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# INTERNATIONAL PARTNERSHIPS OF LOCAL AND REGIONAL PUBLIC ADMINISTRATION BODIES OF KOŠICE REGION AND PREŠOV REGION WITH PARTNERS IN UKRAINE<sup>2</sup>

#### **Abstract**

Despite the absence of a law on cross-border cooperation in the Slovak Republic, it can be concluded that the existing legal frameworks in Slovakia and Ukraine provide sufficient and diverse formal opportunities for cooperation between regional and local authorities on both sides of the border. At the beginning of the 90s of the 20th century, real self-governing structures, the business environment, and the non-governmental sector were just starting to take shape, and the relations between the then-new states of Slovakia (founded in 1993) and Ukraine (founded in 1991) were just being formed anew. The legislative environment was gradually formed. From this period, if we do not count legislative frameworks at national levels, almost the only formal evidence of cooperation between regional and local actors on both sides of the border is official documents on international partnerships of cities and municipalities. Of course, cooperation existed, especially in areas where it still works. In the field of culture, sports, tourism, education, and possibly also other, but practical matters, for example, related to transport

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<sup>2</sup> The paper was prepared as part of the project APVV-21-0057 "Slovensko-Ukrajinská cezhraničná spolupráca počas a po pandémii COVID-19: faktory a perspektívy, dopad na politiky." The research was carried out within the project no. GGC01005 "Bezpečná a inkluzívna hranica medzi Slovenskom a Ukrajinou - SIBSU", within the program "Dobrá správa vecí verejných, zodpovedné inštitúcie, transparentnosť / Cezhraničná spolupráca" co-financed from the Financial Mechanism of the European Economic Area 2014-2021 and the state budget of the Slovak Republic, one of whose partners was the Research Center of the Slovak Foreign Policy Association. Link to the project SIBSU: https://sk.sibsu.sk/..

connections or trade. We believe that, given the circumstances, the intensity of cooperation was at a lower level than at present. The paper deals with mapping international partnerships of local and regional public administration bodies in the Prešov and Košice regions with partners in Ukraine, from 1993 until now. The text deals with the legislative and institutional framework for the cooperation of local and regional actors across the border. Part of the article is also an overview of the contractual relations between the examined local and regional public administration bodies. The paper also offers political considerations and recommendations for the further development of the investigated relations. The paper also includes an interpretation of the results of the author's survey and the sociological survey carried out for the SIBSU project.

**Key words:** public administration, international partnerships, local and regional authorities, Slovakia, Ukraine

### 1 INTRODUCTION

It is a well-known fact that, due to its geographical location and territorial administrative division, every region in Slovakia is also a border region. Only two regions in eastern Slovakia (Košický kraj and Prešovský kraj) border the Ukrainian Zakarpattia region. There wouldn't be anything special about that if it weren't for the so-called Schengen "green" border and the border of the European Union. Of course, there was no Schengen border before December 2007 and no European Union border before 2004 either. Ukraine gained its independence in 1991 and the Slovak Republic was established in 1993. Therefore, we can formally consider 1993 as the year of the beginning of the establishment of joint relations between Slovakia and Ukraine at various levels and in various areas. Because local and regional actors in the Košice Region and Prešov Region and local and regional actors in the Zakarpattia Region of Ukraine and other nearby regions of Ukraine should, for logical reasons, be most interested in mutual partnership and cooperation. The paper tries to reflect this international cooperation. We focus primarily on representatives from the local/regional self-government, although it is often the private sector and the non-profit sector that develop more effective frameworks for cooperation, which may not be as formalized and institutionalized as is typical for public administration.

# 2 LEGAL REQUIREMENT OF SLOVAK TERRITORIAL SELF-GOVERNMENT FOR INTERNATIONAL COOPERATION AND OVERVIEW OF INTERNATIONAL PARTNERSHIPS OF PUBLIC ADMINISTRATION BODIES FROM EASTERN SLOVAKIA WITH UKRAINE

In the case of territorial self-government in Slovakia, we can talk about local self-government and regional self-government. Local self-government, which in Slovakia is represented by municipalities and cities<sup>3</sup>, in the field of international cooperation is governed by Act no. 369/1990 Coll. on the municipal establishment. Paragraph 21 of the Act states that the municipality may, within the scope of its competence, cooperate with territorial and administrative units or with the authorities of other states performing local functions. It has the right to become a member of an international association of territorial units or territorial bodies. Approve agreements on international cooperation and membership of the municipality in an international association - this is decided by the municipal council elected by the inhabitants of the municipality.

In Slovakia, international partnerships of towns and municipalities are a traditional form of cooperation, i.e. partnership or town-twinning, which we define as cooperation between two or more municipalities based on a partnership agreement, agreement, or memorandum<sup>4</sup> and are approved by the local/city council for a long but certain period (Špačeková, Labátová, Ďurechová, 2012, s. 14).

In the case of regional self-government, which in Slovakia consists of higher territorial units (self-governing regions), the international cooperation of self-governing regions is regulated in Act No. 302/2001 Coll. on the self-government of Higher Territorial Units (self-governing regions) in § 5. The self-governing region may, within the scope of its competence, cooperate with territorial and administrative units or with offices of other states performing

<sup>3</sup> The city of Košice - the metropolis of eastern Slovakia - has a special position, as cities in Slovakia with more than 200,000 inhabitants have a separate law. Law on the city of Košice no. 401/1990 Coll. allows the city and, with the prior consent of the city and the city district, that it may, within the scope of its competence, conclude agreements, establish associations and establish international cooperation..

<sup>4</sup> Regarding cross-border cooperation contractual relations, they can be divided according to the type of legal force into agreements, memoranda, declarations, letters of intent, etc. Examples of partnership cooperation between the two largest cities in eastern Slovakia. City of Košice: https://www.kosice.sk/mesto/partnerske-mesta-mesta-kosice. City of Prešov: https://www.presov.sk/partnerske-mesta.html. It is interesting that the city of Prešov states in the cooperation agreement with the Ukrainian Mukachevo that the cooperation is complicated despite the geographical proximity, given that, as a non-member country of the European Union, the Ukrainian partners have a number of bureaucratic obstacles to mutual cooperation.

regional functions. It has the right to become a member of an international association of territorial units or territorial bodies. Cooperation shall take place only based on a cooperation agreement<sup>5</sup>, which must contain the statutory requirements. The cooperation agreement must be concluded in writing and must be approved in advance by an absolute majority of all deputies of the self-governing regional council. Of course, other forms of cooperation do not have such legal force and are not defined in the law in question (declarations, memoranda, declarations, cooperation protocols, cooperation intentions, etc.). We must add that, in our experience from other projects as well, these cooperation agreements are often only of a formal nature and, in principle, except for non-functioning partnerships.

In addition to local and regional parliaments, the management and organization of international cooperation between municipalities and cities - mayors elected as executive bodies of municipalities and cities, and also at the level of self-governing regions at the level of regional self-government. These elected representatives have the possibility by law to establish permanent or temporary advisory, initiative, and control bodies (commissions), which can deal with matters of cross-border cooperation, foreign relations, and the like. They can also set up various agencies/organizations (tourism, regional development, etc.) based on association law or the basis of other legal regulations (for example based on Act no. 539/2008 Coll. on the support of regional development or the basis of Act No. 91/2010 Coll. on the support of tourism). Within the municipal and regional offices, organizational units can be set up, that deal with the issue of foreign relations and protocol. Their goal is to develop foreign relations and support cross-border (project) cooperation.

Slovakia does not have a separate law on cross-border cooperation, but membership in the EU gives Slovak self-governments additional opportunities for institutional cross-border cooperation. The above-mentioned law on the support of regional development defines a Euroregion as a territorial cooperation entity composed of representatives of socio-economic partners operating at the regional and local level of neighboring countries, established for cross-border cooperation. On this basis, the Slovak part of the Euroregion is an interest association of legal entities established under a special law for cross-border cooperation with its registered office in the Slovak Republic. Act

<sup>5</sup> The Prešov self-governing region has an agreement on cooperation with the Transcarpathian region of Ukraine dated March 15, 2005 (more information about the agreement here: https://www.po-kraj.sk/sk/samosprava/medzinarodna-spolupraca/bilateralna-spolupraca/zakarpatska-oblast-ukrajina/dohoda-spolupraci.html) and the Declaration on Cooperation with the Ivano-Frankivsk Region from June 2, 2004, but this cooperation is more or less on a formal level. The Košice self-governing region has signed only the Memorandum on cooperation with the Zakarpattia region in Ukraine from October 2006 (more info here: https://web.vucke.sk/sk/fakty-kraji/ine/partnerske-regiony/)..

no. 90/2008 Coll. on European Grouping of Territorial Cooperation makes membership of the association conditional on the consent of local or regional authorities, as municipalities and higher territorial units may be members of a European Grouping of Territorial Cooperation. According to the List of European Groupings of Territorial Cooperation,<sup>6</sup> the Ukrainian side is a member of only one European grouping of territorial cooperation (Tisza EGTC based in Kisvárda, Hungary).<sup>7</sup>

Municipalities, cities, and self-governing regions, especially after Slovakia joined the European Union, initiated mutually beneficial partnership cooperation with the Ukrainian side, mainly due to the support of joint cross-border projects from the European Structural Investment Funds, but also from other sources and grant schemes<sup>8</sup> (for example, the EEA and Norway Grants, where the program Dobré spravovanie a cezhraničná spolupráca is currently active<sup>9</sup>), which change during program periods and politically set priorities. This cooperation takes place based on partnership contracts for projects, cooperation intentions related to projects, contracts on the provision of financial contributions, agreements on cooperation and financing of projects, and the basis of other project contracts. Municipalities, cities, and regions do not have to be involved in these projects directly, but also through organizations within their founding jurisdiction, which in the case of larger settlements or self-

<sup>6</sup> List of European groupings of territorial cooperation (EGTC), link: https://portal.cor.europa.eu/egtc/CoRActivities/Documents/Official List of the EGTCs.pdf?Web=0.

<sup>7</sup> However, there is talk of the possibility of establishing a new EGTC. If the regions are interested, cooperation should take place between the Košice self-governing region and the Prešov self-governing region in Slovakia and three regions in Ukraine: Zakarpattia, Lviv and Ivano-Frankivsk (Otriová, 2022).

<sup>8</sup> After 1989 and the fall of the Iron Curtain, many support programs of the European Union for cross-border cooperation were established. After the programs Interreg I, Interreg II to Interreg III, which brought reform and unification of policies, an obvious shift was achieved only in the period 2007-2013. Territorial cooperation as a whole changed its status and moved to the level of a separate objective, which increased its visibility and gave it more prominence legislative starting point. Partnerships with countries outside the European Union were no longer supported by the Structural Funds, but belonged to the zone of two new supports: the European Neighborhood and Partnership Instrument and the Instrument for Pre-Accession Assistance. Cross-border cooperation established a wider geographical coverage than the former Interreg programme. The 2014-2020 programming period also includes the Interreg V-A program within the framework of the European Union and the European Social Development Fund called Together Without Borders. In addition, there is also the ENI operational program Cross-border cooperation Hungary - Slovakia - Romania - Ukraine for the program period 2014 - 2020. The cooperation programs are a supplement to the main European programs, for example the Rural Development Program of the Slovak Republic 2014 - 2020 or programs implemented within the goal of Investing in growth and employment (Cirner, 2018, s. 10-11)...

<sup>9</sup> List of currently active EEA and Norway Grants projects: https://www.eeagrants.sk/programy/dobre-spravovanie-a-cezhranicna-spolupraca/projekty/.

governing regions may be several dozen or more than 100 (if we are talking about self-governing regions). Municipalities can be associated with a local action group (milestone akčná skupina) (hereinafter referred to as "MAS") and many municipalities are part of MAS. MAS is also involved in cross-border cooperation projects.

The MAS is a partnership of representatives of the public, business, and civic sectors that operate in a cohesive territory. The MAS prepares and subsequently implements the development strategy for project cooperation. The implementation of the strategy consists primarily in deciding on the support of projects of local entities, including their monitoring and the implementation of joint development projects and programs. The MAS has a legal personality and mandatory authorities. In the conditions of Slovakia, MASs can become civic associations, which will be selected by the Ministry of Agriculture and Rural Development of the Slovak Republic based on the evaluation of development strategies and will be granted MAS Statute (Miestna akčná skupina Spiš, 2018).<sup>11</sup>

Of course, in this context, the national and international framework, which concerns self-government and cross-border cooperation through various normative legal acts, must not be forgotten.

