencies, introduce a new system of financing and strengthen the financial independence of local self-governments, and increase the accountability of self-governments for the efficient operation of public administration and regional policy. Having implemented this phase of public administration reform, Slovakia became a decentralized state with a horizontal division of power and vertical division of competencies (Nižňanský, 2005).

Slovakia accepted all principles of the charter in two steps. On 31 July 2002, Slovakia declared that it considers itself to be bound by Article 6, paragraph 2, and on 16 May 2007 Slovakia declared that it extends its obligations and considers itself bound by the remaining charter provisions: Article 3, paragraph 1; Article 4, paragraphs 3 and 5; Article 9, paragraphs 1, 5, 6 and 7; and Article 10, paragraphs 2 and 3. The charter was incorporated as an “acceptance of an international treaty”, and, according to the Slovak constitution, international treaties were to be approved by Parliament and would supersede domestic laws. The most recent Council of Europe monitoring visit to Slovakia took place in 2015, and in its monitoring report, entitled “Local and Regional Democracy in the Slovak Republic” and which was approved on 24 March 2016, the council expressed satisfaction with the overall positive situation of local and regional democracy in Slovakia. The findings of this report are one of the core inputs for our analysis.

## **2 The constitution and the legal foundation for local self-government**

The core legal base for the existence of LSG in Slovakia is the Constitution of the Slovak Republic. Chapter 4 of the constitution, entitled Territorial Self-Administration and including Articles 64–71, provides all of the main principles for the organization of territorial self-government as follows (where possible, the text on regional self-government has been deleted):

### **Article 64**

The basic unit of territorial self-administration shall be the municipality. Territorial self-administration shall be composed of a municipality and a higher territorial unit.

### **Article 64a**

A municipality is the independent territorial and administrative units of the Slovak Republic, associating individuals permanently residing therein. A law shall lay down the details.

#### Article 65

- (1) A municipality is the legal persons, which manages their own property and their financial means independently, under the conditions laid down by a law.
- (2) A municipality shall finance their needs primarily from their own revenues and also from state subsidies. It shall be laid down by a law, which taxes and fees are to be a municipality's revenue and which taxes and fees are to be a higher territorial unit's revenue. State subsidies can be claimed only within the limits laid down by a law.

#### Article 66

- (1) A municipality shall have the right to associate with other municipalities for securing matters of common interest. A law shall lay down the conditions.
- (2) The unification, division, or cancellation of a municipality shall be regulated by a law.

#### Article 67

- (1) Municipality inhabitants' assemblies shall realize a territorial self-administration by local referendum, by municipality authorities. The manner of carrying out the local referendum shall be laid down by a law.
- (2) The duties and limitations in realization of territorial self-administration may be imposed on a municipality and a higher territorial unit by a law and on the basis of an international treaty according to Art.7, para. 5.
- (3) The State may intervene in the activities of a municipality only by means laid down by a law.

#### Article 68

For securing the tasks of self-administration provided by a law, the municipality may issue generally binding regulations.

#### Article 69

- (1) Municipal authorities are
  1. the municipal representation,
  2. the mayor of municipality.
- (2) Municipal representation shall consist of representatives of municipal representation. The municipality inhabitants permanently residing therein elect the representatives for a four-year term. Elections of the representatives are performed on the basis of universal, equal, and direct suffrage by secret ballot.
- (3) The mayor of a municipality shall be elected by the municipality inhabitants permanently residing therein on the basis of a universal, equal, and direct suffrage by secret ballot for a four-year term. The municipality mayor shall be the executive authority of the municipality; the mayor shall perform municipality administration, and shall represent the municipality externally. Reasons for and manner of recalling a mayor before expiration of his electoral term shall be laid down by a law.

#### Article 70

A law shall lay down the terms and means of declaring municipality a town; it shall also regulate the designations of the town authorities.

#### Article 71

(1) The exercise of the certain powers of local self-administration may be delegated on municipality by a law. The costs of the delegated exercise of state administration shall be covered by the State.

(2) When exercising the powers of state administration, a municipality may also issue generally binding regulations within their territory upon authorization by a law and within its limitations. Exercise of state administration transferred to a municipality by a law shall be directed and controlled by the government. A law shall lay down the details.

Another core legislative source for local self-government in Slovakia is Act 369/1990 on Municipalities as amended, which is the main legislative source for municipal level government. This law provides most of the details on how to execute constitutional provisions in LSGs. Other important legal sources associated with the main duties and responsibilities of self-governments include Act 138/1991 on Municipal Property, Act 303/1995 on Budgetary Rules, Act 211/2000 on Free Access to Information, Act 416/2001 on Decentralization, Act 42/1994 on Civil Protection, Act 54/1994 on the Citizen Registry, Act 50/1976 on Territorial Planning and Building Control, Act 222/1996 on the Organization of Local State Administration, Act 263/1999 on Public Procurement, Act 346/1990 on Local Government Elections, Act 552/2003 on Public Service, Act 502/2001 on Financial Control and Auditing, Act 400/2009 on the Civil Service Code, and Act 523/2004 on Budgetary Rules for Public Administration.

