

Slovakia

Self-rule

INSTITUTIONAL DEPTH AND POLICY SCOPE

Slovakia has one tier of regional governance consisting of *kraje* (regions), established as deconcentrated units in 1996 and reformed into decentralized governments in 2002. We also code the capital city of Bratislava.

After the partition of Czechoslovakia, Slovakia's first constitution recognized the principle of local and regional self-government (C 1992, Art. 64), but law makers gave priority to deepening local self-government (Law No. 369/1990). The capital city of Bratislava (*Hlavného mesta Bratislavy*) obtained its own law which establishes a two-tier system of mayors and councils at the central level and in seventeen districts which have municipal status (C 1992, Arts. 10 and 70; Law No. 377/1990). The capital includes around 430,000 inhabitants which is about eight per cent of the total Slovak population. In its capacity as a municipality, Bratislava exercises competences in culture, hospitals, local roads, preschools, primary education, public housing, public transport, sewers, social welfare, territorial planning, tourism, urban heating, and waste collection (Law No. 369/1990, Art. 4; No. 377/1990, Art. 1a). A specific law grants Bratislava additional responsibility for firefighting, public transport, road maintenance, and water supply (Council of Europe: Slovakia 2016; Law No. 377/1990, Art. 6a). A city statute allocates and coordinates the tasks between the mayor (*primátor Bratislavy*) and council (*mestské zastupiteľstvo*) at the city level and the mayors (*starosta*) and councils (*miestne zastupiteľstvo*) at the district level (Law No. 377/1990, Art. 7b; No. 444/2008).¹

As in many post-communist countries, regional authority was weakened in the initial years. Regional soviets were abolished, thirty-eight deconcentrated *okres* (district) offices and 121 subdistrict offices were created, and task-specific state agencies were set up at the *okres* level for education, environmental protection, fire prevention, and health care (Council of Europe: Slovakia 1999; Brusis 2002, 2005). *Okres* had an average population of 141,500. In 1996 *okres* were replaced by eight *kraje* and seventy-nine *okresy*, which absorbed the functions performed by the specialized state agencies (Law No. 221/1996; O'Dwyer 2006). They remained under central state control (Brusis 2005; Buček 2002; Law No. 222/1996; Nemeč, Bercik, and Kuklis 2000).

In 2001, a decentralization plan was submitted to the national legislature which would have deprived the central government of the right to veto regional legislation. It would also have created twelve instead of eight regions with some concessions to the Hungarian minority in the east of the country. However, after intense political debate the proposal was significantly watered down. The constitutional amendment set up directly elected regional councils and chairpersons for *samosprávne kraje* in a dual relationship with centrally controlled *kraje*; regional decrees of

¹ Kosice, the second largest city of Slovakia, is divided into twenty-two districts, however, in contrast to Bratislava, its special law and city statute do not assign additional competences to Kosice in comparison to other municipalities (Law No. 401/1990; No. 612/2001).

regions were made contingent upon the approval of the central government and their compliance with “national interests or the interests of other regions or communities;” and the number and boundaries of the original *kraje* were retained (Brusis 2005; Law No. 302/ 2001; No. 303/2001).

There is no constitutional list of regional competences, but a 2001 framework law enumerates tasks to be devolved. The devolution was implemented between 2002 and 2004 (Council of Europe: Slovakia 2006, 2016; Klimovský 2010; Law No. 416/ 2001; Sopóci, Hrabovská, and Bunčák 2006). The result is a dual structure of state-controlled regional *kraje* offices, headed by a government appointee, alongside *samosprávne kraje* (self-governing regions). The primary responsibility of the self-governing regions is regional development and regional international cooperation (Buček 2002: 148), but they may also exercise powers—shared with the deconcentrated *kraje*—in a range of other areas, including road management (from 2004), emergencies, social welfare, secondary education and regional libraries, sports, and theaters (from 2002), health centers, and hospitals (from 2003) (Marasova and Horehajova 2017: 456–464). *Samosprávne kraje* do not control local government, police, or their own institutional set up, nor do they have residual powers. *Kraje* score 1 on institutional depth and zero on policy scope from 1996–2001, and *samosprávne kraje* score 2 on institutional depth and 1 on policy scope from 2002.