Of course, in this context, the national and international framework, which concerns self-government and cross-border cooperation through various normative legal acts, must not be forgotten. These are international obligations of the Slovak Republic, to which it has committed itself in the form of multilateral and bilateral agreements, treaties, memoranda of understanding, implementation and technical protocols, and other forms (eg. agreements on cross-border cooperation with neighboring countries or trade, scientific and cultural cooperation with countries of interest). It is also the European Outline Convention on Transfrontier Co-operation between Territorial Entities or Authorities, including the Additional Protocol and Protocol No 2, which promotes the conclusion of agreements on cross-border and interterritorial (non-neighboring territorial entities or authorities) within local and regional authorities. The Slovak Republic has signed a cross-border cooperation agreement with Ukraine by European Outline Convention on Transfrontier cooperation between Territorial Entities or Authorities. The European Charter of Local Self-Government, ratified by the Slovak Republic and Ukraine, also mentions the right of local authorities to associate. An association agreement has been signed between the European Union, which has included the

<sup>10</sup> List of approved local action groups for the implementation period 2014-2020. Link: https://www.nsrv.sk/?pl=91...

<sup>11</sup> From 2020, this competence passed to the Ministry of Investments, Regional Development and Informatization of the Slovak Republic..

Slovak Republic since 2004, and Ukraine, which also includes the Deep and Comprehensive Free Trade Area Agreement between the European Union and Ukraine (DCFTA).<sup>12</sup>

Table 1: Examples of cooperation agreements concluded between local and regional authorities of Ukraine and Slovakia (Košice Region, Prešov Region) in the years 1993 – 2021

Local/regional authorities in Slovakia	Local/regional authorities in Ukraine	Name of the agreement	Date/Year of signature of the cooperation
Zatín Village	Yanoshi Village	Cooperation	?
Council	Council	Agreement	
City Council of	Rakoshino City	Cooperation	before 2014
Veľký Šariš	Council	Agreement	
Košice City	Uzhhorod City	Cooperation	January 16, 1993
Council	Council	Agreement	
Council of Košice Region	Ivano-Frankivsk Regional State Administration	On the principles of mutual relations and development of cooperation	December 09, 1997 (repealed in 2015, but Ivano-Frankivsk Regional State Administration is interested in renewing the agreement)
City Council of	City Council of	Cooperation	October 02, 1998
Stará Ľubovňa	Svaliava	Agreement	
Michalovce City	Uzhhorod City	Cooperation	1999
Council	Council	Agreement	
City Council of	City Council of	Cooperation	May 09, 1999
Humenne	Perechyn	Agreement	

<sup>12</sup> More detailed information can be found in the texts: DULEBA, A. – CIRNER, M. 2021. Country profile: Slovakia. Comparative analysis on the competencies of regional and local authorities in the field of CBC of the 5 countries. Budapešť: CESCI, 2021. s. 47 – 57. Dostupné online: https://budapest.cesci-net.eu/en/comparative-analysis-on-the-competencies-of-regional-and-local-authorities-in-the-field-of-cbc-of-the-5-countries/; CIRNER, M. – DUDINSKÁ, I. 2019. A comparison of political and administrative competences of regional and local actors (an analysis of the national legislatures of Slovakia and Ukraine, context, aims). In: SZÉKELY, G. Cross-border cooperation between Slovakia and Ukraine III: Policies and practices of regional and local actors. Prešov: Vydavateľstvo Prešovskej univerzity, 2019. s. 19-48. ISBN 978-80-555-2350-7..

Council of the Košice Region	Transcarpathian Regional Council	The Agreement on Interregional Cooperation between the Transcarpathian Regional Council (Ukraine) and the Council of the Košice Region	December 17, 1999
Council of the Prešov Region	Transcarpathian Regional Council	The Agreement on Interregional Cooperation between the Transcarpathian Regional Council (Ukraine) and the Council of the Prešov Region	November 19, 2000
Council of the Prešov Region	Ivano-Frankivsk Regional State Administration	Agreement on the principles of mutual relations	June 26, 2001
		(repealed in 2015, but the Ivano-Frankivsk Regional State Administration is interested in renewing the agreement)	
Council of the Prešov Region	Lviv Regional State Administration	Agreement between the Lviv Regional State Administration (Ukraine) and the Council of the Prešov Region on Interregional Cooperation (Slovakia)	October 26, 2001
Council of the Košice Region	Transcarpathian Regional State Administration	Memorandum of Understanding on cross-border cooperation	June 21, 2002, and May 13, 2006

City Council of Vranov nad Topl'ou	City Council of Vinogradov	Cooperation Agreement	2004
Council of the Prešov Region	Transcarpathian Regional State Administration	Cooperation Agreement	March 15, 2005
Bol Village	Batiovo Village	Cooperation	August 25, 2006
Council	Council	Agreement	
City Council of Sobrance	City Council of Perechyn	Cooperation Agreement	September 2006
City Council of	City Council of	Cooperation	October 01, 2006
Bardejov	Ťačiv	Agreement	
Council of the Košice Region	Transcarpathian Regional State Administration	Agreement on trade-economic, scientific-technical and cultural cooperation between the Transcarpathian Regional State Administration (Ukraine) and the Council of the Košice Region (Slovakia)	November 24, 2006
Prešov City	Mukachevo City	Cooperation	June 8, 2007
Council	Council	Agreement	
City Council of Čierna nad Tisou	Čop City Council	Cooperation Agreement	2008
City Council of	City Council of	Cooperation	October 10, 2008
Snina	Chust	Agreement	
City Council of	City Council of	Cooperation	June 23, 2009
Snina	Kremenčuk	Agreement	
Drienica Village	City Council of	Cooperation	September 9, 2009
Council	Perechyn	Agreement	
Humenné City	Mukachevo City	Cooperation	September 14,
Council	Council	Agreement	2010
City Council of	Chust City Council	Cooperation	December 09,
Lipany		Agreement	2010
City Council of Humenné	City Council of Uzhhorod	Protocol of Intent	2011

City Council of Svidnik	City Council of Rakhiv	Agreement on cultural cooperation	June 2014 (beginning of cooperation in 2002, was renewed in 2014)
City Council of Vranov nad Topl'ou	City Council of Sambir	Memorandum of understanding between Sambir (Ukraine) and Vranov nad Topl'ou (Slovakia)	2014
City Council of Vranov nad Topl'ou	City Council of Sambir	Memorandum of understanding and held annual exchanges of official delegations, culinary art fairs, and folk art festivals	2015
City of Spišská Nová Ves	City Council of Lviv	Cooperation and implementation of projects in the field of preservation of historical heritage and cultural exchanges	2015
Council of the Prešov Region	Transcarpathian Regional Council; Transcarpathian Regional State Administration	Joint Action Program for 2015-2016 of the Transcarpathian Regional Council (Ukraine), Transcarpathian Regional State Administration (Ukraine), and the Council of the Prešov Region (Slovakia)	May 15, 2015

Council of the Košice Region	Transcarpathian Regional State Administration	Executive Protocol No. 7 to the Memorandum of Cooperation between the Transcarpathian Regional State Administration (Ukraine) and the Council of the Košice Region (Slovakia) for 2015-2016	May 15, 2015
Council of the Košice Region	Transcarpathian Regional Council	Agreement on cross-border cooperation of local governments in the Tisza River basin	May 12, 2016
Council of the Košice Region	Transcarpathian Regional State Administration; Transcarpathian Regional Council	Memorandum of Cooperation	May 21, 2016
City Council of Spišské Podhradie	City Council of Perechin	Cooperation Agreement	2017
City Council of Gelnica	City Council of Novodnistrovsk	Cooperation Agreement	April 27, 2017
Council of the Prešov Region; Council of the Košice Region	Transcarpathian Regional State Administration; Transcarpathian Regional Council	Implementing Protocols to the Memoranda of Cooperation between the Council of the Presov Region, Transcarpathian Regional State Administration, Transcarpathian Regional Council, and the Council of the Košice Region	May 13, 2017 (for the period from May 2017 to May 2018)

City Council of	Berehovo City	Cooperation	September 16,
Kráľovský Chlmec	Council	Agreement	2017
Council of the Prešov Region; Council of the Košice Region	Transcarpathian Regional State Administration; Transcarpathian Regional Council	Memorandum of Cooperation for the period from May 2018 to May 2019	May 26, 2018
City Council of	City Council of	Cooperation	November 04, 2019
Spišská Nová Ves	Ťačiv	Agreement	
City Council of	City Council of	Cooperation	2020
Stropkov	Novovolynsk	Agreement	

Source: Authors based on data from public administration bodies, 2022.

Cooperation agreements usually declare the need for the development of several areas of cooperation, including economic development of regions, transport infrastructure, safe and efficient use of natural resources, implementation of anti-flood measures, development of tourism, and preservation of cultural and historical heritage.

# 3 SOCIO-POLITICAL CONNOTATIONS OF THE (NON) DEVELOPMENT OF SLOVAK-UKRAINIAN RELATIONS IN THE CONTEXT OF LOCAL AND REGIONAL REPRESENTATIVES FROM EASTERN SLOVAKIA

As our findings show, the formal institutional cooperation of local and regional actors began to start gradually only after 1998, until then it was rather a unique phenomenon. The Slovak Republic was established as an independent state in 1993 and Ukraine in 1991. The first years of independence of the newly formed states emphasize other issues than the development of cross-border cooperation at the regional and local levels. In addition, in both countries, there has been a profound transformation towards democracy, a transition from a centrally planned economy to a market economy, a transformation of law, economy, and major social change, which has brought many problems. The political situation in both countries also favored centralism and state dirigisme, state administration was strengthened at the expense of local communities, self-government was rather not trusted, and management from the center was enforced. In Slovakia, the change occurred after the defeat of Vladimír Mečiar in the 1998 elections, when the governments of Mikuláš Dzurinda (1998-2002; 2002-2006) began many reforms in the area of public administration and its decentralization. At the same time, the governments of Mikuláš Dzurinda had a pro-European and pro-Atlantic direction and wanted

to bring Slovakia into the EU and NATO.

This political direction has significantly assisted local and regional actors in developing cross-border cooperation. At the same time, part of the governing coalition was the political party SDL (Democratic Left Party), whose chairman Jozef Migaš also served in Ukraine as the Slovak ambassador. Another government political party was SOP (Party of Civic Understanding), whose leader was the Mayor of Košice city Rudolf Schuster and later the President of the Slovak Republic (1999-2004), who had good friendly relations with at the time Ukrainian President Leonid Kuchma. These circumstances also weighed on the development of mutual relations at the national level, which supported other levels as well. In addition, at this time the foreign policy direction in Ukraine changed to a more pro-European and less pro-Russian when the Prime Minister of Ukraine was Viktor Yushchenko.

The cooperation began to intensify after Slovakia acceded to the EU, but did not reach such significant dimensions. The Slovak-Ukrainian border and the orientation of Slovak local and regional actors towards the member states of the EU remained a problem, where cooperation paid off based on possible ioint projects and without many bureaucratic and other obstacles associated with Ukrainian partners (border, corruption, incompatible and problematic legal and economic environment, etc.). However, despite the political instability in Ukraine (revolutions) and the war since 2014, respectively since 2022, Ukraine has embarked, it seems to be definitively after 2014, on a pro-European and pro-reform course and is intensively converging with the EU. Nevertheless, we can state that the institutional cooperation of regional and local actors in Slovakia and Ukraine is not very intensive, and we believe that this institutional cooperation is often only formal. As further mentioned in the text, our research found that despite formally signed cooperation, many municipalities do not have joint projects or activities across the border. Thus, we can state in 2022 that the potential for cooperation is not fulfilled, even though today there are almost no legislative or other obstacles as to why such cooperation could not work.

This can be demonstrated by a survey, or an attempt at a survey, on the intensity of joint projects and partnerships between the Slovak and Ukrainian self-government. Even though we obtained information about Slovak-Ukrainian cooperation from publicly available sources and databases as part of the research (in addition, we have at our disposal several internal documents, lists, and our project databases from previous projects), we decided to address selected municipalities with two simple questions, which could bring us new or additional information.

As part of the survey, we contacted all regional cities (Košice, Prešov), district cities, and other selected "bigger" cities with more than 5,000

inhabitants (Poprad, Michalovce, Spišská Nová Ves, Humenné, Bardejov, Trebišov, Vranov nad Topľou, Snina, Rožňava, Kežmarok, Stará Ľubovňa, Levoča, Sabinov, Moldava nad Bodvou, Svidník, Stropkov, Veľké Kapušany, Krompachy, Sečovce, Svit, Kráľovský Chlmec, Spišská Belá, Medzilaborce, Lipany, Sobrance, Veľký Šariš, Gelnica, Dobšiná), although several cities cannot be considered as border cities.