Taking all of the above into account, it is possible to state that constitutional arrangements are framed by all the necessary legislation, and therefore the Council of Europe monitoring visit concluded that “it can be said that the requirements of Art. 2 of the charter are satisfied by the present legal and constitutional situation of the Slovak Republic.” The visit only recommended drawing up legislation which would clearly define the exclusive fields of the competencies of the regional and the local levels respectively to avoid any overlapping of responsibilities, and elaborating a legislation allowing local authorities to take initiatives when the corresponding competencies have not been expressly attributed to them and when this is not explicitly prohibited by the law.

### **3 The scope of local self-government**

Within the limits set by the law, municipalities have their own budgets and assets. Local governments may issue ordinances that bind all individual or corporate bodies within their jurisdiction. Only parliamentary acts can supersede or invalidate these ordinances. Any modification of the powers of local authorities must be decided by Parliament. Barring statutory exceptions, local authorities are independent of state supervision. All valid decisions made by municipalities and state authorities are reviewable by the courts in



application of the “cassation” or repeal principle. Local key bodies are elected directly by the electorate. Elected mayors head the municipal offices.

Since the decentralization reform of 2000 to 2005, municipalities in Slovakia have been especially equipped with a comprehensive set of responsibilities, and they also execute delegated state administrative functions. Municipalities manage their own movable property and real estate as well as any state-owned property that had been temporarily ceded to the municipality by the state under law. Municipalities also compile and approve municipal budgets and final accounts, and may promote public discussions on these issues. They administer local taxes and fees. They guide economic activities in the municipality, including investments and the use of local resources. They also control new business activities and issue positions on business plans if they affect the interests of the municipality’s population. They create and protect healthy living and working conditions; they promote environmental protection and provide conditions for education, culture, artistic hobbies, exercise, and sports. Municipalities also approve territorial planning and zoning documents.

Municipalities establish, incorporate, cancel, and control their own budgetary sub-units and bodies as well as other local legal entities in compliance with special regulations. They also provide an array of services, including police, fire fighting, local public transportation, construction, the maintenance and management of public space, local roads, parking places, green areas, public lighting, market places, cemeteries, local water resources and wells, water purification plants (in small municipalities), sewerage, construction, the maintenance and management of local cultural establishments, health service establishments, leisure and tourist establishments, infant homes, basic social services (day care), nature and heritage protection, culture, and artistic hobbies.

The Transfer of Competencies Act provided municipalities with new responsibilities in several areas including roadways, water management, citizen registration, social care, environmental protection, education (primary schools and similar establishments), physical education and sports, theatres, health care (primary and specialized ambulatory care), regional development, and tourism. Several of these competencies were reallocated from central ministries (e.g., hospitals and education).

Municipalities also enjoy transferred or delegated state competencies in the following areas: registry offices, construction, public order, schools, and environmental protection. These tasks are performed according to sectoral legislation.

The monitoring report states that the requirements of Article 4 of the charter are respected in Slovakia, with one (already indicated) reservation; it states that “the Slovak system lacks a residual powers clause or a clause *générale de compétence* (as French Law depicts it) in favour of local authorities, which is common in other European countries”.

Legal experts in particular feel that it is actually the other way around, since if a certain competency or responsibility is not expressly allocated to the municipal level of government, the power is understood to be allocated to the state administration. However, Article 4 of the Act on Municipalities states that municipalities independently decide and act in all areas related to municipal administration, except for areas directly given to the state of physical persons by the act. In any case, more explicit formulations of the “general competence” principle in Slovak legislation would help.

#### **4 The protection of local authority boundaries**

The general constitutional statement on the protection of boundaries of municipalities is specified in the Act on Municipalities. Paragraph 2 of the act clearly states that changes in this area can be made only if approved by the involved municipality: for example, the merging or splitting of several municipalities requires a positive result from a preceding referendum (in all the municipalities concerned in the case of a merger) and an agreement between the municipalities concerned. Officially, this kind of change is subject to approval by the local state administration and is implemented by means of directives from the central government.

There is no case connected with the violation of this principle in practice, and the monitoring report states that “the Slovak Republic complies with Art. 5 of the Charter.”

#### **5 Administrative structures and resources for the tasks of local authorities**

The core principles determining the structures and resources of LSGs in Slovakia are set by the Act on Municipalities, but implementation details are to a large extent left in “local hands”. As indicated, the municipal council and the mayor are elected by a direct election. The number of council members as defined by the act is as follows:

- Up to 40 inhabitants: 3 councillors
- 41 to 500 inhabitants: 3 to 7 councillors
- 501 to 1000 inhabitants: 5 to 7 councillors
- 1001 to 3000 inhabitants: 7 to 9 councillors
- 3001 to 5000 inhabitants: 9 to 11 councillors
- 5001 to 10,000 inhabitants: 11 to 13 councillors
- 10,001 to 20,000 inhabitants: 13 to 19 councillors
- 20,001 to 50,000 inhabitants: 15 to 25 councillors
- 50,001 to 100,000 inhabitants: 19 to 31 councillors
- More than 100,000 inhabitants: 23 to 41 councillors

The number of election areas and other details connected with municipal elections are decided by the acting municipal council.