FISCAL AUTONOMY

Kraje depended on state funding (Council of Europe: Slovakia 1999). In the first three years of their existence (2002–2004) *samosprávne kraje* depended on grants (Law No. 302/2001, Art. 9). In 2005 *samosprávne kraje* acquired the power to set the rate of vehicle registration taxes but this tax was transferred back to central government in 2015 (Černénko 2016; Council of Europe: Slovakia 2006, 2016; Davey and Péteri 2006; Law No. 361/2014). To compensate for the revenue loss, the tax reform went alongside an increase in the *samosprávne kraje*’s share of the revenues of personal income tax from 23.5 per cent in 2005 to 30 per cent in 2016 (Mihálik, Horváth, and Švikruha 2019).

Between 1992 and 2004 *Hlavného mesta Bratislavy* administered a property tax and it could grant exemptions on the applied rate (Law No. 317/1992, Art. 12; Románová and Červená 2017). Since 2004 Bratislava sets the rates of taxes on property, dogs, and tourists within limits laid down in national law. Most of the income of the capital city comes from a share of personal income tax, corporate tax, and road tax which are collected by central government (Council of Europe: Slovakia 1999, 2001; Law No. 582/2004; Románová, Radvan, and Schweigl 2019).

BORROWING AUTONOMY

Kraje did not have borrowing autonomy (Council of Europe: Slovakia 1999). *Samosprávne kraje* and *Hlavného mesta Bratislavy* can borrow without prior approval of the ministry of finance but annual debt payments may not exceed 25 percent of the budget of the previous year (Buček 2002; Čapková 2012: 566; Council of Europe: Slovakia 1999, 2001, 2006, 2016; Law No. 302/2001, Art. 11.2e; No. 583/2004, Art. 17). The rules for borrowing have become stricter since 2015 (Law No. 493/2011; the relevant articles became effective from 2015 onwards). Loans can only be used

for capital purposes and the total debt stock cannot exceed 60 percent of the budget of the previous year (Law No. 583/2004, Art. 17; No. 493/2011, Arts. 6 and 14). Since 2016 the central government can impose fines on regions and municipalities which exceed the total debt limit (Council of Europe: Slovakia 2016; Law No. 493/2011, Art. 6).

REPRESENTATION

Samosprávne kraje have directly elected councils and the chairperson of the executive is also directly elected (Buček 2002; Council of Europe: Slovakia 2006; Law No. 302/2001, Arts. 3 and 16; No. 303/2001). Elections take place every four years. However, executive authority is shared with the deconcentrated *kraje* central state offices, which makes Slovakia's regional governance dual (Buček 2002; Committee of the Regions 2005; Sopóci, Hrabovská, and Bunčák 2006).^β The mayor and assembly members of *Hlavného mesta Bratislavy* as well as those of its seventeen districts are directly elected and the mayor can appoint three deputy mayors from among the assembly members (C 1992, Art. 69; Law No. 377/1990, Arts. 11–12).

Shared rule

There is no power sharing for *kraje*, *samosprávne kraje*, or *Hlavného mesta Bratislavy*.

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Self-rule in Slovakia

			Institutional depth	Policy scope	Fiscal autonomy	Borrowing autonomy	Representation		Self-rule
							Assembly	Executive	
Hlavného mesta Bratislavy	I	1993-1995	2	2	1	2	2	2	11
	I → II	1996-2018	2	2	1	2	2	2	11
Kraje	I	1996-2001	1	0	0	0	0	0	1
Samosprávne kraje	I	2002-2004	2	1	0	2	2	1	8
	I	2005-2014	2	1	1	2	2	1	9
	I	2015-2018	2	1	0	2	2	1	8

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