72 individuals were contacted by the description of their job position (provided that they could have been dealing with cross-border (project) cooperation or foreign relations). We sent a bulk e-mail for the first time on November 27, 2021, and at regular intervals (1 week) we sent our request for cooperation on the survey for one month with two questions:

-Which Ukrainian regions/cities/municipalities (or other entities) with which your municipality has/did have (formal) cross-border cooperation?

-What are the most important forms of cooperation and joint projects with Ukrainian partners that your municipality has/had?

The responsibility was expectedly very low at the level of 12.5%. We received 9 responses, of which the city of Košice contacted us by phone. In addition to Košice, answers were also sent by respondents from the cities of Kežmarok, Humenné, Trebišov, Krompachy, Spišská Nová Ves, Veľké Kapušany, Prešov, Svit. Although we cannot talk about relevant results, some of the respondents' statements well illustrated the situation in the field of Slovak-Ukrainian cooperation.

For example: "Forms of cooperation are mainly through joint projects"; "We wanted to apply for a financial grant with the city of Ťačiv under the cross-border cooperation program https://huskroua-cbc.eu/ in the area of TC 3 Support of local culture and preservation of historical heritage and TC6 Environmental protection, mitigating the effects of climate change and adaptation climate change. In the end, however, it did not succeed due to technical and organizational complications on the part of Ťačiv"; "Cooperation with Ukrainian partners is mainly in the field of sports, culture, etc."; "support of schools and facilities, exchange of experience within the functioning of local governments in individual areas, representational purposes".

Some respondents mentioned current or past projects, and 3 respondents admitted that their cities have no cooperation with Ukraine. The non-answer of other municipalities to two simple questions indicates not only ignorance or unprofessionalism, but can also be an assumption that the municipalities in question are not aware of past and current cooperation with Ukrainian partners, or that such cooperation does not exist.

We were intrigued by the vague answer from the city of Prešov and

found out that apart from the formal cooperation with the partner city of Mukachevo and the fact that the city was approached by representatives of the city of Ivano-Frankivsk in the interest of cooperation, this city has not implemented a single project with a Ukrainian partner in at least the past 7 years, which is evidenced by the online map of projects of the city of Prešov<sup>13</sup>.

And one more piece of information. According to the Interactive map of SlovakAid projects<sup>14</sup>, which refers to the set of all activities of Slovakia that belong to the development cooperation of the Slovak Republic and are financed or co-financed from the state budget of the Slovak Republic, Slovakia has so far supported 114 projects, of which 25 in the Transcarpathian region (21 partners were based in Uzhhorod) and 3 in the Lviv region. None of the projects came from eastern Slovakia, regional and local actors in eastern Slovakia do not use this opportunity for joint Slovak-Ukrainian projects.

Secondly, we examined the results of a sociological survey carried out for the aforementioned SIBSU project with the same questions on both the Slovak and Ukrainian sides. In the case of cross-border cooperation, according to a survey conducted in Ukraine in December 2021 - January 2022 (809 respondents), 17.6% of respondents cited "bureaucracy required by regulations" as the cause of obstacles when crossing the Slovak-Ukrainian border. In addition, 36.1% of respondents believe that "stability and a favorable legal environment" are important for the development of cross-border cooperation, and 5.6% of respondents said that it is necessary to improve national legislation.<sup>15</sup>

According to a poll conducted in Slovakia in December 2021 (807 people interviewed), 15.1% of respondents cited "bureaucracy required by regulations" as the cause of obstacles in crossing the Slovak-Ukrainian border. A stable and favorable legal environment for cross-border cooperation is considered useful by 50.4% of respondents and to some extent by another 26.3% of respondents. When asked whether local and regional authorities help support the development of cross-border cooperation, up to 40% of respondents said that they provided only partial support and 25.1% of respondents stated that they provided no support or little support. As far as local and regional government is concerned, the assessment of respondents is almost identical and to the detriment of these bodies.

59.5% of respondents believe that joint planning of regional development of border areas by local and regional authorities on both sides

<sup>13</sup> Online map of projects of the city of Prešov available here: https://www.presov.sk/oznamy/mesto-presov-uspesne-zrealizovalo-projekty-z-externych-zdrojov-v-objeme-47-milionov-eur. html

<sup>14</sup> Interactive map of SlovakAid projects available here: https://slovakaid.sk/projekty/...

<sup>15</sup> Main results of the sociological survey for the SIBSU project, December 2021 - January 2022...

of the border would have a positive impact on the local economy and society. As many as 49.3% of respondents consider local and regional authorities (municipality/city, local authorities, and their affiliated organizations) to be on average successful in the field of cross-border cooperation. In the case of local and regional state authorities, it is very similar, with 48.6% of respondents considering them to be an average success in cross-border cooperation. <sup>16</sup>

According to a poll, the Slovak state administration and self-government are not considered very active in the field of cross-border cooperation, nor their support for the development of cross-border cooperation is not perceived very positively. This may also be due to incomplete decentralization and a large number of municipalities with a very small population, low budgets, and a lack of capacity. However, in the case of larger cities or self-governing regions, there may be also a lack of strategic planning and perceiving this kind of cooperation as beneficial, thus investing more energy into searching for opportunities and project implementation. Based on the results of the survey, we can say that the public even supports joint planning of regional development and cross-border cooperation, so it would be appropriate to amend the law on regional development support to allow joint planning of regional development in border regions on both sides of the border in its economic and social development plans. There could also be an obligation in law to plan cross-border cooperation. Strategic planning should become part of every major piece of legislation on the functioning of self-government and state administration.

#### **CONCLUSION**

It should be noted that there was no territorial regional self-government in Slovakia until 2001, so the main partners for regional Ukrainian state/self-government authorities (where there was a strong centralization in that period, the state administration also had the main say in the territory and there was only very weak self-government) were, for example, Regional offices (Krajské úrady) (since 1996 in Prešov and Košice, abolished in 2007), which could also establish cooperation with authorities on the other side of the border. The political situation in Slovakia did not allow Slovakia to become a member of the Carpathian Euroregion in 1993, of which Ukraine was one of the founding members. Slovakia joined only in 1999 after political changes. It was the period of reforms and Slovakia's efforts to integrate into the Euro-Atlantic structures that contributed to many fundamental changes (adoption of many legislative changes, ratification of many conventions, charters, etc.) in the field of international/cross-border cooperation. The emergence of

<sup>16</sup> Main results of the sociological survey for the SIBSU project, December 2021..

regional self-government and the decentralization of public administration in this period contributed to the fact that territorial local and regional self-government became even stronger actors in this field as well. The newly established regional self-government began to look for (contractual) partners in Ukraine as well.

The non-governmental sector, which was ostracized and persecuted by the government of Vladimír Mečiar in previous years, found itself in a completely different situation. This sector could reorient itself to new initiatives (supporting Slovakia's entry into the Euro-Atlantic structures) and the so-called "breathing freely", which also contributed to the fact that this sector began to actively cooperate with its counterparts on the Ukrainian side of the border in the new millennium.

The admission of Slovakia to the European Union in 2004 (and the obtaining of pre-accession aid earlier) contributed mainly through European and structural investment funds to regional and local actors from Slovakia looking for cross-border partners for joint projects. It must be admitted that due to the Schengen border (since December 2007), the visa regime, legislative obstacles, and the like, the search for partners took place mainly from neighboring countries that were also part of the European Union. Despite this, for example, there was a cross-border program within the INTERREG III A program - Neighborhood Program Hungary - Slovak Republic - Ukraine.

After the Orange Revolution, changes also occurred in Ukraine, which was reflected in the approach of the European Union, for example, the European Union project within the European Neighborhood Policy - Eastern Partnership and similar, which resulted in the already changed Operational Program for Cross-Border Cooperation in 2007-2013: ENPI Hungary - Slovakia – Romania – Ukraine. All this contributed to the development of mutual relations. From the academic experience, we can conclude that even the interrupted relations with academic institutions in Ukraine began to be renewed, which was helped again by various grant schemes that did not come only from the European Union. The projects significantly helped to revive formal cooperation and start new cooperation. However, the sustainability of such cooperation, which is based only on joint projects, is an obstacle. Many collaborations were intensive but limited by the duration of the project. Cooperation often does not continue after financial and other benefits have been exhausted.

It is partnerships based on cooperation agreements that should be a motive, a vision, and a commitment to finding other possibilities for cooperation, not only for the preparation of new projects (which is also desirable) but also for institutional cooperation, in which it is necessary to invest one's funds, time and capacity, because it is necessary to take care of every partnership so

that it does not "wither", even in less successful or even unfavorable times. The partnership is also a symbol and the aforementioned commitment and should not only be the responsibility of individuals - activists, politicians, and businessmen but should become part of the corporate/organizational culture and even after the departure of leading politicians, directors of nongovernmental organizations and after changes at the head of companies, it should "old" friendship to continue with a "second breath" or after the old one if it works well. It's about the need to create connections, and we have those connections, and we should try to make them even closer and more connected. Stability in all its connotations is also important. One of the most important is political stability. In this sense, Ukraine got into problems several times not only through its fault. After Euromaidan, it began to open its doors to Europe, which the European Union appreciated by introducing a visa-free regime or accepting the Association Agreement of the European Union with Ukraine. Thousands of Ukrainians legally work or study in Eastern Slovakia, which will continue to contribute to the expansion of mutual partnerships. Even in 2022, the war and the situation in the east of Ukraine provide an opportunity to debate the stability of Ukraine. However, this should be another reason for local and regional actors from Slovakia to actively help their counterparts and look for ways to help Ukraine, because the stability of Ukraine also contributes to the stability of Slovakia. The historical, cultural, linguistic, religious, geographical, economic, and other ties across the border cannot be denied. We should remember that.

Unfortunately, as we can see, often only financial attraction can bring us together. It must be admitted that the Ukrainians are more proactive in looking for partners, but the response from Slovakia is not adequate. We see the inattention and passivity of a large number of local/regional self-governments, but also often the failure of large actors in the non-functioning of the Carpathian Euroregion, in the absence of formal cooperation agreements, in the absence of the European Grouping of Territorial Cooperation, which must be based on the territory of the European Union, but Ukrainian partners can be its members. It is a whole series of shortcomings, but they are not related to the legislation. Legislation has not been a serious obstacle to the development of cooperation for a long time. It is important to fill partnerships and agreements with meaningful content so that they do not remain on paper and to focus on the strategic and long-term planning of bilateral relations.

It seems that the private and non-profit sectors have once again overtaken the public administration, and their often informal cooperation has deeper foundations than the formalized cooperation of municipalities. It is an unnecessarily unused potential, which we cannot afford on either side of the border. It is this text that takes the wind out of the idler's sails. It demonstrates a favorable legislative environment and shows not the full use of institutional forms of cooperation, or only pro forma cooperation. In principle, it is not necessary to form new legislation, only to use responsibly the available one.

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# LUCIE KAMRÁDOVÁ - LUKÁŠ VOMLELA 1

# LIMITS OF MIDDLE-INCOME TRAP IN THE REGIONAL CONTEXT<sup>2</sup>

#### **Abstract**

The paper aims to analyze the theoretical framework of the middle-income trap concept, depending on the possibilities of eliminating this phenomenon, in the regional context of the Moravian-Silesian Region. The presumption of this issue works with the aim that the issue of the middle income is one of the main features that are currently appearing in modern economies to a greater or lesser extent, all the more urgently in connection with the permanent situation of coronavirus pandemics, which includes all aspects of social life in modern democratic societies within the European Union. The paper addresses the most important issues and analyses the possibilities to reduce the negative effects of the middle-income trap in longer-term periods. The text points out the position of the Moravian-Silesian Region in the Czech Republic, in terms of its powers and evaluates the possibilities that the actors of the Moravian-Silesian Region have.

**Key words:** Middle-income trap, region, regionalism, multi-level governance, self-government

#### 1 INTRODUCTION

The theoretical concept of the "Middle-income trap" has been addressed for several decades in various countries about their level of economic development. The basic meaning of this concept expresses investment in infrastructure and education, i.e. in building a high-quality education system, which supports

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creativity, breakthroughs, discoveries, or innovations in science and technology, which can be applied to "return" to the economy. To this day, the Czech Republic belongs among the most centralized EU states in Europe. The current form of the regional and local structure is based on the reforms that took place after 1989, which were part of a more significant process of extensive political, economic, and social transformation of society after the fall of communism in Central and Eastern Europe. Public administration reforms and decentralization processes were also carried out in connection with the Czech Republic's accession negotiations with the European Union, for which regional policy was one of the most fundamental policies, due to the significance of the implementation of EU aims to reduce economic and social disparities between particular EU regions. During the 1970s, the belief prevailed that "the operation of the common market is not in itself capable of ensuring balanced economic growth throughout the common market, including, for example, geographically specific areas." (Fiala, Pitrová 2009, 503) as a priority, to outline the possibilities of preventing or minimizing the middleincome trap in advance, through the relationship of the imaginary triangle with the three vertices, namely, small and medium-sized enterprises - education - state. The methods used in this text are based mainly on analysis, comparison, and deduction, which rather fulfill the principles of qualitative research. The text will also analyze the secondary data.