The division of responsibilities between the council and the mayor is also defined by the act and could be described as follows:

The core responsibilities of the mayor/lord mayor:

- calling and leading the meetings of the municipal council, and signing the minutes of the meeting
- performing public administration in the municipality
- representing the municipality in dealings with the state and legal and private entities
- deciding on all municipal matters, except those reserved by law or by the municipal ordinances for the municipal council

The core responsibilities of the municipal council:

- defining the rules of municipal financial management, the management of municipal ownerships, and the management of state property used by the municipality; approving all major actions concerning municipal ownership
- approving the municipal budget and its amendments, and controlling the use of municipal funds; approving the final budgetary accounts and the emission of communal bonds, and deciding on credits and guarantees
- approving the territorial plan for the municipality, or a part of it, and establishing priorities in the development of all areas of municipal life
- establishing or abolishing municipal taxes and municipal fees, and other tax-related aspects
- calling a municipal referendum and public meetings
- issuing municipal ordinances
- approving international cooperation agreements and the membership of the municipality in international bodies
- defining the structure of the municipal office
- establishing the post of municipal auditor/comptroller and deciding on the salaries of the mayor/lord mayor and the municipal auditor within the framework provided by law (minimum salaries are defined)
- deciding on all major aspects of municipal life, except for issues delegated to the state by the act

The Act of Municipalities also defines the general principles governing the internal structure of the municipal office and the organization of its administrative departments as well as the responsibilities and relationships among these offices. The municipal office primarily performs the following tasks:

- a) It prepares expert materials and other background information for the meetings of the executive bodies.
- b) It prepares a written record of all the municipality's administrative decisions.
- c) It executes all the decisions of the municipal council and the mayor or lord mayor.

Local authorities may establish their own budgetary and internal organizations, or transfer some tasks to the private sector. In larger municipalities, the municipal office may be run

by a “principal” appointed by the municipal council upon the proposal of the mayor. This person is responsible to the mayor. Municipal offices consist of different categories of employees (civil servants, public servants, and labour-code regulated employees) who are responsible for the administrative and organizational aspects of municipal life as well as for other activities of municipal bodies.

This means that, as a rule, Slovak local authorities are able to determine their own internal administrative structures with due respect to general legislation. Municipalities in Slovakia are quite independent in the field of human resources, and they can freely appoint and remove their own employees. The performance of local employees is evaluated by the head of the municipal office, but there are no fixed rules for this process. Municipalities also appoint an internal auditor/comptroller, usually elected for a six-year term by the council, as an independent and impartial employee. The comptroller is accountable to the councillors but not to the mayor.

The salaries of most municipal employees are pre-determined by law. The act sets the specific basic salaries for all employees with the status of civil or public servant. Mayors and municipal comptrollers are entitled to a minimum salary. The way this salary is calculated is strictly regulated by national legislation (main factors are the gross average salary nationwide and the number of inhabitants of the municipality). For mayors, this “fixed” remuneration may be increased by the local council by up to 70% depending on the performance of the mayor, additional responsibilities, special commitment, and so on. Apart from this main “remuneration”, mayors may receive allowances and other types of compensation for expenses incurred in the fulfilment of their tasks. The salaries of the main municipal representatives are competitive in the light of the overall national economic situation and salaries that are paid in the public and private sectors. The monitoring report concludes that “the requirements of Article 6 of the Charter are met by the Slovak Republic”.

## **6 Conditions under which responsibilities at the local level are exercised**

In this part, we only deal with the situation of elected members of the municipal council (full-time positions were dealt with in the previous part). The conditions of office of elected local representatives provide for the free exercise of their functions. According to the Labour Code (paragraph 136), the employer shall provide them with necessary free time to be able to perform all duties, responsibilities, and activities connected with their position (the public interest clause). All municipalities pay appropriate financial compensation for expenses incurred in the exercise of the public office in question and remuneration for specifically ordered work which is carried out. Most big and some middle-sized municipalities also pay compensation for loss of earnings and corresponding social welfare protection. In larger municipalities, many deputies are members of municipal companies and receive benefits connected with their position.

The list of functions and activities which are deemed incompatible with the holding of local elective office is determined by law. However, the list of such limitations is rather short. A municipal councillor cannot be simultaneously a municipal employee, or the head of a municipal budgetary organization, and his position is also incompatible with a few top or specific public administrative posts (like judge, prosecutor, and ombudsman). However, the same person may sit in the municipal and regional councils as well as in Parliament.

Consequently, the monitoring report concludes that the current Slovak system complies with the requirements of Article 7 of the charter.

## **7 The administrative supervision of local authorities' activities**

The administrative control of the state over local authorities is aimed solely at ensuring compliance with the law and with constitutional principles. This positive situation is guaranteed by the existing legal system, protecting municipalities from unnecessary administrative interventions by the state and its bodies. The constitution guarantees that duties and restrictions to self-governments can only be imposed by parliamentary legislation. Prosecutors and the ombudsman can request that local decisions and measures be revised, but they cannot issue orders revoking such decisions and measures.

An exclusive role in the control or oversight of municipalities is played by the General Prosecutor's Office (*Prokuratúra*), which is an independent body established by the constitution (Articles 149 to 151) and governed by Act 153/2001 on Prosecution. Among other things, the office also supervises the legality of decisions, measures, and binding regulations adopted by local authorities. The office acts either on request or on its own initiative (*ex officio*). The control exercised by the Prosecutor's Office over local self-government bodies is only the control of legality and "*ex post facto*". The office cannot cancel or quash any decision by a local authority. Under no circumstance can the office order a local authority to do something or refrain from doing something. The office cannot suspend a local body's decision either. If the findings of the office show that the activity of a local body is not in conformity with the law, then the office can issue warnings or protests addressed to the local authority. The local body has the duty to answer within thirty days, accepting or rejecting the office's concerns. If the local authority refuses to amend or modify its decision or measure, then the office may lodge an appeal in court within two months asking for the annulment of the contested decision. Such cases are very rare; local decrees and decisions are usually drafted with care from the legal point of view, and sometimes the office itself is consulted on a preliminary basis, as noted above.

Starting in 2006, the National Audit Office (NKÚ) was given the right to audit local authorities, including in areas where these bodies have exclusive responsibility. The NKÚ delivers both compliance and performance audits on a local level. All local authorities must cooperate with the NKÚ to provide support for its activities, deliver the necessary

information or materials on time, provide explanations, and conduct “ordered” audits and inspections of all bodies within their sphere of responsibility. The NKÚ has the right to direct access to any information system used by self-government bodies.

Concerning the area of delegated responsibilities, sectoral legislation foresees the possibility to appeal a measure or a decision adopted by a local authority before the local state administration body. This happens especially in the area of construction, urban planning procedures, roads, and transportation. This form of inter-administrative control is anticipated in the constitution (Article 71.2) and does not contradict the principles of the charter, because in those cases the municipalities perform the delegated administrative functions financed by the state.

Consequently, the monitoring report concluded that the current Slovak system fully complies with Article 8 of the charter.

## **8 The financial resources of local authorities and the financial transfer system**

Finance represents one of a number of complicated issues concerning compliance with the principles of the charter. The following principles deserve attention concerning Slovak legislation and practice:

- Local authorities shall be entitled, within national economic policy, to adequate financial resources of their own; local authorities' financial resources shall be commensurate with the responsibilities provided for by the constitution and the law.
- At least part of the financial resources of local authorities shall be derived from local taxes and charges, which they have the power to determine the rate of within the limits of the statute.
- The protection of financially weaker local authorities calls for the institution of financial equalization procedures or equivalent measures which are designed to correct the effects of the unequal distribution of potential sources of finance and the financial burden they must support.

The issue of “adequate” financial resources and their commensuration is rather problematic, as, for example, the wording “adequate” cannot be transposed to any specific and generally acceptable figure. There is no doubt that municipal representatives and the Association of Towns and Communities (ZMOS) always claim that the total amount of disposable resources is not enough, and that the spending power of local authorities is still small compared to that of the state. On the contrary, the state argues that the financial situation of municipalities is healthy. On this issue, the monitoring report states: “The relevant ministries claim that the current arrangement is fair and adequate. The Ministry of Finance considers that the level of financial autonomy of local authorities is satisfactory and that the principle of commensurability of local finances (as proclaimed by the Charter on local self-government and by Article 71 of the Slovak Constitution) is fully respected. Furthermore, the Ministry claims also that the amounts of transfers (to

finance delegated tasks) have been sufficient over the last years. As an evidence of this assertion, it seems that in 2012–2014 the territorial self-governments showed a budget surplus or balanced budget. The crisis in 2008–2010 resulted in the decrease [in] funds from the personal income tax and for that reason the Government granted an additional transfer to the municipalities of €100M in 2009 and €72.5M in 2010.”

Existing studies by ZMOS representatives argue that delegated competencies are only partly financed by the state, in contradiction to the constitutional requirements. For example, Balážová and Dienerová (2002) published very negative calculations (Table 1). However, such calculations are only based on assumptions and simplifications. Municipalities only recently started to use accrual accounting and none of them uses real full-cost (cost centres) accounting. Without appropriate cost evidence, it is impossible to estimate real costs for any internally delivered municipal service. Moreover, comprehensive and transparent benchmarking schemes are not used, and municipalities do not try to compare their cost data in a regular and open way (see, for example, Nemeč, Medveď, and Šumpíková, 2005; and Nemeč, Ochrana, and Šumpíková, M., 2008).

**Table 1:** The level of financing selected delegated competencies by the state

Registry	39.48%
School office	14.37%
Specialized building office	25.02%
General building office	31.75%
ŠFRB (housing) agenda	12.04%
Environment	57.10%
Total	20.70%

Source: Balážová and Dienerová, 2002

From the point of international comparison, Slovak municipalities spent approximately 7% of GDP (at the central level approximately 30% of GDP). Despite a strong decentralization process in 2002, Slovakia remains a centralized country from the perspective of local government spending. The level of LSG spending is half of the OECD average of unitary countries.

In terms of the secondary aspects (the structure of revenues), municipalities complain that a great part of money still comes from the state and that the system of local taxes is not satisfactory. We will first briefly summarize the developments concerning this issue.

Financing local governments after 1990 and before 2005 was mainly based on shared taxes (personal income tax, legal entities' income tax, and road tax) and transfers. Since the state budget is usually approved each year in the late autumn, the local governments prepared their own budgets under very uncertain conditions and had to wait for approval of the state budget in order to be able to plan their own revenues. Locally determined

revenues were rather marginal, and the only significant local tax was the “real estate” tax. An important role was also played by various state grants and transfers.

The abovementioned situation significantly changed after 2005, when fiscal decentralization was implemented. Some fees became local taxes, whereas in terms of shared taxes only personal income tax remained in this category. All these measures led to an improvement in the local governments’ capacity to predict and determine their own revenues and in the overall enhancement of local policy making.