# 2 THEORETICAL DEFINITION OF THE MIDDLE-INCOME TRAP AND ITS RELATIONSHIP TO REGIONAL POLICY

The European Bank for Reconstruction and Development (EBRD) defines the middle-income trap as a situation where the country has become rich to some extent, which is usually 1-2 / 3 of GDP per capita, but has exhausted its current competitive advantages, usually in particular in the form of cheap labor. Thus the country is in such a situation unable to find a different growth model. European Bank for Reconstruction and Development states that in many countries, several groups are interested in such a situation and are even unwilling to support any changes. Accordingly, EBRD emphasizes that there is no general functioning protection against getting stuck in a middle-income trap, but it published several general recommendations on how to face the middle-income trap more efficiently. These include the following factors: an active role in promoting space for the creation and growth of new companies; avoiding over-regulation of the labor and capital markets; infrastructure investment; emphasis on improving the environment. These recommendations apply in general, but to the Czech Republic, which was removed almost fifteen years ago from the list of countries that the EBRD supports with its loans and consultations, and which are at least a stimulus for further discussion within the group of political and economic elites.

For example, economist Tim Taylor points out that the middle-income trap is talked about mainly in connection with countries that have managed to reach the middle-income economic level but have a problem with further economic development, where they are unable to use their potential more, which follows on the recommendation of the EBRD (Patria. cz). The thesis on the priorities of the Czech Republic 2030 (Teze k prioritám 2030) is very interesting on this issue. This material was submitted to the Government Council for Sustainable Development as the first working output of the Committee for Socio-Economic Development. The material is presented as a pure discussion and we will find in it the definition of the ten most important problems and the possibilities of its solution. The fifth point directly describes the current situation, specifically, it is defined as follows: "The Czech economy is probably in a special version of the middle-income trap and at risk of slow or stopped convergence with advanced economies." The individual theses are further divided into other subcategories, which are also analyzed. The whole issue is very interesting, and even though thesis number five directly addresses the issue of the middle-income trap, we will also find in the text a reference to theses that are connected with this issue such as in the field of investment, GDP, or innovations. In general, however, the material mentions mainly the following: after 2008, the Czech Republic went through six years of alternating relatively short recessions and insignificant and short periods of economic boom, which was offset by the end of 2014. We can therefore conclude that either the defects of the lost decade appear only in the medium term, or that this is a challenge of long-term low economic growth. Given the above, three hypotheses are offered: 1. The slowdown is temporary, associated with the crisis and strong fiscal consolidation; 2. The slowdown is long-term, but reversible if there is a fundamental reform of the economy; 3. The slowdown is permanent and inevitable, linked to fundamental changes in the global economy. If we lean towards the possibility of long-term stagnation, the question is essential whether we are in some new type of middle-income trap, which has been partially confirmed for some less developed emerging economies. One of the solutions to permanently avert the economic slowdown is, for example, international trade, based on cooperation with today's fast-growing economies (such as economies in the regions of Southeast Asia, Latin America, or the BRICS group ). However, there is a real possibility that all of the above-mentioned countries, as well as the Czech Republic, will be endangered or even fall into the middle-income trap. The Committee on Socio-Economic Development presents an interesting idea of the middle-income trap of ownership. He further develops this idea as a hypothesis that the Czech Republic did not fall into the middle-income trap because it is one of the results of the economic crisis but on contrary it fall into the middleincome trap as a result of the process of giving up ownership of Czech companies and related rights and instead of this Czech Republic was trying to achieve to become a successful place for the production of foreign-investment companies with predominant work, which would correspond to reputation and specialization of the Czech Republic (Vize ČR v rose 2030, Výbor pro socioekonomický rozvoj). This idea fulfills the very definition of the middle-income trap when the short-term thinking of individual economic actors led the Czech Republic to the middle-income trap when the way back seems much more complicated than the way there was. In general, we must think self-critically whether the fact that the Czech Republic is not, for example, a technological leader who, based on domestic research and development, produces top products on a global scale that brings high profits for the domestic economy, well-paid work and high revenues for the state treasury. Is not the fault of the Czech Republic itself and its public policies. The overall situation, therefore, evokes the idea, which is the primary aim of the text, namely to promote the elimination factors of the middleincome trap in a regional context, focusing on issues such as supporting small and medium-sized enterprises and education, which opens up space for innovation and original ideas and solutions. Here it is necessary to point out that the Czech Republic has the opportunity and reserves to work on this issue. Its system of higher education but also apprenticeships is at a very high level, however, the support of entrepreneurship and leadership to it by the state is much less than would be desirable.

As it was mentioned above the submitted text tries to analyze the middleincome trap phenomena from the regional context, which in the above-mentioned factors has an unmistakable and irreplaceable role. Regional development policy is still one of the most funded policies of the current European Union and plays a very important role in the development, especially of the regions of Central and Eastern Europe that joined the EU in 2004, 2007, or 2013. The very concept of region is also accompanied in the literature by several ambiguities and disputes, which stem from the terminological ambiguity of this concept. (Fiala, Říchová et al. 2002, 10) In general, a region refers to "a certain area, a part of the earth's surface that differs from other areas by specific characteristics. Every region is in a sense a territory, but not every territory is a region" (Siwek 2014, 149), and there are several other definitions where the term "region" can be defined in terms of physical or social geography, demography, infrastructure, environment, or historical, cultural and administrative point of view, etc." (Čmejrek 2008, 31) The basic definition of the term "region" is twofold. The first is based on the spatial dimension and is understood as "a territory between the nation-state and the locality, which is also the object of the action of actors from different levels." (Fiala, Říchová, et al. 2002, 11) The second is based on a functional concept for "a space where different types of relations meet between different institutions." Functionally, therefore, the regions are a space of competition." (Fiala, Říchová et al. 2002, 11) Even this basic definition was a subject of criticism. Some regions meet both characteristics. Also, some regions are larger in size than the states in which they partially intervene. The presented text is based on the functional definition of the region considered by the Moravian-Silesian Region (Moravskoslezský kraj), which was established on the 1st of January 2000 together with other nowadays regions of the Czech Republic, with the main emphasis on the position of this region within the political system of the Czech Republic. The text also deals with the main problems of the current Moravian-Silesian Region in connection with the emphasis on the phenomena associated with the middle-income trap and the possibilities of its elimination of education and business. Although the Constitution of the Czech Republic of 1993 explicitly stated the existence of so-called "self-governing regions", these units were not established at the time of the independent Czech Republic and there was no consensus among relevant national political elites a few years later. The discussion on the future regional structure and competencies of regional self-governments lasted for several years, while during the first phases, there were only partial shifts. Before 1993 was the question of decentralization was highly affected by disputes between the Czech and Slovak parts of the federation which issued in the division of Czechoslovakia in 1993. Till the national election in 1996 was this issue rather insignificant, the only parliamentary party, the pro-moralist party of Movement for Self-government Democracy – Society for Moravia and Silesia (Hnutí za samosprávnou democracy, Společnost pro-Moravu a Slezsko) was considering this question as a crucial for further political development. Paradoxically, this question gained higher relevance after the 1996 elections, where the most important propagator of this idea, promoralists lost all parliamentary seats. But even till 1997 there were different ideas about the future Czech regional structure among different political parties and most of them were not compatible even among coalition partners in the Czech government. The most discussed issues were not however the question of future competencies and powers of regional authorities and their role in the political system, but the final number of all Czech regions and borders between them. Very crucial became the representation in the Czech Parliament in the upper and especially in the lower chamber and within party leadership of the relevant political party system, such as Civic Democrat Party (Občanská demokratická strana, ODS), Christian democrats (Křesťanskodemokratická strana-Československá strana lidová, KDU-ČSL) and Civic Democrat Alliance (ODA), as well as Czech Social Democrat Party (Česká strana sociálně demokratická) (Vomlela 2014, 28). In 1997 was adopted constitutional law no. 347/1997 which enabled the later establishment of 13 regions as well as strengthened the existing competence of the Capital city of Prague (Hlavní město Praha), which has the same position and powers as Czech regions. (Valeš 2006, 196) The constitutional law also states the borders of particular regions which are consisting of districts. The Moravian-Silesian Region was supposed to consist of the territories of districts of Karviná, Ostrava-City, Frýdek-Místek, Nový Jičín, Opava and Bruntál (Čl. 1 § 13, Ústavní zákon č. 347/1997 Sb.) This law came into effect after several years on the 1st of January 2000, but new regional authorities started to fully operate during this year. (Říchová 2015, 123) The reason for this was a lack of consensus on future powers and the roles of regions in the political system. During 2000 were adopted several laws and different norms which were crucial for development new regional structure, such as Law on Regions (Zákon o krajích č. 129/2000 Sb.) or Law on the elections to regional chambers (Zákona č. 130/2000 Sb. Zákon o volbách do zastupitelstev krajů a o změně některých zákonů). The adoption of the new lining in 2000 however was not the last step of the reforms of public administration in the Czech Republic. The powers of regional authorities but also municipal authorities at the local level were increased in 2003 due to the abolishment of district offices. Although the reforms took plover ring several years between 1997 and 2003 and were the result of the political compromise of most relevant Czech political parties the reforms did not avoid larger criticism of the way the adopted structure which was considered chaotic. There are significant differences among particular regions in terms of their economic strength power, number of inhabitants, and logic of geographic criteria which were not considered when particular regions were established. The most important limitation was that only a few regions could be NUTS II units, which forced regional authorities of several regions to create a common NUTS II unit, which was the connection of two or even three regions. Most of the problems were issued by the fact, that the decisions resulted in a new structubeingere adopted from "above" and the long-term strategy of their power was lacking. (Vomlela 2014, 29-30) But regions prove to play a significant role in the mediation of conflicts between state and local authorities. (Říchová 2015, 123) The role of Czech regions is also affected by the political competition of political parties. In situations when political representation of the region has also a good strong position in the political parties which are part of the government at the national-state level, the role of regional political elites and regional authorities is increasing. (Ryšavý, Lysek 2018, 3)

# 3 SME AND EDUCATION AS ONE OF THE POSSIBLE WAYS OF PREVENTING THE MIDDLE-INCOME TRAP IN THE REGION?

The definition and theoretical definition of small and medium-sized enterprises, or entrepreneurship, is essentially reflected in the number of employees and turnover. In general, small and medium-sized enterprises are a category of enterprises with a small number of employees. Different countries and institutions use different criteria to define this category, one of which is, for example, the number of employees. The European Union considers this limit to be 250 employees, while in the United States it is 500 employees. In the literature, the

abbreviation SME (Small and Medium Enterprise) or SMB (Small and Medium Business) is often used for this type of business. In connection with the above, an integral part of the way out of the middle-income trap and its prevention is the creation of an education system that supports innovation and creative thinking. In the Czech Republic, the education system at all levels is inextricably based on the law. There are also a large number of training agencies on the market that offer a number of retraining courses, including active employment policy, which is guaranteed by state policy. However, the education system and the trend of universities, which are currently trying to respond as much as possible to the situation on the labor market, are one of the ways to educate creative individuals with the potential to fill the space for starting small and medium-sized companies. In response to the above, however, it is possible to draw attention to the space that has been developing in recent years in the field of education in the Czech Republic, namely apprenticeships without a high school diploma and apprenticeships with a high school diploma. It is the graduates of this level of education who have the greatest preconditions for establishing small and medium-sized enterprises with innovative elements and opportunities to cooperate with companies that participate in their education. However, it is a matter of discussion to what extent it is necessary to prepare for this level of education so that they can consider themselves confident graduates with a vision, to establish their own company that meets the definition of small and medium-sized enterprises. The above evokes the primary goal, which is the development of conditions for the business environment, which in turn does not create space for a middle-income trap. There is a direct relationship that indicates that the development of the business environment is affected by the quality of the business environment. This is formed by conditions in the field of legislation, institutional infrastructure, state bodies represented by legislatures and ministries, as well as state-established or statesupported institutions and agencies, courts, and public authorities (Council for the Development of the Business Environment, 2007). These conditions can be exhaustively summarized in the following points:

- Finance
- Government policy
- Human resources and education
- Transfers science and research results into practice
- Business partners, services, and law
- Situation in the market
- Entrepreneurial mentality and business support programs

The first two points are directly related, in terms of the material basis for the creation of an SME. Finance is one of the factors that often limit start-ups with the

fear of unfavorable loans and credits, which are often not sufficiently supported by the state. Human resources and education is a debatable factors. A good education and a general overview do not lead human resources to start a business on their own. On the contrary, leading educational institutions to support creativity and create a healthy confident individual who is willing to succeed in the labor market can be one of the ways to support this phenomenon in society. These are followed by the aforementioned transfers of results of science and research into practice (in this respect, not only the results from scientific laboratories of higher education are meant, but also from apprenticeships). The last area influencing the space for the support of small and medium-sized enterprises is the relationship between the business environment and the environment, which is generally created by the state and legal legislation valid throughout the territory. The insufficient definition then leads to concerns about establishing an independent company or trying to maintain it at all.