This position about the effective structure of LSG revenues depends on the angle of investigation. Table 2 provides data as officially presented, and, if accepted, the situation is only positive (state subsidies are connected with delegated responsibilities, especially elementary schools). However, Table 3 shows that the situation may be more complicated than that. The major percentage from “own taxes” is actually redistributed income tax, which is collected and reallocated on the basis of a formula by the central government. Is this really one’s own local revenue?

Municipalities may also benefit from several EU funds as many operational programmes include eligible activities in fields related to municipal life. However, these revenues are not at all stable (see Table 6 with extreme total municipal expenditures in 2014 – the last year of the previous programming period) and depend on a large series of factors, especially the design of the specific programme. The absorption capacity significantly differs, smaller municipalities in particular do not have their own capacity to draft projects and may outsource this.

**Table 2:** The structure of LSG revenues (%)

Source of funding/revenues	Share of total revenue in 2012	Share of total revenue in 2013	Share of total revenue in 2014	Share of total revenue in 2015
<b>Own revenues, of which</b>	<b>62%</b>	<b>65%</b>	<b>67%</b>	<b>68%</b>
Tax revenues	48%	48%	50%	51%
Non-tax revenues	14%	17%	17%	17%
State subsidies	<b>38%</b>	<b>35%</b>	<b>33%</b>	<b>32%</b>
Total revenues	100%	100%	100%	100%

Source: Ministry of Finance and own calculations



**Table 3:** A detailed structure of LSG revenues (euros)

Revenue	Reality 2015	Plan 2016	Amended plan 2016	Reality 2016
<b>Total tax revenues</b>	<b>1,973,877,282.79</b>	<b>2,027,106,294.37</b>	<b>2,122,980,430.80</b>	<b>2,191,840,047.43</b>
<b>Income taxation</b>	<b>1,467,679,393.79</b>	<b>1,517,209,673.94</b>	<b>1,607,062,397.89</b>	<b>1,668,980,011.24</b>
Centrally collected income tax	1,467,650,507.63	1,517,209,673.94	1,607,062,397.89	1,668,980,011.24
<b>Property taxation</b>	<b>324,053,220.91</b>	<b>327,330,030.21</b>	<b>331,133,562.00</b>	<b>336,364,053.29</b>
Property tax	324,053,220.91	327,327,330.21	331,127,147.00	336,359,082.29
- land	83,139,623.74	85,878,207.72	87,899,402.37	86,082,547.54
- buildings	223,732,335.29	224,422,332.23	225,891,249.15	232,256,295.66
- housing	17,181,261.88	17,026,790.26	17,336,495.48	18,020,239.09
<b>Taxation of goods and services</b>	<b>182,011,653.38</b>	<b>182,515,278.22</b>	<b>184,689,513.92</b>	<b>186,310,992.53</b>
Taxation of services	181,459,630.24	182,058,603.36	184,043,498.30	185,750,880.97
Taxation of goods	468,394.28	439,223.86	468,936.27	476,109.98
Other	16,277.80	17,451.00	9456.35	15,041.85
<b>Sanctions</b>	<b>132,956.95</b>	<b>51,312.00</b>	<b>94,555.99</b>	<b>184,589.67</b>
<b>Total revenues</b>	<b>3,546,529,018.38</b>	<b>3,271,802,960.14</b>	<b>3,562,237,970.63</b>	<b>3,747,306,208.73</b>

Source: Ministry of Finance

**Table 4:** The structure of transfer for delegated responsibilities (thousands of euros)

	2014	2015	2016
General public services	35,523	31,643	19,325
Security	3896	3200	1509
Economic functions	114,993	292,166	55,056
Environment	72,543	107,704	26,397
Housing	54,856	53,858	94,869
Health care	734	3340	868
Recreation, culture, sports	6285	6410	5,103
Education	714,735	760,683	796,447
Social protection	52,178	52,573	60,150
<b>Total</b>	<b>1,055,743</b>	<b>1,311,577</b>	<b>1,059,724</b>

Source: Ministry of Finance

Last but not least, the final issue to be discussed here is equalization. The formula for the redistribution of income tax back to municipalities is defined by law and includes equalization elements: namely the altitude of a location, population size, the number of pupils, and the number of retired people. Such a selection of equalization indicators is insufficient to guarantee effective horizontal and vertical redistribution (redistribution for

a different revenue capacity and for different expenditure needs). Under current conditions, small municipalities allegedly receive a minimum amount of money for the functioning of their administrative apparatus (some of them spend up to 90% of revenues to cover fixed administrative costs). However, the real question is whether very small municipalities should be specifically supported or forced by financial instruments to amalgamate (see the last chapter). The issue of the formula for the redistribution of income tax is a subject of permanent discussion in the Slovak political landscape.

In terms of other requirements for municipal finance, the situation is positive. Municipalities are free to draft and approve their own budgets and need only respect the budget structure established by law. Municipalities with more than 3000 inhabitants also prepare programme performance budgets. The local council is the competent authority to approve the budget. Local authorities are free to decide what they will spend their own revenues on, and the central government or other state authority cannot interfere with this. The most important expenditure area for most municipalities is primary education, a combined original and delegated competency which is financed dominantly by transfers from the central level using formula-based financing (the number of pupils is the core factor of the allocation formula). The structure of municipal expenditure according to COFOG classification is shown in Table 5, and the structure according to budgetary rules is shown in Table 6.