To analyze the middle-income trap problem and to find possible ways to avoid it in long term, we can define the following problems which are potential threats to the state economy.

- Stagnation of innovations in this case, it is a problem of the whole state economy. Insufficient support for innovation, which is linked to other aspects such as education at all levels and threatens the middle-income trap.
- Stagnation of education this threat is related to the entire education system, not only in the Czech Republic. Support for creative thinking in teaching, secondary and higher education in cooperation with practice is desirable. The opposite leads to a threat to the middle-income trap.
- Stagnation of legislation the threat of insufficient and out-of-date legislative issues that do not respond to current events in society and the market (regional, national and global), but lead to a threat to the middle-income trap.
- Insufficient support and incentives from the state and platforms at the state and regional level it is clear that without a positive view of SMEs by the government and society, it is not possible to use all the potential offered by individual segments, leading to the trap of middle income.
- Information on a general scale, sufficient information on this issue is indispensable. This information is important precisely in the relationship between education, government, and regional actors. At this level, it is desirable to cooperate and open up new possibilities for promoting support at all levels, including in particular the prevention of the threat of a middle-income trap.

These risks are just an outline of the issue, which often carries deeper problems, also about the labor market and employment policy in the country or the Czech Republic. But what are the opportunities for individual states, i.e. the Czech Republic, to prevent middle-income traps? This issue was also addressed in the text, from which it is possible to define a few moments of opportunity

to prevent the middle-income trap. The authors of the text consider education, information, legislation, social support, and tradition as these moments. All these moments can be understood in both positive and negative terms. Education is the cornerstone of further business. It is necessary to deepen the general awareness of the current situation, support creativity and translate any educational activities into practice as much as possible. This is also related to the information that should be provided not only at all levels of education but also to citizens and organizations, which could thus be better involved in the economic process. State legislation is inextricably linked to any business, so it can be stated that sufficiently defined legislation facilitates the process of deciding whether to become a small or medium-sized entrepreneur or not to run a business at all. The last two opportunities are social support and the traditions of society.

### 4 CONCLUSION

The shape reforms that took place after 1989 were marked by extensive changes in the multilevel system of governance. They included a significant reorganization of the system of public administration and self-government, while the regional structures in the form of the then districts and regions were significantly affected. The regional structure was originally abolished in 1990 without compensation, while the final form of the regional establishment was to be decided in the following years. The discussion between the relevant political actors lasted almost until the year 2000 when the regions began to function. Nevertheless, until 1997 no agreement was found on the future delimitation of individual regions. There was even more uncertainty about the future competencies of the regions, which was decided in 2000. In terms of competencies in the field of self-government, the regions were rather weaker actors, which are perceived as intermediaries between municipalities and the central level. Nevertheless, we have seen a change in the position of the regions in recent years. A few years ago, the position of the regions began to change. The regions acted more significantly in the role of mediator between the local and national levels. Political competition has proved to be very important in this regard, with individual national parties strengthening their "regional level" in the past, which has resulted in the strengthening of regional interests. The influence of regions and the influence of regional political elites is stronger in periods when members of government parties are represented on the regional council. This influence is evident in the Moravian-Silesian Region especially after 2016, resp. 2013. The primary level of the text was the introduction of small and medium-sized enterprises and education as one of the limits of creating a middle-income trap at the regional level. The article focused on the above precisely because of the potential that the Czech Republic has from a regional point of view in this regard. Mutual relations are

often quite simple in their complexity, therefore the main goal of all actors should be the effort to support entrepreneurship and education in connection with the regional dispositions of the state

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# DOCUMENTATION MANAGEMENT AND THE AUDIT TRAIL IN PUBLIC ADMINISTRATION<sup>4</sup>

#### Abstract

Our world and the issue of its public administration are transforming the form of complex digitization. The ensuing changes are also affecting processes within public administration organizations and include the modernization of documentation management. The question remains as to how document management can be effectively set up for modern public administration. As such, the research objective of the present paper is the design of documentation management and the audit trail to ensure the effectiveness of public administration. From fulfilling this goal, we can hypothetically expect a significant simplification and streamlining of documentation management, which will provide, among other things, information sufficient for conducting auditing activities and ensuring the effectiveness of the public administration system - the audit trail. Analytical testing is used to meet this objective, where documentation processing intervals were measured on a selected sample of 284 documents in the field of public administration organizations. The sample included directives, work procedures, forms, and operating rules that constitute controlled documentation. The conclusions of this research have primarily yielded a schematic workflow of documentation management in public administration. The proposed documentation management workflow will specifically enable public administration to increase efficiency, consistently implement the audit trail, and increase computerization, which will contribute holistically to the development of public administration.

Key words: Administration; Audit; Documentation; Management; Trail

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## 1 INTRODUCTION

The world is continually transforming (Kupec et al, 2020, p. 1) consisting of the digitization of our environment (Saniuk – Grabowska – Straka, 2022, p. 2), which is transforming basic paradigms (Jafari – Azarian – Yu, 2022, p. 1) of data digitization (Martínez-Olvera, 2022, p. 198) and cybernetic systems (Zizic et al., 2022, p. 2). This trend is fundamentally impacting public administration (Adamcová – Imrovič, 2019), which is holistically perceived as the administration of public affairs (Erneker – Pána, 2017, p. 11) and which affects us all. It is therefore a crucial task to address this phenomenon with appropriate erudition substantiated by research.

Due to these structural changes (Gu et al, 2022, p. 1), processes within public administration organizations are also changing, primarily through the influence of the eGovernment phenomenon (Rodriguez-Hoyos – Estrada-Jimenez – Urquiza-Aguiar – Parra-Arnau – Forne, 2018, p. 263). The current understanding of this concept consists mainly of the intensive use of information technology to provide modern public services (Arshad – Asghar, 2020, p. 41), including the provision of information and services by the media to meet the needs of citizens At the same time, public services are founded on the proper management of individual processes and the management and tracking of documentation (Šprochová - Imrovič - Lukáč, 2018).

Such management of relevant documentation specifically includes management of processes and conversion of archives to electronic format (Plattfaut, 2022, p. 1). Data, information, and knowledge are part of sophisticated documentation management (Doležal – Máchal – Lacko, p. 256), as essential components of public administration as a whole. Documentation management also includes the audit trail according to Directive 201/45/EU, as an important element of effective public administration (Kuneš – Polanská – Galočík – Paikert, 2022, p. 32) that assists with its management (Nzechukwu, 2017, p. 590).

"The management of public affairs is currently a highly treated issue, all the more so as the public pressure on public authorities is constantly increasing to manage public affairs more efficiently, quickly and closer to the citizen." (Marišová – Lichnerová – Machyniak, 2021, p. 156). According to the theses thus articulated, an elementary problem emerges (P1) of how to effectively set up the management of documentation of modern public administration. The research objective (A1) of this paper is therefore to design documentation management and audit trail that ensure the effectiveness of public administration.

#### 2 LITERATURE REVIEW?

This chapter presents a selection from the literature based on a review of the literature and content analysis to define elementary concepts. The methodological approaches of literature review (Machi – McEvoy, 2012, p. 3; Bell, Bryman, and Harley, 2011, p. 18) and content analysis (Weber, 1990, p. 10; Gavora, 2015, p. 345) were applied to texts from the electronic databases Web of Science Core Collection, Scopus, and ProQuest. Both the literature review (Paciarotti and Torregiani, 2021, p. 428) and content analysis (Seuring and Gold, 2012, p. 544) were conducted in 2022 and satisfied multiple scholarly criteria.

The searched and researched terms included the English terms "Public Administration", as well as "eGovernment", "Documentation Management", and "Audit Trail" as the basis for the entire review. The researched terms were mainly selected from the fields of "Economics", "Law", "Management", "Political Science", and "Public Administration". The results show an increasing tendency toward scholarly treatment of these concepts. The literature review represents the fulfillment of a subordinate objective of the entire text and an important basis for the research part of the text.

#### 1.1 Public Administration

According to the theories of Matei – Antonovici – Săvulescu (2017, p. 763), public administration represents a basic subsystem of societal systems. "In one of the many definitions of public administration, it was stated that it is the fulfillment of individual and collective needs of citizens, resulting from the co-existence of people in society, realized by the state and its dependent organi." (Szynowski, 2019, p. 151). This is further developed by Zyberai, as the concept of public administration implies a need for the existence of a governmental apparatus to carry out a policy of formulated executive authority (2021, p. 33).

At the same time, the definition of public administration contains formulated rules that are implemented by the bureaucracy for the public (Edwin – Anuoluwapo, 2020, p. 105). "The role of public administration is a bridge between politics and society and this is achieved through the exercise of the working responsibilities of public servants, which represents the guarantee and the assurance of fulfillment of their mission in the realization of services and general goods in the interest of the public." (Feka – Abdullai, 2019, p. 12). These postulates are subsequently verified by Sucupira et al. (2019, p. 72).

Aspects of public administration also include a link between changes that occur in society and changes within the organizations belonging to the system of administration (Matei – Antonovici – Săvulescu, 2017, p. 763), which

is supported by other theories (Lahat, 2018, p. 229; Dobrolyubova, 2021, p. 61). "Public administration is also legitimately considered an individual and special service for the public." (Kuril, 2018, p. 493). At the same time, Ospanova adds from a society-wide perspective that the calling of public administration is to ensure the stable development of society and social life (Ospanova, 2018, p. 1255).

The area of administration is summarized by Zyberai, who points mainly to the necessity of reforming it with a view to its evolutionary development (2021, p. 33), which is also confirmed by Matei – Antonovici – Săvulescu (2017, p. 763) and by Florea – Luchian (2021, p. 20). "Today, modern public administration is understood mainly as a service to the citizen, as a form of satisfying citizens' needs arising mainly from legal requirements." (Marišová – Lichnerová – Machyniak, 2021, p. 156). Meanwhile, the electronification of public administration, and by extension eGovernment, can contribute significantly to supporting the evolution of public administration.

#### 1.2 The Phenomenon of eGovernment

According to Rodriguez-Hoyos – Estrada-Jimenez – Urquiza-Aguiar – Parra-Arnau – Forne (2018, p. 263), the phenomenon of eGovernment has introduced new paradigms. And yet what exactly is eGovernment? "Electronic government (eGovernment) is the use of electronic communications devices, computers, and the Internet to provide public services to citizens and other persons in a country or region." (Garín-Muño – López – Pérez-Amaral – Herguera – Valarezo, 2019, p. 100). This definition is developed by other authors (Alruwaie – El-Haddadeh – Weerakkody, 2020, p. 1; Madleňák – Žuľová, 2019, p. 132).

Arshad – Asghar subsequently states on this issue that eGovernment is conceptualized as the use of information technology in public administration to deliver public services, improve management efficiency, and promote democratic values and mechanisms (2020, p. 41128). Kawashita – Baptista – Soares asserts that despite the diversity of motives for implementing eGovernment, the main motive is electronic access (online versus face-to-face) by external parties to government information and services (2020, p. 58). Which modern documentation management indisputably achieves.

The current results of Fan – Epadile – Qalati – Qureshi subsequently state that e-government, or eGovernment, is a complex socio-technical system incorporating citizens, companies, and government agencies that uses electronic platforms to create and distribute value to its participants. Currently, eGovernment is considered an effective tool that digitally connects all its participants and replaces the time-consuming and costly infrastructure of authorities (2022, p.

1), which is supported by the theories of Mikušová Meričková – Jakuš Muthová (2021, p. 135) or by Švec – Rak – Horecký, 2021, p. 132).

"In an ideal scenario, the goal of eGovernment is to create a seamless architecture for public services, where all systems and services are integrated across both the public and the private sectors to provide a one-stop service for citizens and organizations." (Yli-Huumo – Päivärinta – Rinne – Smolander, 2018, p. 3). Chrysoulas – Thomson – Pitropakis – Papadopoulos – Buchanan – Domalis – Karacapilidis – Tsakalidis – Tsolis conclude this topic and recommend transforming the processes of eGovernment (2022, p. 40), which is precisely where modern documentation management belongs.

#### 1.3 Documentation Management

Modern documentation management integrates several areas, primarily process management and electronic archiving. The primary domain, which is process management, is understood by Plattfaut as the science that oversees how processes are executed while ensuring that the outcomes of the selected processes are consistent and of high quality (2022, p. 1). Li–Fang subsequently adds that the incriminated process management uses resources and information to transform inputs into outputs under certain constraints to achieve a series of activities with a certain logical relationship (2022, p. 4).

The aforementioned processes, in the context of the field of documentation management, are defined by Knežević – Kušljić – Sivrić as a series of systemically and logically interconnected activities to which the resources of an organization contribute (2022, p. 167). Gackowiec – Podobińska-Staniec – Brzychczy – Kühlbach – Özver recommend taking advantage of opportunities for documentation management that digital transformation offers, such as real-time process monitoring, reduced maintenance costs, and implementing an infrastructure for data collection and storage to improve performance and increase productivity (2020, p. 2). (2020, p. 2).

The processes discussed, including modern documentation management, are essential for understanding the functioning of public administration organizations and also play an important role in the design and implementation of flexible information systems. They blend interrelated activities or tasks while including decision points that methodically influence the way a process is carried out to produce one or multiple results as the final output (Arias – Saavedra – Marques – Munoz-Gama – Sepúlveda, 2018, p. 378). Documentation management set up in this way reflects the needs of public administration.

As to the actual management of documentation, Doležal – Máchal – Lacko recommends that all data, information, or knowledge should be included (2012, p. 256). "The system of documentation must specify the types of

documents needed for the project, program, or portfolio. Each type of document must be "tailored" to its purpose. For each type of document, it must be specified what information the document will contain, the format of the information, and the form of the document." (Doležal – Máchal – Lacko, 2012, p. 256). Documentation management is therefore clearly defined.

#### 1.4 Audit Trail

Documentation management and the audit trail in public administration are closely linked. An analysis of the audit trail can use as its basis the definition from Directive 201/45/EU, which Kuneš – Polanská – Galočík – Paikert then transpose into the domestic environment as follows: "An audit trail includes source documents, processed transactions, and the links between them. An audit trail can be described as reliable if the link between the source documents and the processed transactions is easy to follow, corresponds to the stated procedures, and captures the processes that occurred." (2022, p. 32).

The original meaning of "audit trail" in the context of modern documentation management is derived from accounting: "A record of transactions in an accounting system that verifies the activity of the system. A complete audit trail allows auditors to trace transactions in a client's accounting records from source documents into subsidiary ledgers through the general ledger and into basic financial statements and billings/invoices prepared and submitted by the entity." (Nzechukwu, 2017, p. 590).

Vallabhaneni also defines an audit trail as a processing trail, management trail, information trail, or transaction trail. The audit trail provides the ability to trace transactions from their initiation to their final processing, including all intermediate procedural steps. The audit trail is important for management, auditors, and civil servants (2013, p. 155). Its importance is demonstrated by the following statement: "Audit trail offer accountability, reduce fraud, show what actions were taken by people and the system, and provide the ability to reconstruct events or transactions." (Vallabhaneni, 2013, p. 155).

The authors Law and Smullen summarize the topic of the audit trail as a sequence of documents, computer files, and other records that shows how a transaction was handled in an organization from beginning to end. The authors also add that the audit trail is used by internal and external supervisors to monitor transactions (2008, p. 27). The role of the audit trail as oversight is also illustrated by the theories of Hall (2015, p. 23). Thus, based on the literature review, it is quite evident that the topic of document management and the audit trail is crucial to the constitution of modern public administration.

#### 2 MATERIAL AND METODICS

The established theses described in the previous chapters were used as the basis for formulating the research objective (A1): to create a proposal for documentation management and audit trail that ensures the effectiveness of documentation and the efficiency of public administration. This model will be presented through analytical testing, which will be carried out on a selected sample of 284 documents in a selected area of public administration. These include the guidelines, procedures, forms, and operating rules that make up the controlled documentation of the department. The outputs of the proposal will be validated by analyzing the tested database of documents and presenting possible findings that can be achieved by following the process trail of controlled documentation.

An experiment testing the implementation of a controlled documentation process specified by A1 was conducted on a material sample of 284 documents with 78 employees. The authors selected the document OS 07 Směrnice BOZP [Organizational Directive 07: Occupational Health and Safety] to be used for verifying the results. This document was selected mainly due to the introduction of a revised version at the time the new documentation management process was introduced and due to the training that followed this revision. Subsequently, the period under study was selected to ensure the representativeness of the sample, set for a period of 30 days (from 15 November to 15 December).

The process will be described and set up using workflow management, which represents a general process of streamlining and verifying controlled documentation in a selected part of the organization. The goal will be to refine the process, mainly by using the data that automating the process will provide.

Using the implemented process, we will be able to identify the audit trail of controlled documentation. Systems nowadays, when set up correctly, provide sufficient depth of information to create valid and sufficient audit trails. For this to take place it is necessary to implement the steps and requirements of a process that will help in auditing it. The process workflow must include processes for checking and verifying documentation performed automatically by the Office 365 information system using Power Automate automation features.

In conjunction with the automation of the process, the time demand when distributing controlled documentation throughout the organization will be reduced, in a relationship that can be described by a formula where the value of x (time allotted for distributing documents without an automation process) is greater than the value of y (time allotted for distributing documents with an automation process).

Formula 1: Comparing the automation of a selected process

$$\sum x > \sum y$$

Source: Author analysis

This experiment will be conducted on the aforementioned sample using the methodologies of monitoring, observation, and modeling (Ochrana, 2017, p. 35, 45, 70). The analysis of the material in question will be performed using these methods. We will verify the results of A1 by analyzing the data during the experiment of implementing the procedure presented. The analysis will focus on the following elements specified by the authors from the workflow phases (see Annex 1):

- Document visitors
- Document visits
- Average time spent on documentation
- Page Traffic by the device on the page

These analyses will enable us to obtain sufficient information flows so that the auditor can audit documentation repeatedly to ensure its effectiveness, keep the organization informed, and identify and eliminate documents that are extraneous to the process as such.

#### 3 RESULTS AND RECOMMENDATIONS

The documentation management process and the subsequent automation elements contain a wealth of information that helps create an audit trail in the given process as a whole. The elements and their possible command lines are as follows:

- Responsible person: Assigned by the manager of the documentation, this person is the sole editor of the document. (The documentation manager is granted an exception, for specific cases).
- Manager control: assignment of a department by the responsible person and integration with the system.
- Revision time: = Changed+([Revision time]\*365)
- Email notification to responsible persons: format DateTime(addDays(utcNow(), 30), 'MM/dd/yy)
- Reservation: created using Power Automate, it shows the document as reserved to everyone except the staff member reserving it

- Invalid document: Created using conditional formatting IF([Approval Status="Pending"] = Red)

The mapping of the process used a process workflow that helps in identifying the sequence of activities linking this process (Nyemba and Mbohwa, 2017). See Annex 1.

#### 3.1 Unique Visitors

The first element analyzed was the visitation by individual employees, which was limited to one login per specific employee account. Throughout the course of the month, 75 out of 78 employees viewed the document. Their viewing behavior is recorded in the chart below. The largest increase in views can be seen at the top. The spike around 23-25 November is due to staff being trained on the new OHS methodology. This analysis element allows us to ensure knowledge of the document across the organization.

18
16
14
12
10
8
6
4
2
0
55577595775375557757957575759575757595755575

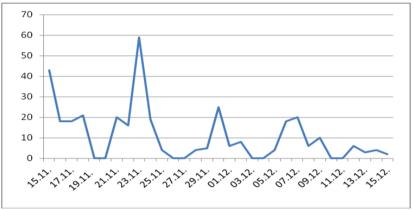
Graph 1: Unique visitors of the document

Source: Author analysis

#### 3.2 Document Visits

The second element analyzed was the number of times the document was viewed without being limited to unique users. The document OS 07 Směrnice BOZP was opened 239 times during the period studied. The graph of document usage reflects Graph 1: Unique site visitors. This analysis enables us to specify the documents that have not been opened and we can therefore identify a critical component of documents and give them greater attention, impose more frequent revisions, etc.

Graph 2: Overall visits to the document

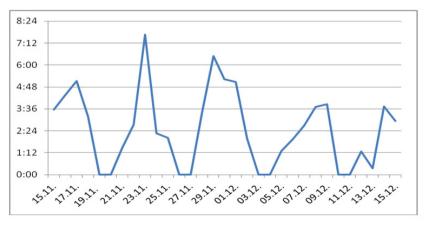


Source: Author analysis

#### 3.3 Average Duration of Visit

The third analyzed element must be set up using the application and document tracking features in Power Automate, and as such is not offered for individual documents but the library as a whole. Thanks to the selection in the previous analysis points, the responsible employee selects the critical documentation and more detailed information can then be tracked here. The average time spent on a document by each employee can be monitored. The following graph shows the average views in minutes: seconds format. The average of all these durations was 4 minutes and 19 seconds.

Graph 3: Average duration for which the document was displayed

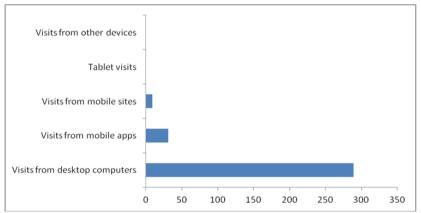


Source: Author analysis

#### 3.4 Page Traffic by Web Device

The last subject analyzed is the technology used to display the documentation. This is one of the pieces of supplemental information that can be displayed at the level of the library as such. Other possible library-level items analyzed include the number of page shares, the popularity of documents visited, total traffic on all documents, and unique library visitors. Due to the interconnectedness of the digital library, there will be statistically significant savings in the implementation and distribution of critical documents across the organization.

Graph 4: Traffic by device



Source: Author analysis

#### 4 DISCUSSION

The implementation of analytical elements in process management as such helps streamline the work of auditors and creates conditions for conducting an audit that is dynamic and meets the needs of today's era of eGovernment. In connection with the elementary problem (P1), we need to set up a process that can verify, control, and analyze all critical elements in the process of controlled documentation. By setting up these sub-processes, we can create the right foundation for setting up continuous process improvement and create a clear basis for auditing the process.

Following the model of Gackowiec – Podobińska-Staniec – Brzychczy – Kühlbach – Özver (2020, p. 2) this model sets up a digital transformation of the process of controlled documentation that can reduce maintenance costs and streamline the process as such. Information can be obtained that complements the knowledge and data the auditor can use as a basis for his analysis. According to Doležala – Máchala – Lacka this information can aid with optimizing the

process (2012, p. 256). The most important factor when setting up controlled documentation and associated audit trail according to Kuneše – Polanská – Galočíka – Paikerta remains for the information to contain a reliable trail of the connection between supporting documents and processed transactions (2022, p. 32).

The current research also has its limitations in terms of the time frame and sample size. Indeed, the sample consisted of 78 employees and 284 documents in a test period of one month. Another shortcoming is the direct control by individual employees, for example, when checking the readership of a document by the whole organization. The analysis specifications are set by the system for the entire library, not for a single document. It is a more complex process if the responsible person wants to set individual analyses for a document, where only critical documents can be selected. This issue can be addressed in the organization with additional scripting and a simple downstream workflow, or potentially using Power Apps.

Opportunities for the future lie in expanding the setup of analytical elements that the auditor can monitor at the document or library level. If the downstream products offered in Office 365, such as Power Automate and Power Apps, are used, these can significantly simplify and expand the information that provides information sufficient for performing auditing.

#### **CONCLUSION**

The main research objective (A1) was to design documentation management and audit trail in a manner ensuring the effectiveness of public administration. This objective was met through the implementation of a workflow for the verification and review of controlled documentation in the organization and was recorded in a workflow diagram. As part of the verification of the model, testing was carried out in a selected area of public administration, and a sample of 284 documents was set up with a total of 78 employees. An analysis of an organizational directive on OH&S was performed to illustrate capability and provide an audit trail, wherein four areas were examined: unique visits, the total number of visits, time spent on the document, and traffic for the library as a whole. The schematic workflow of document management thereby constructed will allow for greater efficiency in public administration, consistent implementation of an audit trail, and contributing to computerization of the audit trail, which will holistically contribute to the development of public administration.