**Table 5:** The structure of municipal expenditures: COFOG (thousands of euros)

	2015	2016
General public services	977,369	989,655
Defence	1139	765
Security	68,628	67,750
Economic functions	476,016	369,442
Environment	364,737	283,690
Housing	471,399	328,603
Health care	9037	5711
Recreation, culture, sports	231,507	231,023
Education	1,554,355	1,576,244
Social protection	180,600	175,809
<b>Total</b>	<b>4,334,787</b>	<b>4,028,692</b>

Source: Ministry of Finance

**Table 6:** The structure of municipal expenditures: budgetary classification (euros)

	2014	2015	Plan 2016	Reality 2016
Salaries	1,200,679,058.14	1,170,020,292.19	1,245,367,061.93	1,234,950,059.20
Social contributions	436,445,224.35	423,475,384.56	452,657,844.09	448,110,560.83
Goods and services	1,081,396,796.20	1,005,570,498.90	1,154,010,109.17	1,154,370,511.81
Current transfers	446,056,494.42	419,479,378.28	447,848,105.68	440,081,832.06
Credit recovery	22,662,388.07	24,519,630.41	22,394,591.40	19,917,820.05
Current budget total	3,187,239,961.18	3,043,065,184.34	3,322,277,712.27	3,297,430,783.95
Capital expenditure	872,341,213.91	611,113,134.50	668,269,693.08	436,811,211.84
Capital transfers	21,228,529.43	27,625,909.00	34,523,123.75	28,568,551.69
Capital budget total	893,569,743.34	638,739,043.50	702,792,816.83	465,379,763.53
Fiscal operations	253,976,819.61	203,393,882.56	273,241,401.49	265,881,535.31
<b>Total</b>	<b>4,334,786,524.13</b>	<b>3,885,198,110.40</b>	<b>4,298,311,930.59</b>	<b>4,028,692,082.79</b>

Source: Ministry of Finance

Municipalities are free to borrow or issue bonds, the law just sets some specific limits to prevent fiscal problems, such as: (a) loans which can only be used for capital purposes; (b) total debt stock which cannot exceed 60% of the budget of the previous year; and (c) annual debt payments which may not exceed 25% of the budget of the previous year. Slovak municipalities have their own property, goods, and assets and they can manage them freely.

The text above shows certain limitations in the area of financial resources of municipalities, and there is no surprise that the evaluation of the monitoring report was as follows: “In the light of the above, the Slovak Republic meets the basic standards enshrined in Art. 9 of the Charter.”

## 9 Local authorities' right to associate

In Slovakia, the right of local authorities to associate is recognized directly by the constitution, and this right is also executed without any problem. The most important professional associations connected with municipalities in Slovakia are as follows:

- The Association of Towns and Villages of Slovakia (ZMOS). The foundation of the association dates back to January 1990, and ZMOS members currently include 95% of all cities and towns in Slovakia. The association acts as a local interlocutor with the government and lobbies in favour of the vigorous territorial decentralization in the country.
- The Union of Towns and Cities of Slovakia (UMS) founded in 1994. Currently, the UMS has sixty-three *de jure* members (“cities”) in total. It is possible for a city to be both a member of UMS and of ZMOS.

- The “K8 Association”, which is the Association of the City of Bratislava and the seven regional capitals of Slovakia
- The Association of Historic Towns and Cities of Slovakia
- The Association of Municipal Finance Officers of the Slovak Republic
- The Slovak City Managers’ Association
- The Association of the Chief Controllers of Towns and Cities of the Slovak Republic
- The Club of the Mayors of Slovak Towns and Cities
- The Slovak Association of IT Experts Working in Self-governing Institutions: supporting government implementation on a regional self-governing level

The most important form of associating is inter-municipal cooperation, especially necessary for smaller municipalities (see also the final part of the chapter). Generally, municipalities can cooperate by means of the following types of contracts/agreements: (1) an agreement on the performance of tasks, (2) an agreement on the establishment of a joint municipal office, (3) an agreement on the establishment of a municipal association, (4) an agreement on the establishment of a legal entity, and (5) an agreement on the establishment of an association of legal entities. Table 7 lists the core forms of inter-municipal cooperation.

**Table 7:** The core forms of inter-municipal cooperation in Slovakia

Form of IMC	Legal entity	Number	Most typical (sector) areas of cooperation	Source of income
Joint municipal office	No	233	Exclusively for delegated state administration	State provides grants for the performance of their tasks
Micro-region	Yes	220 (the number of active micro-regions might be different)	Development planning, project cooperation, environmental protection, and tourism	Municipal budgets and own fundraising, EU funding
Euro-region	Yes (according to some registers: 19)	12	Development planning, project cooperation, cross-border cooperation, experience transfer, mutual promotion, and tourism	EU funds; small region

Form of IMC	Legal entity	Number	Most typical (sector) areas of cooperation	Source of income
Local action groups	Yes	29	In Slovakia, the programme was implemented only in the area of Diversification of Rural Economy and Quality of Life	EU funds; small contributions from the members of the LAGs
Joint municipal company	Yes	NA (estimation: high number)	Waste management, water sewage, bakeries, local tourism	Income from the sale of services as well as subsidies from local budgets
Contract on IMC for a particular task	No	NA (estimation: common in the past)	Public transport, waste management	Payment of one local government to another plus fees for delivered services
Project cooperation	No	NA (estimation: high number)	Organization of events (e.g., sports and cultural events)	EU funds and other funds, own municipal resources, income from entrance fees

Source: Klimovský, 2014; modified by the authors

In terms of international partnerships, Slovakia has signed and ratified the European Outline Convention on Transfrontier Cooperation between Territorial Communities or Authorities as well as two of its protocols. This provides for a robust legal and political basis for engaging in trans-border cooperation.