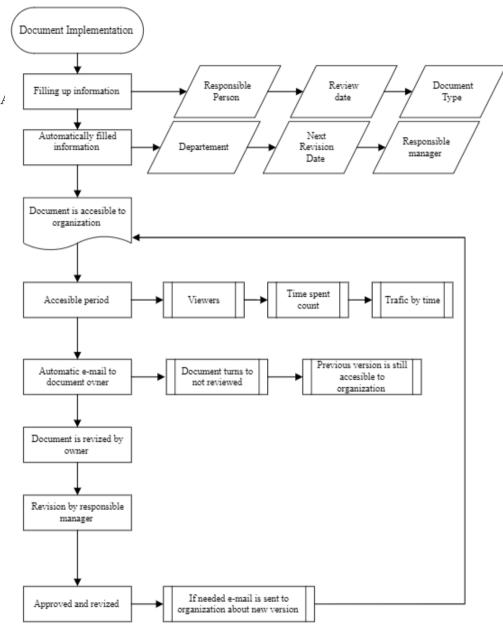
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Source: Author analysis.

#### ERIK URC1

# INSTRUMENTS THAT AFFECT VOTER TURNOUT – INSPIRATIONAL EXAMPLES FOR SLOVAKIA?

#### **Abstract**

The article deals with selected methods that can help increase voter turnout in the elections in the territory of the Slovak Republic. This paper describes methods based on data from several countries around the world that have decided to apply them to increase the involvement of citizens in the electoral process. The first part of the paper is devoted to compulsory voting, which also applies in several European countries. The second part of the paper analyzes the mechanism of electronic voting through modern information technologies. The article also presents several data that influence the introduction of this form of voting. It is primarily about socio-economic indicators, such as the population's age structure, the proportion of the university-educated population, or households' access to the Internet. Through the paper, the author also mentions various shortcomings that legislators and society will have to deal with to increase voter mobilization in elections.

Key words: voter turnout, compulsory voting, electronic voting

#### 1 INTRODUCTION

Elections are an essential element of all modern democracies. It is a modern democracy, understood as representative democracy, which did not fulfill its mission without elections. Elections can also represent the core of democracy or political process (Valová, 2010). Through elections, the exercise of power in the state is delegated from citizens to public authorities administered by the state.

Since the first elections from the times of ancient Greece or ancient Rome, the institution of elections has been continually evolving. Significant progress in the process of democratic elections occurred in the 20th century when elections became available to all sections of the population. Elections are what may be called the festival of democracy. Some citizens see participation in elections as their civic duty.

A remarkable fact is that free elections proved people's interest in elections. A high percentage of eligible voters took part in the election process. However, over the years, voter turnout has gradually declined in several democracies. The

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causes are different and individual. Voters' lack of interest in elections can lie, for example, in political representation, distrust in state institutions, or a low level of knowledge of electoral and political processes. Therefore, several experts aim to bring new knowledge to the electoral processes to increase voter turnout so that the elections can represent the majority will of the people.

#### 2 COMPULSORY PARTICIPATION IN THE ELECTION PROCESS

Elections represent the institute of representative democracy, where citizens, through their representatives, participate in public affairs. Participation in elections generally represents an expression of opinion or preference. To fulfill the principles of democracy as the way of majority rule, it is essential that voter turnout also represents dignified values centered on the views of the territory's citizens. In some countries, we may encounter a high level of citizen participation in elections, reaching 90-98 percent. In most cases, such values mean the only one, namely compulsory voting.

In individual states' constitutions or legal regulations, citizens are not only admitted to the right to vote but also the obligation to participate in the electoral process. In such cases, it is an electoral obligation known in English as "compulsory voting". At first glance, it may seem that the electoral obligation applies only in countries where democratic rights are suppressed, but this is not always the case. Presently, the obligation to vote is part of the legislation of countries where there is no doubt about their democratic nature (Domin, 2017). Democratic countries that have a legal obligation to participate in elections also respect the inviolability of the basic principles of democratic elections, such as generality, directness, equality, or secrecy. However, not participating in elections is illegal in such countries (Barilik, 2006).

Compulsory participation in the electoral process is not a new institute. Belgium is the protagonist of compulsory turnout, which first introduced compulsory turnout for men in 1892 (for women in 1949). Another country that introduced compulsory turnout was Australia in 1924. The first findings on mandatory turnout could be seen in the Swiss cantons' second half of the 19th century. The element of compulsory turnout was often absent here in the 19th or 20th centuries, but in 2006 this institute was applied in more than 30 countries worldwide. In addition to Belgium and Australia, we include Greece, Luxembourg, Argentina, Brazil, and Singapore (Domin, 2017). In the case of complex states, we may encounter a situation where the electoral obligation applies only to a specific part of the territory. In the United States, it is Massachusetts, and in Austria, it is the Land Voralberg (Barilik, 2006).

The electoral obligation usually takes various forms and needs to be uniformly accepted within the framework of the right to vote. We can meet with

several different views on the theory of electoral duty. Locke and Rousseau emphasize participation in the electoral process as an entitlement, not an obligation. Laband, Jellinek, and Schmitt present the opposite view, claiming that the voter represents the right to vote and is obliged to vote to ensure the public good (Palúš, 2002). Lijphart (2008) defined four basic arguments in favor of the existence of an electoral obligation:

- increasing turnout,
- increasing society's interest in political and social events,
- reduction of funds spent on the incentive campaign for electoral participation,
- reduction of aggressive political campaigns motivating for not to vote.

Other authors also mention other benefits that the existence of mandatory elections can bring. It is, for example, an educational gain that leads citizens to greater political responsibility or weakening extremist and radical political groupings, as voters of these parties regularly participate in elections (Domin, 2017). In January 2013, the Parliamentary Institute of the Czech Chamber of Deputies prepared a study (Blížkovský, Němec, 2013), which collected facts dealing with compulsory participation in elections. According to the study, the institute of mandatory elections represents a positive in the form of the arguments mentioned above. However, from the point of view of the adverse effects of compulsory participation in elections, according to the study, these are mainly arguments:

- mandatory participation in elections is incompatible with freedom as a fundamental value of democracy,
- coercion in citizens' elections creates a negative attitude toward law institutions.
- uninformed citizens who do not vote rationally will also take part in such elections (Wirnitzer, 2014).

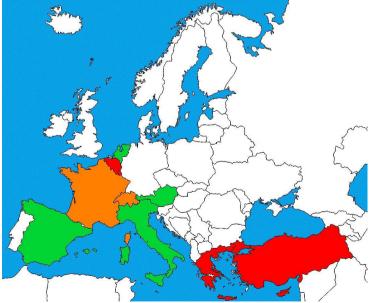
Mandatory turnout can also bring another negative element in the form of distortions in election results. It may occur when politically indifferent voters have to participate in the electoral process. This element creates room for electoral corruption, as it is a group of voters without their own political opinion that can be influenced by the unfair practices of some candidates (Barilik, 2006).

The question of its enforceability remains a debatable part of introducing the electoral obligation. We may encounter several possibilities based on the examples of the countries mentioned above. In Belgium, non-participation in the electoral process can be sanctioned as a fine, which increases based on the number of absences. If a Belgian voter does not vote four times in the last 15 years without a legally relevant excuse, he or she loses the right to vote for the next ten years. A fine for non-participation is also present in Australia. An important setting is also the acceptable set of the fine that the state can recover from a non-participating voter.

Barilik (2006) thinks the fine should correspond to the amount the state spends on organizing elections for a given voter. In other countries with an obligation to participate in the electoral process, for example, sanctions are enshrined in law but are not enforced. An example from practice also recognizes situations where the country's legal system provides for the obligation to participate in elections, but it does not define the form of the sanction, and thus the electoral obligation is unenforceable (Barilik, 2006).

At present, only moderate discussions are taking place with the introduction of the electoral obligation. In addition to the countries mentioned above, where the electoral obligation still applies, several countries have experience with the electoral obligation (see Table 1). Czechoslovakia also belongs to such countries in the years 1920 – 1954. The electoral obligation was legally enshrined in Act no. 75/1948 Coll. on elections to the National Assembly. In addition to several exceptions to mandatory participation in elections, the said law also regulated the amount of the sanction was at the level of CZK 10,000, or the voter was threatened with imprisonment for up to 1 month. The law also regulated the obligation of employers so that working hours do not limit voters in exercising their electoral duties. Provision § 32 of Act no. 123/1920 Coll. even regulated that the sale of alcoholic beverages was prohibited during the day before the election and on the day of the election.

Table 1 Countries with experience of compulsory elections



Source: own processing according to Wirnitzer, 2014

- \* countries with compulsory turnout are marked in red (Belgium, Luxembourg, Liechtenstein, Greece, Turkey)
- \* green indicates countries that have withdrawn from compulsory participation (Austria, Italy, Spain, the Netherlands)
- \* countries that vote only to a certain extent are marked in orange (France, Switzerland)

At present, mandatory participation in elections is retreating. The last country that legally abolished the obligation to participate in the elections was Cyprus in 2017. Even among Czech and Slovak authors, there are more votes to leave freedom to participate in the electoral process. P. Just (2010) thinks that democracy means free choice without enshrining the electoral obligation in law. Balík (2010) fears that the electoral obligation would mean the strengthening of extremist parties, as uninformed voters could be influenced by simple populist promises, which are unworkable. From our point of view, compulsory participation in the electoral process evokes something negative. Citizens should have the right to choose and exercise their right to vote freely, without the help of various means of coercion. The first step in preventing distortions in election results should be to increase citizens' interest in political and social events. However, this can only be achieved way naturally.

#### 2 ELECTRONIC VOTING

The popularity of electronic elections is growing in direct proportion to the electrification of a global society. Therefore, the term known worldwide as "Electronic Voting" (eVoting) has several forms. A standard indicator is the use of modern information technologies as a tool for the implementation of the right to vote. Through these technologies, it is possible not only to cast a vote in the election but also to collect and evaluate all the data, translating the individual votes into the election results. Modern technologies can thus secure the entire election process.

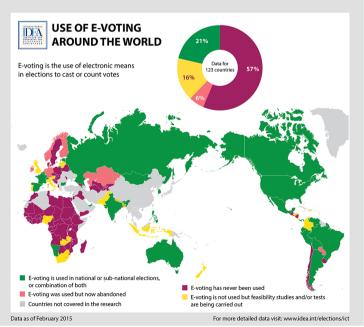
One way to vote electronically is to cast a vote directly in the polling station via a computer (usually with a touch screen). The voter can easily select their preferred candidate or political party and cast their vote. We can meet this method of voting relatively often in the USA. The second way of conducting electronic elections can be via the Internet or a mobile phone (Kupka, 2008).

The first thoughts on electronic democracy or voting can be dated to when the most significant progress was made in information and communication technologies. Since the 1960s, visionaries of the time have considered the possibility of direct citizen participation in the democratic process through various technologies (Brunclík, Novák, et al., 2014). However, the introduction

of electronic voting has not always been perceived positively. Golding (1996) and Haywood (1995) agreed that such voting could hurt democracy due to unequal access to information by citizens.

The "paperless" election process began to emerge with the advent of the first computers, which can be dated to the 1980s. However, the election process implemented in this way only presupposes elections within the polling stations. The idea of remote access to the electoral process began to develop only with the advent of the Internet in the late 1990s (Kupka, 2008). The United States has become a pioneer and innovator of Internet elections. At the turn of the millennium, the Internet election began to develop fully in several countries. Internet voting enabled soldiers on foreign missions, citizens living abroad, and astronaut David Wolf, who sent his vote from the Mir space station (Brunclík, Novák, et al., 2014). Within European countries, voting through modern technologies has begun to develop in Switzerland and Estonia. Switzerland is known for its high level of direct democracy, including a referendum. The first Internet referendum was held in the canton of Geneva in 2003 (Christin, Trechsel, 2005; Chevallier, Warynski, Sandoz, 2006). Estonia has continuously used the online election method since 2005 (Hlaváček, Kuta, 2014). Positive examples of Internet voting can also be found in the Netherlands, Norway, the USA, and Canada, but each country has chosen a different system for conducting Internet voting (Brunclík, Novák, et al., 2014).





Source: International Institute for Democracy and Electoral Assistance, 2015

Electronic voting is the youngest method of alternative voting, which has come to the fore, especially with the development of information and communication technologies. This voting form is rarely used, but it is increasingly becoming a topic of discussion in several developed democracies (including the Czech Republic and Slovakia). Electronic voting is expected to become the most frequent method, as eligible voters can participate in the election, given basic IT literacy. It should bring about a greater involvement of young people, which could mean increased turnout. The counting process would also be simplified. The disadvantage may be that the introduction of electronic voting requires high input costs, which for objective reasons, cannot be afforded by several countries (Brunclík, Novák, et al., 2014). Like other alternative voting forms, this method has several negatives, including high input financial costs, insufficient infrastructure, and technical equipment availability. Electronic voting can also pressure an individual's nonfree voting at home. Estonia has tried to address this situation by allowing a voter who has already cast a vote in an electronic election to come to the polling station and vote again, with his electronic voting automatically canceled (Orosz, Molek, Svák, Šimíček, 2016).