Taking all the above into the account, the monitoring report states: “Consequently, the present situation of the right of association is fully in compliance with the requirements of Art. 10 of the Charter”.

## 10 The legal protection of local self-government

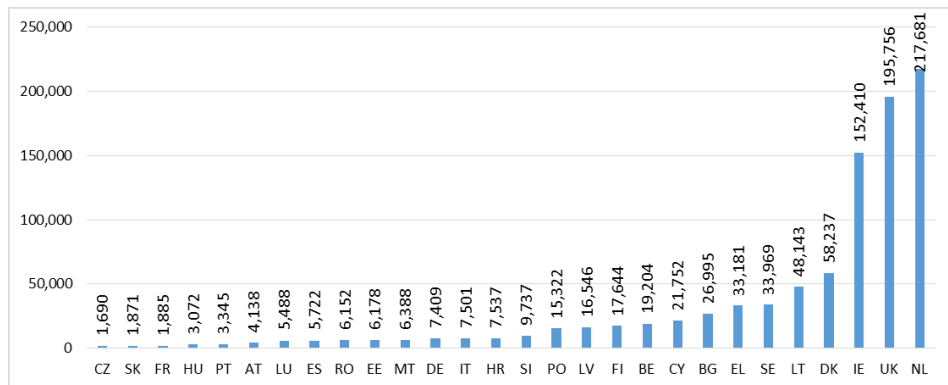
Slovak local authorities have the right of recourse to a judicial remedy (including litigation in the Constitutional Court) in order to secure the free exercise of their powers and respect for such principles of local self-government just like any other legal entity in Slovakia. (Administrative courts do not exist in the country.) The frequency of this type of action is very small. The monitoring report suggests that “the Slovak Republic meets the basic standards enshrined in Art. 11 of the Charter”.

## 11 Future challenges in the implementation of the European Charter of Local Self-Government in Slovak legislation

Two core challenges are discussed in this part: fragmentation and partnerships. The issue of there being many very small municipalities, as already indicated, is one of main concerns of international organizations, including the Council of Europe.

The territory of Slovakia has always been highly fragmented in terms of the number of municipalities. For instance, there were 3473 municipalities in 1921 or 3237 in 1947. The lowest total number of municipalities (2669 municipalities) in Slovakia was in 1989, but this number increased to 2891 (city parts not counted) over the following decades (Klimovský, 2014).

**Figure 1:** Average population per local government entity in the EU



Source: Thijs, Hammerschmid, and Palaric, 2017

The average municipality population size in Slovakia is only 1870 inhabitants, and the average Slovak municipality has an area of approximately 17 km<sup>2</sup>. Only two cities, Bratislava and Košice, have a population size over 100,000 inhabitants (approximately 430,000 in Bratislava and 250,000 in Košice). According to the last general census (2011), only seven other towns/cities have a population of over 50,000 inhabitants. Almost 70% of all Slovak municipalities have fewer than 1000 inhabitants, but only slightly more than 16% of the total population of Slovakia lives in them. Furthermore, several years ago the smallest municipality, Prikra, had only seven inhabitants, (nowadays it has 12); however, according to the relevant legal provisions, it has the same competencies as the largest Slovak municipalities (Klimovský, 2015).

Three steps relating to decentralization have been planned in Slovakia since 1989: (1) devolution, (2) fiscal decentralization, and (3) territorial consolidation. However, after the implementation of the first two steps, no central government had any interest in

continuing with these processes and all of them preferred the status quo (Klimovský, 2015).

To conclude we may state that local self-government capacities are legally very well defined and secured; Slovakia is sometimes called a “decentralization champion” (Klimovský, 2015). However, the positive impact of such a situation is limited by too high fragmentation. There is no doubt that some municipalities are simply too small to execute a full set of their original and delegated responsibilities. This issue is not addressed and probably will not be addressed in the near future (Klimovský, 2015). Two core and many small barriers block such changes. The core political issue is strong political opposition, especially at the municipal level (independence has a much higher value for mayors than efficiency – see Buček and Nemeč, 2012). The implementation barrier is connected to the fact that there are no comprehensive data available for the preparation of such a change. There is no optimum size of a municipality, and, according to existing academic research, economies of scale (savings thanks to a larger size) cannot be confirmed for the full block of municipal services; according to Matějova et al, 2017, the economic optimum really differs for different services or does not exist at all. In such a situation, poor political decisions about a minimum size could lead to massive mistakes: see the examples of other Central and Eastern European countries, such as Georgia, which revisited its amalgamation very early after implementing it. In such situations, the central government, and especially the Ministry of Finance and the Ministry of the Interior, should promote all forms of municipal cooperation much more effectively, especially the establishment of joint municipal offices for delegated competencies. It might be possible to follow the Czech example of different categories of municipalities from the point of view of delegated responsibilities.

### **11.1 Partnerships**

Existing research clearly documents the fact that the will of all levels of government in Slovakia to involve stakeholders in decision making and the service delivery process is rather limited. This fact can be documented in research by Vitálišová (2015). She mapped the level of cooperation/non-cooperation of municipalities with stakeholders. Despite the fact that the answers of municipal representatives are certainly positively biased, half of the municipalities claim that they do not cooperate with universities. (Universities are located in all parts of the country, so this is not a problem of territorial availability.) Only about 60% of municipalities cooperate with local businesses, and only 70% clearly showed the will to cooperate with local non-governmental organizations.

Nemeč, Mikušová Meričková, and Svidroňová (2015a,b) analysed the participation of different stakeholders in public service provision at the level of local self-government and on different types of co-creation. The authors selected five examples of co-creation in the welfare sector and five cases in the environmental sector (Table 8).

**Table 8:** Selected cases of co-creation at the local government level

Case	Goal of co-created initiative	Main actors/stakeholders
1. Conciliation councils	Help citizens to solve any kind of conflicts, especially ethnic conflicts	Citizens, PDCS (NGO), C.S. Mott Foundation, municipalities in given areas
2. Kojatice Social Housing	Provide social housing for Roma with a certain maintenance guarantee thanks to Roma co-financing and co-building	University students, Roma citizens, local self-government and its mayor, ETP Slovakia (NGO)
3. Godmothers	Provide material and non-material support to young mothers in social need for their inclusion in society	Šanca pre nechcených (NGO), SPP Foundation, VUB Foundation, Orange Foundation, municipalities that decided to support the project
4. Electronic Guard	Improve the lives of elderly disabled citizens with telecare and related assistive technologies	Involved local governments, YMS (private IT company), Orange (private telecommunications company)
5. Martin Relaxation Path	Improve the lives of elderly citizens by building an accessible public relaxation infrastructure: a nature path	Municipality of Martin, several citizen initiatives (Joga v dennom živote, Diamart – a club of people with diabetes and the Martin Pensioners Club)
6. Green Patrol in Bratislava	Increase citizen participation and responsibility for clean green areas; a better quality urban environment	Green Patrol citizens' initiative, municipality of Bratislava and its local boroughs, inhabitants of Bratislava
7. Green Patrol Interactive Portal	Improve and maintain the quality of the urban environment; improve collaboration among citizens, participating organizations, and the city	Green Patrol citizens' initiative, the City of Bratislava, citizens in social networks
8. Trash Out	Improve the physical environment and collaboration among all sectors	Involved local governments, environmental NGOs (Greenpeace, Let's do it, Enviweb cz, Emerald Planet, Priatelia Zeme, Greenoffice.sk), waste management companies, Ministry of Environment of the Slovak Republic, the Environmental Fund of the Slovak Republic
9. Mobile City	Facilitate citizen participation and improve the physical environment	Datalan (a private company), municipalities in the Bratislava self-governing region and their inhabitants



10. PrieStory

Complete low-cost physical infrastructure investment projects undertaken by volunteers living in the area; improve collaboration among sectors	The Ekopolis Foundation, citizens, participating municipalities, ČSOB Bank, local companies (as sponsors providing additional funding)
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Source: Nemeč, J., Mikušová Meričková, B., Svidroňová, M., 2015b.

Based on an analysis of the investigated cases, the authors summarized the roles of the different participating actors based on the three different phases of co-creation: Initiation (marked as 1), Design (2), and Implementation (3) in Table 9.

**Table 9:** The role of different actors in co-creation based initiatives in different stages of the co-creation

Role Project	Citizen initiative(s)			Formalized NGOs			Private sector			Local government		
	1	2	3	1	2	3	1	2	3	1	2	3
Conciliation councils	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	No	Partly
Kojatice	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Partly	Partly	Yes
Godmothers	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No	No	Partly
Electronic Guard	No	Yes	No	No	No	No	Yes	Yes	Yes	No	Yes	Partly
Martin Relaxation Path	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes
Green Patrol BA	Yes	Yes	Yes	No	No	No	No	No	No	No	No	Partly
GP Interactive Portal	Yes	Yes	Yes	No	No	No	No	No	No	No	No	Partly
Trash Out	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Partly
City Mobility	No	No	Partly	No	No	No	Yes	Yes	Yes	No	Yes	Partly
PrieStory	No	Yes	Yes	Yes	Yes	Yes	No	No	Partly	Partly	No	Partly

Source: Nemeč, J., Mikušová Meričková, B., Svidroňová, M., 2015b

The collected data indicate that local governments usually do not initiate co-creation and are not very active in the design and implementation phases. In the analysed cases, none

of the local governments fully participated in the initiation of co-creation; only two municipalities were even partly involved. In the design stage, the situation is similar although slightly better; at least half of the municipalities participated in the co-design of an innovative public service solution either fully (four municipalities) or partly (one municipality). In the implementation of social innovation, two local governments participated fully and eight were partly involved.

The actors who initiate co-creation in Slovakia can be divided into two types: the private sector and formal or informal third-sector structures (NGOs or citizens). The private sector is especially active in the area of information technologies, as the implementation of co-created initiatives in that field also improves their sales and profit. Normally, local governments are expected to cooperate with stakeholders (one of the core governance principles), but this does not work in Slovakia. Veselý (2013) indicates that a lack of accountability may be one of the core factors in this situation.

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