#### 2.1 Assumptions influencing the introduction of electronic voting

In connection with the introduction of electronic voting, it is necessary to point out the factors that are a prerequisite for its effective functioning. These are mainly demographic and technical factors. The primary condition for their introduction is the Internet literacy of voters or their ability to work with information technology. This is influenced by factors such as the age structure of the population, the educational level of society, or the economic level of the population. In addition, the state must have created conditions that help the development of the information society, such as a sophisticated system of electronic public administration, health care, education, etc. (Brunclík, Novák, et al., 2014). The introduction of electronic voting thus represents a wide range of consecutive factors for society to move closer to using such an alternative form of voting.

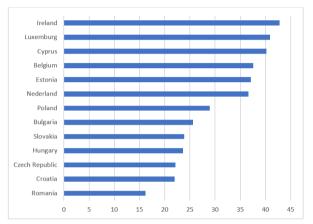
Table 3 The age structure of the population of EU countries (data in %)

	0 – 14 years		15 – 64 years		65 years and older	
	2006	2016	2006	2016	2006	2016
Belgium	17.1	17,0	65,7	64,7	17,2	18,2
Bulgaria	13,4	14,0	69,2	65,6	17,5	20,4
Czech Republic	14,6	15,4	71,1	66,2	14,2	18,3
Denmark	18,7	16,8	66,1	64,3	15,2	18,8
Germany	14,1	13,2	66,7	65,7	19,3	21,1
Estonia	15,0	16,1	68,1	64,9	16,9	19,0
Ireland	20,5	21,9	68,5	64,9	11,0	13,2
Greece	14,9	14,4	66,6	63,3	18,5	21,3
Spain	14,5	15,1	68,8	66,1	16,1	18,7
France	18,5	18,5	65,1	62,8	16,4	18,8
Croatia	15,8	14,6	66,7	66,2	17,5	19,2
Italy	14,1	13,7	66,0	64,3	19,9	22,0
Cyprus	19,4	16,4	68,5	68,4	12,2	15,1
Latvia	14,5	15,2	68,5	65,1	17,0	19,6
Lithuania	16,6	14,7	67,2	66,3	16,3	19,0
Luxemburg	18,4	16,5	67,5	69,3	14,1	14,2
Hungary	15,4	14,5	68,8	67,2	15,8	18,3
Malta	17,1	14,2	69,1	66,7	13,8	19,0
Nederland	18,3	16,5	67,5	65,3	14,3	18,2
Austria	15,9	14,3	67,6	67,2	16,4	18,5
Poland	16,2	15,0	70,4	69,1	13,3	16,0
Portugal	15,9	14,1	66,8	65,1	17,4	20,7
Romania	16,9	15,5	68,4	67,0	14,7	17,4
Slovenia	14,1	14,8	70,3	66,7	15,6	18,4
Slovakia	16,7	15,3	71,5	70,2	11,8	14,4
Finland	17,3	16,3	66,8	63,2	16,0	20,5
Sweden	17,3	17,4	65,4	62,8	17,3	19,8
UK	18,0	17,7	66,1	64,4	15,9	17,9
Island	21,8	20,0	66,5	66,1	11,7	13,9
Lichtenstein	17,4	14,9	71,1	68,6	11,6	16,5

Source: own processing according to Eurostat, 2017

The population's age structure largely influences the structure of potential voters who can cast their vote through electronic voting. The largest group using information technologies is young people, who create the assumption that the introduction of electronic voting will increase electoral participation among young people. Due to the generational shift, it can be assumed that the number of electronically and Internet-literate voters will only increase.

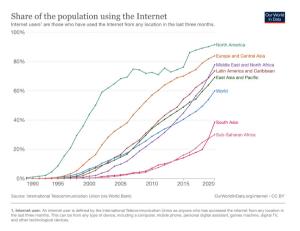
Table 4 The share of the population of selected EU countries with completed university education (in %)



Source: own processing according to Statista, 2021

According to several authors, the educational level of the population is related to the level of Internet literacy, as it is university-educated people who are regular users of information technology (Brunclík, Novák, et al., 2014).

Table 5 Share of the population using the Internet



Source: OurWorldInData.org, 2022

A prerequisite for electronic elections is access to the Internet, through which the voter can vote. This assumption is closely related to the economic situation of the country's population. More economically stable countries create more effective conditions for most residents to access Internet services. According to Brunclík and Novák (2014), an increase in the level of education also creates the possibility of access to the Internet, which should ensure the improvement of the overall Internet literacy of the population of a given country. The fulfillment of these prerequisites gives higher chances for the introduction of Internet voting.

In addition to the requirements imposed on voters or state institutions, it is essential to pay attention to the constitutional requirements to ensure compliance with the basic principles related to the implementation of free elections. Electronic voting carries the risk of making it impossible to keep the election secret. The secrecy of the election can be violated in two cases. The first is the act of election itself, where the voter can vote under pressure from family or neighborhood. Another problem may arise with casting a vote in an election through a communication channel (Brunclík, Novák, et al., 2014). The voter must prove himself by entering data into a system that has an administrator. To maintain the principle of universality and equality, limiting the impact of the so-called digital divide between different groups of voters (younger, older, poorer, more prosperous, more educated, etc.) is necessary. Given these factors, online voting should be used as an alternative to traditional voting. The example of Estonia also points to another problem with ensuring equality. One group of voters is favored because it votes more comfortably with the possibility of making an additional change. However, according to the local Supreme Court, this problem was not considered a violation of the principle of equality (Antoš, 2007).

In addition to the possible problems mentioned above, there may be others. In the conditions of the Slovak Republic, we have the experience of buying votes in mostly marginalized Roma settlements. The introduction of electronic voting can exacerbate this problem, as there may be situations where personal data is traded to influence the outcome of elections. That is why electronic voting is challenging to implement shortly. This form of voting currently needs sufficient technical infrastructure for this type of election or a higher level of electronic literacy of citizens, which is a necessary precondition for the free expression of voting preferences.

#### **CONCLUSION**

The dynamics of society's development allow us to identify and apply mechanisms that simplify citizens' daily lives. Processes in public policy are no exception. Different authors and more data allow us to find solutions to even the most significant problems related to the democratic setting of the country. One of

these problems is the gradual decline in voter interest in politics. While it may seem that politics is a grateful topic in society and everyone has a sense of understanding it, the opposite is true. An essential element of knowledge of politics is especially knowledge of political processes or the political system. Since the beginning of the 21st century, data from several countries have shown a decline in voter turnout. The situation mentioned above is primarily influenced by the political representatives of the individual countries creating the legislation and the political system. In this context, however, personal interests also often exceed those of society as a whole. Therefore, it is crucial for citizens to know the nature of political processes and to be able to select representatives in elections that they think will defend their interests. Unfortunately, politicians often prioritize interests that can be of personal benefit to them and do not care about whether they can move their country forward by changing specific political processes

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# KLIMOVSKÝ, D., ET AL.: PARTICIPATORY BUDGETING: CONTEXTS, MODELS AND PRACTICAL EXPERIENCES (2ND EXTENDED EDITION)

Wolters Kluwer SK in Bratislava, 2022, 212 p..

Participatory budgeting is a relatively rare and little-discussed issue in the Czech and Slovak academic environment. That is why Klimovský et al. decided to focus on the mentioned topic in more detail and follow up on the textbook they published in 2021. In the second extended edition, participatory budgeting is described and analyzed in more depth. At the same time, it is apparent that the authors emphasized basic definitions, theoretical frameworks, the so-called best practices from abroad, and, last but not least, examples from actual practice from the Czech and Slovak environments. The textbook has seven chapters and was created by an interdisciplinary team of authors composed of researchers focused on political science and the economic sector. The researchers work and are active in academia in Czechia and Slovakia. Describing the nature of the textbook, it introduces participatory budgeting as a public participation tool. The targeted group is primarily university students of public administration, but mentioned information and strategies can be useful for professionals or even nonprofessionals from local communities. The book uses many visual tools such as charts, pictures, and tables (e.g., Phases of Participatory Budgeting and Typical Phases of Participatory Budgeting), which are essential for better memorizing and practical working with the topic as mentioned above. We can also find a subchapter where the authors explain the difference between the participatory budgeting process and the participatory budget itself. The book aims to clarify many similar minor details, giving the reader the impression that they get a deeper insight into the topic.

In terms of content, the textbook is logically designed, and the individual chapters follow each other consequently. In the introductory chapters, the authors clarify essential terms and definitions, such as civil society or the third sector, which are crucial for understanding the given topic. The textbook is enriched with several new chapters and subsections compared to the previous edition. The

authors devote more space to issues such as public participation as one of the key determinants of change or public finances from the perspective of public involvement. The barriers and procedural perception of participatory budgeting also received more space, as they are described and analyzed in more detail compared to the previous edition. The textbook also contains new examples of participatory budgeting from Central and Eastern Europe and specific initiatives from the Czech Republic and the Slovak Republic. Compared to the previous edition, the book provides readers with a description and an analysis of the city Banská Bystrica, which is covered by a new and additional subchapter. In addition, at the end of each chapter, we find exercises and question-based tasks designed to review and remember key areas and facts presented in selected sections. At the very end, there is an appendix called the Charter of Good Participatory Budgeting. which was created under the auspices of the Office of the Plenipotentiary of the Government of the Slovak Republic for the Development of Civil Society and the Faculty of Philosophy of the Comenius University in Bratislava. This fact adds relevance to the book, as several authors from the collective actively participated and were involved in creating the charter within the working group.. Considering the things mentioned above, it can be said that the authors delivered the desired improvement and successfully clarified the researched area more profoundly to the targeted group.

Regarding methodology, this book is a typical example of the textbook, meaning that most present logical methods are description and analysis. As final content consumers consist of university students, the methodology used is appropriate and meets all the requirements that a student would demand from the helpful learning material. It is user-friendly when it comes to reading, and the material contains information about participatory budgeting pitfalls and other related fields with the researched topic as it is mentioned above. In addition, it is necessary to repeat that the textbook is written not only so that students and experts can understand it but also so that lay people can easily be inspired and improve the development of their local community.

When it comes to references, the book works with a solid number of multilingual sources. In total, there are 489 sources. This literature is based on sources such as books/textbooks, academic publications from monographs, articles from academic journals, and official documents from the websites of official institutions. Sources written in English prevail, but a significant part of references is either Slovak or Czech. It is visible that the authors cared about picking up good-quality literature, as one would expect from a textbook that targets university audiences.

Nevertheless, despite plenty of positive comments, there is also space for improvement. The question-based exercises and tasks can be served better regarding visuals. Exercises-based visual tools, such as charts with empty spaces or roleplay tasks, would improve the phase where students have to revise the chapters and memorize important stuff. The authors can also consider creating an interactive e-book that tends to be more engaging for today's generation of students. The current state of the given exercises is rather decent. Still, its possible improvement would increase the quality of the textbook as it would turn into a modern masterpiece regarding education in terms of participatory budgeting. It is up to the authors whether they turn the book into an interactive form.

In conclusion, it is necessary to state that the textbook makes a good impression. It provides readers with essential information on the subject of participatory budgeting. With its user-friendly readiness, this book has to be a part of the bookshelves of every public administration student. It offers insights into the process of participatory budgeting from the perspective of theory and actual practice, which is an ideal combination for the target group regarding understanding. The fact that some authors actively participated in creating the Charter of Good Participatory Budgeting underlines the relevance and auality of the outcome. Hopefully, the collective will continue and publish a new updated version in a couple of years because, as we stated above, there is a potential to make the textbook even more extensive content-wise and in terms of exercises and tasks parts. Besides that, the book has a valuable contribution to learning processes, and the final audience should appreciate the final form of the published content. The authors opened many cases and described their pitfalls and connection to the issue of participatory budgeting. We can look at these side topics as they also bring additional value as they can provide readers with new knowledge and extend their orientation in the field of public administration and its functioning. As we mentioned above, the material provides readers with many useful strategies and examples, so there is plenty of material to find helpful tips and hints for students and proactive individuals. The textbook is undoubtedly the only one of its kind in the Czech and Slovak environment, which means that it has the potential for regular expansion and the addition of new information and areas related to the topic under study.

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